

*Status: Point in time view as at 02/04/2004.*

*Changes to legislation: Town and Country Planning (Scotland) Act 1997, SCHEDULE 14 is up to date with all changes known to be in force on or before 24 June 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)*

## SCHEDULES

### SCHEDULE 14

Section 100.

#### BLIGHTED LAND

*Land allocated for public authority functions in development plans etc.*

- 1 (1) This paragraph applies to land indicated in a structure plan in force for the area in which it is situated either—
  - (a) as land which may be required for the purposes—
    - (i) of the functions of a government department, local authority or statutory undertakers, or
    - (ii) of the [F1provision by an electronic communications operator of an electronic communications code network or the provision by a former PTO of a public electronic communications network or a public electronic communications service], or
  - (b) as land which may be included in an action area.
- (2) This paragraph does not apply to land situated in an area for which a local plan is in force, where that plan—
  - (a) allocates any land in the area for the purposes of such functions as are mentioned in this paragraph, or
  - (b) defines any land in the area as the site of proposed development for the purposes of any such functions.
- (3) This paragraph does not apply to land to which paragraph 3 or 4 applies.
- (4) In sub-paragraph (1) the reference to a structure plan in force includes a reference to—
  - (a) a structure plan which has been submitted to the Secretary of State under section 6,
  - (b) proposals for the alteration or repeal and replacement of a structure plan which have been submitted to the Secretary of State under section 9, and
  - (c) modifications proposed to be made by the Secretary of State in any such plan or proposals, being modifications of which he has given notice in accordance with regulations under Part II.
- (5) Sub-paragraph (4) shall cease to apply—
  - (a) if the copies of the proposals made available for inspection are withdrawn under section 8(10),
  - (b) when the relevant proposals come into force (whether in their original form or with modifications), or
  - (c) when the Secretary of State decides to reject the proposals in accordance with section 10 and notice of the decision has been given by advertisement.

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- (6) In sub-paragraph (4) references to anything done under any provision include reference to anything done under that provision as it applies by virtue of section 22.

#### Textual Amendments

**F1** Words in Sch. 14 para. 1(1)(a)(ii) substituted (17.9.2003) by [Communications Act 2003 \(Consequential Amendments\) Order 2003 \(S.I. 2003/2155\)](#), art. 1(1), **Sch. 1 para. 13(4)**

- 2 (1) This paragraph applies to land which—
- (a) is allocated for the purposes of any such functions as are mentioned in paragraph 1(1)(a)(i) or (ii) by a local plan in force, or
  - (b) is land defined in such a plan as the site of proposed development for the purposes of any such functions.
- (2) In sub-paragraph (1) the reference to a local plan in force includes a reference to—
- (a) a local plan of which copies have been made available for inspection under section 12(3),
  - (b) proposals for the alteration or repeal and replacement of a local plan of which copies have been made available for inspection under section 12(3), and
  - (c) modifications proposed to be made by the planning authority or the Secretary of State in any such plan or proposals as are mentioned in paragraph (a) or (b), being modifications of which notice has been given by the authority or the Secretary of State in accordance with regulations under Part II.
- (3) Sub-paragraph (2) shall cease to apply—
- (a) if the copies of the plan or proposals made available for inspection are withdrawn under section 8(10),
  - (b) when the relevant plan or proposals come into force (whether in their original form or with modifications), or
  - (c) when the Secretary of State decides to reject, or the planning authority decide to abandon, the plan or proposals and notice of the decision has been given by advertisement.
- (4) In sub-paragraph (2) references to anything done under any provision include references to anything done under that provision as it applies by virtue of section 22.
- 3 This paragraph applies to land indicated in a plan (other than a development plan) approved by a resolution passed by a planning authority for the purpose of the exercise of their powers under Part III as land which may be required for the purposes of any functions of a government department, local authority or statutory undertakers.
- 4 This paragraph applies to land in respect of which a planning authority—
- (a) have resolved to take action to safeguard it for development for the purposes of any such functions as are mentioned in paragraph 3, or
  - (b) have been directed by the Secretary of State to restrict the grant of planning permission in order to safeguard it for such development.

