



Town and Country Planning (Scotland) Act 1972

CHAPTER 52

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1972

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Status: This is the original version (as it was originally enacted).

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- 3 For subsections (1) and (2) of section 232 there shall...
- 4 In section 242(2)(a) for the words "a structure plan or...
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- 6 After section 264 there shall be inserted the following setion...
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- 8 In section 275(1), for the definition of "development plan" there...
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- 10 In Part I of Schedule 19 after the words "Schedules...

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- 8 In the case of any building or other land which,...
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9 A commission shall afford the following persons an opportunity of...
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3 For section 59(1) to (3) there shall be substituted:— (1) If it appears to a local planning authority that...

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3 (1) A development order may provide that an application for...

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3 Without prejudice to paragraph 2 of this Schedule, where an...
4 Where an assignment to the Central Land Board comprised only...

- 5 (1) The provisions of this paragraph shall have effect in...
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9 If the payment area includes the area of the claim...
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13 The area and value of any such separate claim holding...
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15 (1) The said principles are those set out in the...
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20 (1) Where one or more relevant acts or events have...
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Apportionment of unexpended balance between interests

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- 5 In this Schedule— (a) " the relevant land ", in...

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- 4 For the purposes of this Schedule gross floor space shall...
- 5 In relation to a building erected after the appointed day,...

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Action by local planning authority on whom listed building purchase notice is served

- 1 (1) The local planning authority on whom a listed building...

Action by Secretary of State in relation to listed building purchase notice

- 2 (1) Subject to the following provisions of this paragraph, if...

Effect of Secretary of State's action in relation to listed building purchase notice

- 3 (1) Where the Secretary of State confirms a listed building...

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- 4 Where in consequence of listed building consent being revoked or...

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PART I — CONFIRMATION OF ORDERS

- 1 (1) Before an order under section 199 or 203(1)(b) of...
- 2 If no representations or objections are duly made, or if...
- 3 (1) If any representation or objection duly made is not...
- 4 (1) The Secretary of State shall not confirm an order...
- 5 Regulations under this Act may, subject to this Part of...

PART II — PUBLICITY FOR ORDERS AFTER CONFIRMATION

- 6 As soon as may be after an order under section...

SCHEDULE 19 — Provisions of this Act referred to in Sections 250, 251, 256, 257
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PART I

PART II

PART III

PART IV

SCHEDULE 20 — Enactments Exempted from Section 273(6) of this Act

Status: This is the original version (as it was originally enacted).

- 1 Section 32(1) of the Public Health (Scotland) Act 1897.
- 2 Section 158 of the Burgh Police (Scotland) Act 1892, as...
- 3 Section 5 of the Roads Improvement Act 1925, as applied...
- 4 Any enactment making such provision as might by virtue of...
- 5 Any enactment which has been previously excluded or modified by...

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PART II

The Finance Act 1931 (c. 28)

The Building Restrictions (War-Time Contraventions) Act 1946 (c. 35)

The Town and Country Planning (Scotland) Act 1947 (c. 53)

The Civil Aviation Act 1949 (c. 67)

The Building (Scotland) Act 1959 (c. 24)

The Town and Country Planning (Scotland) Act 1959 (c. 70)

The Airports Authority Act 1965 (c. 16)

The Gas Act 1965 (c. 36)

The Building Control Act 1966 (c. 27)

The Housing (Scotland) Act 1966 (c. 49)

The Local Government (Scotland) Act 1966 (c. 51)

The Land Commission Act 1967 (c. 1)

The Forestry Act 1967 (c. 10)

The Agriculture Act 1967 (c. 22)

The Civic Amenities Act 1967 (c. 69)

The Public Expenditure and Receipts Act 1968 (c. 14)

The Agriculture (Miscellaneous Provisions) Act 1968 (c. 34)

The Town and Country Planning (Scotland) Act 1969 (c. 30)

The Transport Act 1968 (c. 73)

The Post Office Act 1969 (c. 48)

The Civil Aviation Act 1971 (c. 75)

The Local Employment Act 1972 (c.5)

The Town and Country Planning (Amendment) Act 1972 (c.)

SCHEDULE 22 — Transitional Provisions and Savings

PART I — GENERAL PROVISIONS

- 1 (1) In so far as anything done under an enactment...
- 2 Without prejudice to section 276 of, and Schedule 2: to,...
- 3 Where any period of time specified in an enactment repealed...
- 4 Without prejudice to paragraph 1 of this Schedule, my reference...
- 5 (1) Nothing in this Act shall affect the enactments repealed...

- 6 (1) Any reference in this Act to an order or...
PART II — CENTRAL AND LOCAL ADMINISTRATION

Transfer of property and officers to local planning authorities

- 7 Nothing in this Act shall affect, or be treated as...
PART III — DEVELOPMENT PLANS

Effect of existing commencement orders

- 8 (1) In relation to so much of any order made...
PART IV — GENERAL PLANNING CONTROL

Planning permission: general

- 9 Subsection (1) of section 20 of this Act applies (subject...
10 In sections 23 and 24 of this Act references to...
11 Subsection (2)(b) of section 23, and the other provisions of...
12 Where by virtue of the proviso to subsection (3) of...

