



# Planning and Compensation Act 1991

## 1991 CHAPTER 34

### PART II

#### TOWN AND COUNTRY PLANNING - SCOTLAND

##### *Control over development*

#### **45 Fish farming**

- (1) After subsection (3A) of section 19 (meaning of “development”) of the 1972 Act there is inserted—

“(3B) Where the placing or assembly of any tank in any part of any inland waters for the purpose of fish farming there would not, apart from this subsection, involve development of the land below, this Act shall have effect as if the tank resulted from carrying out engineering operations over that land; and in this subsection—

“fish farming” means the breeding, rearing or keeping of fish or shellfish (which includes any kind of crustacean or mollusc);

“inland waters” means waters which do not form part of the sea or of any creek, bay or estuary or of any river as far as the tide flows; and

“tank” includes any cage and any other structure for use in fish farming.”

- (2) This section does not apply to the placing or assembly of any structure before this section comes into force.