



# Local Government and Planning (Scotland) Act 1982

## 1982 CHAPTER 43

### PART III

#### PLANNING

#### 41 Publication of notices of planning applications

For section 23 of the 1972 Act (which relates to the publication of notices of planning applications) there shall be substituted the following section—

**“23 Publication of notices of applications.**

- (1) Subject to subsection (2) below, a development order may provide, either in relation to applications generally or in relation to applications of a class or classes prescribed in the order, that—
  - (a) any such application shall have been notified to such persons or classes of person, and in such manner, as may be so prescribed;
  - (b) any such application shall have been advertised, either in a local newspaper or on the land to which the application relates, or both, in such a manner and for such a period or on such a number of occasions as may be so prescribed;
  - (c) any newspaper advertisement required by virtue of paragraph (b) above shall be placed by the planning authority to whom the application is made ;
  - (d) the planning authority may recover from the applicant the cost incurred by them in arranging any such advertisement;
  - (e) any such application shall be accompanied by such certificates as to compliance with the requirements of provisions made under paragraphs (a) and (b) above as may be so prescribed;

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*Status: This is the original version (as it was originally enacted).*

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- (f) the applicant shall furnish, at such time and to such persons as may be so prescribed, such information with respect to the application as may be so prescribed ;
- (g) no such application shall be entertained unless such further conditions as to payment as may be so prescribed have been complied with;
- (h) no such application shall be determined until after the expiry of any period which may be so prescribed.

(2) The applications mentioned in subsection (1) above are—

- (a) applications for planning permission ;
- (b) applications for an approval required by a development order; or
- (c) applications for any consent, agreement or approval required by a condition imposed on a grant of planning permission.

(3) If any person knowingly or recklessly—

- (a) issues a notification; or
- (b) makes advertisement (other than newspaper advertisement); or
- (c) supplies a certificate,

which purports to comply with provisions made under subsection (1) above but which contains a statement which is false or misleading in a material particular, he shall be guilty of an offence, and liable on summary conviction to a fine not exceeding £200.”.