Review of planning decisions and orders under Part V of Act of 1954

- 13 For the purposes of paragraph 1 of this Schedule, any...

Duration of planning permission

- 14 Sections 38 and 39 of this Act do not apply...
15 (1) Subject to sub-paragraph (2) of this paragraph, every planning...
16 (1) Subject to sub-paragraph (2) of this paragraph, where before...
17 (1) In sections 27(3), 40(1), (5), (6) and (7), 41...
18 Until the coming into operation of the first regulations to...
PART V — ADDITIONAL CONTROL IN SPECIAL CIRCUMSTANCES

Buildings of architectural or historic interest

- 19 Section 53(1) of this Act does not apply to any...
20 (1) Where, before 3rd August 1970, consent under a building...

Replacement of trees

- 21 Section 57 of this Act does not apply in relation...

Industrial development

- 22 (1) So much of sections 64 to 70 of this...
23 Without prejudice to Part I of this Schedule, any order...

Office development

- 24 (1) Sections 72 and 73 of this Act do not...
25 Without prejudice to Part I of this Schedule, any order...
PART VI — ENFORCEMENT OF CONTROL

Enforcement notices under enactments in force before 8th December 1969

- 26 (1) This paragraph applies to any enforcement notice which was...

Enforcement notices served by virtue of section 72 of Act of 1947

- 27 (1) This paragraph applies to any enforcement notice served before...
28 In so far as an enforcement notice could, if this...
29 (1) Where an enforcement notice served by virtue of paragraph...
30 (1) The power of a local planning authority under Part...
31 Where in pursuance of paragraph 76(3) of this Schedule permission...
32 The repeal by this Act of section 72 of the...

Enforcement of building preservation orders

- 33 The repeal by the Act of 1969 of section 27...

Enforcement of duties as to trees

- 34 Subsection (3) of section 99 of this Act shall not...
PART VII — ACQUISITION OF LAND ETC.

Consent of Minister to acquisition, appropriation or disposal of land

- 35 Nothing in Part I of this Schedule shall be construed...

Existing compulsory purchase orders

- 36 (1) Sections 102 and 103 of this Act shall not...
37 The repeals effected by this Act shall not affect the...
38 Any compulsory purchase order made or confirmed under Part I...

*Application of Part VI to land acquired or
authorised to be acquired under previous enactments*

- 39 The provisions of Part VI of this Act shall have...
40 For the purposes of Part VI of this Act—
41 The reference in subsection (1) of section 122 of this...

Provisions as to Central Land Board

- 42 Section 117 of this Act shall have effect in relation...
PART VIII — COMPENSATION UNDER PART VII OF THIS ACT

Compensation under Part V of Act of 1954

- 43 (1) Subject to the following provisions of this paragraph, for...

Provision excluding recovery of compensation

- 44 For the purposes of the construction, in accordance with Part...
PART IX — COMPENSATION UNDER PART VIII OF THIS ACT

Compensation to statutory undertakers

- 45 Subsection (3) of section 154 of this Act shall not...

Contribution by Secretary of State towards compensation

- 46 For the purposes of the construction of section 156(1) of...

Recovery of compensation

- 47 For the purposes of the construction of section 157(3) of...
PART X — BLIGHT NOTICES

Notices served before 8th December 1969 or 18th May 1970

- 48 In relation to a notice served under section 38 of...

Temporary inclusion of additional description of blighted land

- 49 (1) For the purposes of the application of sections 181...
PART XI — HIGHWAYS

Provisions as to telegraphic lines

- 50 (1) In relation to an order made under section 46...
PART XII — STATUTORY UNDERTAKERS

Application of ss. 214 to 220 to matters arising before 8th December 1969

- 51 (1) This paragraph shall have effect as respects the application,...

Extinguishment of rights: notices served before 8th December 1969

- 52 In relation to a notice served before 8th December 1969,...

Application of section 219 to land acquired by Central Land Board

- 53 In section 219(1) of this Act, the reference to land...

Right to compensation for decisions made before 8th December 1969

- 54 In its application, by virtue of Part I of this...

Enactments applying section 24 of Act of 1945

- 55 (1) This paragraph shall have effect for .the purposes of...
PART XIII — VALIDITY OF PLANNING DECISIONS ETC.

Orders made and action taken before 16th August 1959

- 56 (1) Notwithstanding anything in Part I of this Schedule, the...
57 Section 234 of this Act does not apply to any...

Directions under Part V of Act of 1954

- 58 For the purposes of the construction, in accordance with Part...
PART XIV — FINANCIAL PROVISIONS

Grants

- 59 Nothing in this Act shall affect the payment (whether before...
60 Section 237 of this Act does not apply to any...