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### *New towns and urban development areas*

- 5 (1) This paragraph applies to land within an area described as the site of a proposed new town in the draft of an order in respect of which a notice has been published under paragraph 2 of Schedule 1 to the <sup>M1</sup>New Towns (Scotland) Act 1968.
- (2) Land shall cease to be within this paragraph when—
- (a) the order comes into force (whether in the form of the draft or with modifications), or
  - (b) the Secretary of State decides not to make the order.

#### **Marginal Citations**

**M1** 1968 c. 16.

- 6 This paragraph applies to land within an area designated as the site of a proposed new town by an order which has come into operation under section 1 of the New Towns (Scotland) Act 1968.
- 7 (1) This paragraph applies to land which is—
- (a) within an area intended to be designated as an urban development area by an order which has been made under section 134 of the <sup>M2</sup>Local Government, Planning and Land Act 1980 but has not come into effect, or
  - (b) within an area which has been so designated by an order under that section which has come into effect.
- (2) Land shall cease to be within this paragraph when the order comes into force.

#### **Marginal Citations**

**M2** 1980 c. 65.

### *Housing action areas*

- 8 This paragraph applies to land within an area declared to be a housing action area by a resolution under section 89, 90 or 91 of the <sup>M3</sup>Housing (Scotland) Act 1987 in relation to houses or parts of buildings which have been identified in accordance with section 92(4)(c) of that Act.

#### **Marginal Citations**

**M3** 1987 c. 26.

- 9 This paragraph applies to land which is surrounded by or adjoining an area declared to be a housing action area by a resolution under section 89, 90 or 91 of the <sup>M4</sup>Housing (Scotland) Act 1987 whether or not the resolution identifies any of the buildings in accordance with section 92(4)(a) of that Act.

#### **Marginal Citations**

**M4** 1987 c. 26.

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### *Roads*

- 10 This paragraph applies to land indicated in a development plan (otherwise than by being dealt with in a manner mentioned in paragraphs 1, 2, 3 and 4) as—
- (a) land on which a road is proposed to be constructed, or
  - (b) land to be included in a road as proposed to be improved or altered.
- 11 (1) This paragraph applies to land on or adjacent to the line of a road proposed to be constructed, improved or altered, as indicated in an order or scheme—
- (a) which has come into operation under, or
  - (b) which is proposed to be made or conferred under, and in respect of which a notice has been published under Schedule 1 to,
- the <sup>M5</sup>Roads (Scotland) Act 1984, being land in relation to which a power of compulsory acquisition conferred by that Act may become exercisable, as being land required for purposes of construction, improvement or alteration as indicated in the order or scheme.
- (2) Land shall cease to be within sub-paragraph (1)(b) when—
- (a) the relevant order or scheme comes into operation (whether in its original form or with modifications), or
  - (b) the Secretary of State decides not to confirm or make the order or scheme.

#### **Marginal Citations**

**M5** 1984 c. 54.

- 12 This paragraph applies to land shown on plans approved by a resolution of a roads authority as land comprised in the site of a road as proposed to be constructed, improved or altered by that authority.
- 13 This paragraph applies to land comprised in the site of a road as proposed to be constructed, improved or altered by the Secretary of State if the Secretary of State has given written notice of the proposal, together with maps or plans sufficient to identify the land in question, to the planning authority.

### *Compulsory purchase*

- 14 This paragraph applies to land authorised by a special enactment to be compulsorily acquired, or land falling within the limits of deviation within which powers of compulsory acquisition conferred by a special enactment are exercisable.
- 15 (1) This paragraph applies to land in respect of which—
- (a) a compulsory purchase order is in force, or
  - (b) there is in force a compulsory purchase order providing for the acquisition of a right in or over that land,
- and the appropriate authority have power to serve, but have not served, notice to treat in respect of the land or, as the case may be, the right or rights.
- (2) This paragraph applies also to land in respect of which—
- (a) a compulsory purchase order has been submitted for confirmation to, or been prepared in draft by, a Minister, and

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- (b) a notice has been published under paragraph 3(1)(a) of Schedule 1 to the <sup>M6</sup>Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947 or under any corresponding enactment applicable to it.
- (3) Sub-paragraph (2) shall cease to apply when—
- (a) the relevant compulsory purchase order comes into force (whether in its original form or with modifications), or
  - (b) the Minister concerned decides not to confirm or make the order.

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**Marginal Citations**

**M6** 1947 c. 42.

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