



# Town and Country Planning (Scotland) Act 1997

## 1997 CHAPTER 8

### PART VII

#### SPECIAL CONTROLS

#### CHAPTER I

#### TREES

*Compensation for loss or damage caused by orders etc.*

#### **165 Compensation in respect of tree preservation orders.**

- (1) A tree preservation order may make provision for the payment by the planning authority, subject to such exceptions and conditions as may be specified in the order, of compensation in respect of loss or damage caused or incurred in consequence of—
  - (a) the refusal of any consent required under the order, or
  - (b) the grant of any such consent subject to conditions.
- (2) Except in so far as may be otherwise provided by section 166(5), any tree preservation order or any regulations made under this Act, any question of disputed compensation under this section shall be referred to and determined by the Lands Tribunal.
- (3) In relation to the determination of any such question, the provisions of sections 9 and 11 of the <sup>M1</sup>Land Compensation (Scotland) Act 1963 shall apply subject to any necessary modifications and to the provisions of any regulations made under this Act.

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**Status:** Point in time view as at 07/01/2003.

**Changes to legislation:** Town and Country Planning (Scotland) Act 1997, Section 165 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

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#### Marginal Citations

**M1** 1963 c. 51.

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