



# Local Government and Planning (Scotland) Act 1982

## 1982 CHAPTER 43

### PART III

#### PLANNING

#### 40 Alteration of local plans

In section 13 of the 1972 Act (which relates to the alteration of local plans)—

(a) for subsection (1) there shall be substituted the following subsection—

“(1) A planning authority shall keep under review any local plan adopted by them, or approved by the Secretary of State, and may at any time make proposals for the alteration, repeal or replacement of such plan; and any such proposals may include proposals for the repeal of two or more local plans and their replacement with one local plan:

Provided that where a local plan has been approved by the Secretary of State they shall not make such proposals in relation to that plan without his consent.”;

(b) in subsection (3), at the beginning there shall be inserted the words " Subject to subsection (4) below "; and

(c) at the end there shall be added the following subsections—

“(4) If a planning authority do not consider it appropriate to take the steps required by section 10(1) of this Act in relation to proposals made by them under subsection (1) of this section for alteration of a local plan, they may instead include, with the copies of those proposals made available for inspection and with the copy sent to the Secretary of State under section 10(2) of this Act, a statement of their reasons for not taking such steps.

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*Status: This is the original version (as it was originally enacted).*

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- (5) In carrying out their duty under subsection (1) above the authority shall have regard to any structure plan approved for the area by the Secretary of State.”