



Town and Country Planning (Scotland) Act 1972

1972 CHAPTER 52

PART VI

ACQUISITION AND APPROPRIATION OF LAND AND RELATED PROVISIONS

Powers exercisable in relation to land held for planning purposes, and other related powers

114 Development of land held for planning purposes

- (1) The functions of a local planning authority shall include power for the authority, notwithstanding any limitation imposed by law on the capacity of the authority by virtue of its constitution, to erect, construct or carry out any building or work on any land to which this section applies, not being a building or work for the erection, construction or carrying out of which, whether by that authority or by any other person, statutory power exists by virtue of, or could be conferred under, an alternative enactment.
- (2) This section applies to any land which has been acquired or appropriated by a local planning authority for planning purposes and is for the time being held by the authority for the purposes for which it was so acquired or appropriated.
- (3) The consent of the Secretary of State shall be requisite to any exercise by a local planning authority of the power conferred on them by subsection (1) of this section; and any such consent may be given either in respect of a particular operation or in respect of operations of any class, and either subject to or free from any conditions or limitations.
- (4) Where a local planning authority propose to carry out any operation which they would have power to carry out by virtue only of subsection (1) of this section, they shall notify the Secretary of State of their proposal, and the Secretary of State may direct such advertisement by the authority as appears to him to be requisite for the purposes of subsection (3) of this section.

Status: This is the original version (as it was originally enacted).

- (5) The functions of a local planning authority shall include power for the authority, notwithstanding any such limitation as is mentioned in subsection (1) of this section, to repair, maintain and insure any buildings or works on land to which this section applies, and generally to deal therewith in a proper course of management.
- (6) Nothing in this section shall be construed as authorising any act or omission on the part of a local planning authority which is actionable at the instance of any person on any ground other than such a limitation as is mentioned in subsection (1) of this section.
- (7) In this section " alternative enactment" means any enactment which is not contained in this Part of this Act or in section 5, 8, 13(1) or 14 of the Local Employment Act 1972.