

Status: Point in time view as at 30/08/1995.

Changes to legislation: There are currently no known outstanding effects for the Planning and Compensation Act 1991, Part II. (See end of Document for details)

SCHEDULES

SCHEDULE 11

SIMPLIFIED PLANNING ZONES - SCOTLAND

Modifications etc. (not altering text)

C1 [Sch. 11](#) restricted (30.8.1995) by [S.I. 1995/2045](#), [art.4](#)

PART II

MINOR AND CONSEQUENTIAL AMENDMENTS

- 3 Schedule 6A to the 1972 Act is amended as follows.
- 4 At the end of paragraph 4(1) there is added “ and, in either case, requires the planning authority to take all the steps required by this Schedule for the adoption of proposals for the making or, as the case may be, alteration of a scheme. ”
- 5 In paragraph 7(4) for “to hold a local inquiry or other hearing” there is substituted “ for the purposes of this paragraph ”.
- 6 For paragraph 8(1) there is substituted—
“(1) After the expiry of the period for making objections or, if objections have been made in accordance with the regulations, after considering those objections and the views of any person holding an inquiry or hearing or considering the objections under paragraph 7, the planning authority may by resolution adopt the proposals (subject to the following provisions of this paragraph and of paragraph 9 of this Schedule)”.
- 7 In paragraph 9(2)(a) after “hearing” there is inserted “ or any consideration of objections ”.
- 8 For paragraph 11(1) there is substituted—
“11 (1) Where—

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- (a) a planning authority are directed under paragraph 3 to make a simplified planning zone scheme which the Secretary of State considers appropriate or to alter such a scheme in such manner as he considers appropriate, and
- (b) the Secretary of State is satisfied, after holding a local inquiry or other hearing, that the authority are not taking within a reasonable period the steps required by this Schedule for the adoption of proposals for the making or, as the case may be, alteration of a scheme,

he may himself make a scheme or, as the case may be, the alterations.”

9 In paragraph 12(2)—

- (a) after paragraph (b) there is inserted—
 - “(bb) make provision with respect to the circumstances in which representations with respect to the matters to be included in such a scheme or proposals for its alteration are to be treated, for the purposes of this Schedule, as being objections made in accordance with regulations;” and
- (b) in paragraph (e) the words from “for the purpose” to “5(3)” are omitted.

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