Recovery of sums from acquiring authorities

- 61 (1) In relation to any acquisition or sale of an...
62 Section 245 of this Act shall have effect in relation...

Treatment of sums received under section 248(4) before 1st April 1968

- 63 Any sums received by the Secretary of State before 1st...
PART XV — SPECIAL CASES

Minerals

- 64 In relation to any time before 10th April 1966, section...

National Coal Board

- 65 Until the coming into operation of the first regulations made...
PART XVI — MISCELLANEOUS AND SUPPLEMENTARY

Rights and liabilities in respect of certain payments

- 66 (1) The repeals effected by this Act shall not affect...

Registration of payments under s. 58 of Act of 1954

- 67 (1) The repeals effected by this Act shall not affect...

Entitlement to, and amount of, compensation etc. in cases arising before 25th February 1963

- 68 Notwithstanding Part I of this Schedule, the following provisions of...

Definition of " local authority "

- 69 For the purposes of the construction, in accordance with Part...

Saving for powers of Post Office

- 70 Except as provided by section 209 of this Act. nothing...

Saving in respect of works below high-water mark

- 71 Nothing in the provisions of this Act specified in Part...

Land Compensation (Scotland) Act 1963 s. 39

- 72 Any reference in this Act to the power conferred by...

References to Ministers: previous Transfer of Functions Orders

- 73 (1) Where the functions of a Minister under any enactment...

Schemes and agreements under enactments repealed by Act of 1947

- 74 (1) The repeal effected by this Act shall not affect...

- 75 (1) The repeal effected by this Act shall not affect...

Development authorised under enactments repealed by Act of 1947

- 76 (1) Where any works on land existing at the appointed...

- 77 (1) Where permission for any development of land was granted,...

- 78 (1) Where any works for the erection or alteration of...

- 79 (1) Any reference in Part VII of this Act, or...

Supplementary

80 (1) Where in this Act (including this Schedule except Part...

SCHEDULE 23 — Repeals

SCHEDULE 24 — General Vesting Declarations

PART I — GENERAL PROVISIONS

Execution of general vesting declarations

- 1 (1) Where a compulsory purchase order authorising an acquiring authority...
- 2 (1) Before making a general vesting declaration with respect to...
- 3 A general vesting declaration shall not be executed before the...
- 4 As soon as may be after executing a general vesting...
- 5 For the purposes of this Schedule, a certificate by the...

Effect of general vesting declaration

- 6 At the end of the period specified in a general...
- 7 At the end of the period specified in a general...
- 8 Where any land specified in a general vesting declaration is...

Recovery of compensation overpaid

- 9 The provisions of paragraphs 10 to 14 below shall have...
- 10 If, in a case falling within paragraph 9 above, it...
- 11 If in a case falling within paragraph 9 above, it...
- 12 Any question arising under paragraph 10 or 11 above—
- 13 Subject to paragraph 12 above, any amount recoverable by the...
- 14 Any sum recovered under paragraph 10 or 11 above in...

Penalty for false information in claiming compensation

- 15 (1) If any person, for the purpose of obtaining for...
- PART II — SUPPLEMENTARY PROVISIONS
- 16 The provisions contained in this Part of this Schedule shall...

Exclusion of power of entry under the Acquisition Act 1947

- 17 Paragraph 3 of Schedule 2 to the Acquisition Act 1947...

Restriction on withdrawal of constructive notice to treat

- 18 The power conferred by section 39 of the Land Compensation...

Objection to severance

- 19 Paragraph 4 of Schedule 2 to the Acquisition Act 1947...
- 20 (1) If a general vesting declaration under this Act comprises...
- 21 Where a notice of objection to severance is served in...
- 22 Within three months after a person has served on an...
- 23 If the acquiring authority do not take action in accordance...
- 24 Where in accordance with paragraph 22 or 23 above the...
- 25 Where an acquiring authority take action in accordance with sub-paragraph...

- 26 Where in accordance with paragraph 22(c) above an acquiring authority...
- 27 (1) If on such a reference the Lands Tribunal does...
- 28 Where by virtue of paragraph 22(a), 23, 25 or 27...
- 29 (1) Where in accordance with paragraph 20(1) above a person...

Compensation

- 30 Where any of the land specified in a general vesting...
- 31 Sections 56 to 60 and sections 63 to 66 of...

Charges and tenancies

- 32 (1) Where land specified in a general vesting declaration under...
- 33 Where land specified in a general vesting declaration under this...
- 34 Where any of the land specified in a general vesting...

Miscellaneous

- 35 Where, after land has become vested in an acquiring authority...
- 36 (1) The time within which a question of disputed compensation,...
- 37 At the end of the period specified in a general...

PART III — INTERPRETATION

- 38 (1) In this Schedule " short tenancy " means a...
- 39 In this Schedule— " Acquisition Act 1947 " means the...