



# Town and Country Planning (Scotland) Act 1997

## 1997 CHAPTER 8

### PART I **S**

#### ADMINISTRATION

#### 1 Planning authorities. **S**

- (1) The planning authority for the purposes of this Act shall be the local authority and the district of the planning authority shall be the area of the local authority.
- (2) In any enactment or instrument made under or by virtue of an enactment, a reference to a planning authority shall, unless otherwise provided, or unless the context otherwise requires, be construed as a reference to a local authority.

[<sup>F1</sup>(3) This section is subject to the provisions of this Act and of any other enactment.]

#### Textual Amendments

- F1** S. 1(3) added (1.4.2007) by [Planning etc. \(Scotland\) Act 2006 \(asp 17\)](#), ss. **54(2)**, 59(2); S.S.I. 2007/130, art. 2(2), sch.

#### 2 Enterprise zones. **S**

- (1) An order under paragraph 5 of Schedule 32 to the <sup>M1</sup>Local Government, Planning and Land Act 1980 (designation of enterprise zone) may provide that the enterprise zone authority shall be the planning authority for the zone for such purposes of the planning Acts and in relation to such kinds of development as may be specified in the order.
- (2) Without prejudice to the generality of paragraph 15(1) of that Schedule (modification of orders by the Secretary of State), an order under that paragraph may provide that

*Status: Point in time view as at 01/02/2011.*

*Changes to legislation: Town and Country Planning (Scotland) Act 1997, Part I is up to date with all changes known to be in force on or before 14 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

the enterprise zone authority shall be the planning authority for the zone for different purposes of the planning Acts or in relation to different kinds of development.

- (3) Where such provision as is mentioned in subsection (1) or (2) is made by an order designating an enterprise zone or, as the case may be, an order modifying such an order, while the zone subsists the enterprise zone authority shall be, to the extent mentioned in the order (as it has effect subject to any such modifications) and to the extent that it is not already, the planning authority for the zone in place of any authority who would otherwise be the planning authority for the zone.
- (4) The Secretary of State may by regulations make transitional and supplementary provision in relation to a provision of an order under paragraph 5 of that Schedule made by virtue of subsection (1).
- (5) Such regulations may modify any provision of the planning Acts or any instrument made under any of them or may apply any such enactment or instrument (with or without modification) in making such transitional or supplementary provision.

#### Marginal Citations

M1 1980 c. 65.

### 3 Urban development areas. **S**

- (1) Where an order is made under subsection (6) of section 149 of the <sup>M2</sup>Local Government, Planning and Land Act 1980 (urban development corporation as planning authority), the urban development corporation specified in the order shall be the planning authority for such area as may be so specified in place of any authority who would otherwise be the planning authority for that area in relation to such kinds of development as may be so specified.
- (2) Where an order under subsection (8)(a) of that section confers any functions on an urban development corporation in relation to any area the corporation shall have those functions in place of any authority (except the Secretary of State) who would otherwise have them in that area.

#### Marginal Citations

M2 1980 c. 65.

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