



Town and Country Planning (Scotland) Act 1997

1997 CHAPTER 8

PART IX

ROADS, FOOTPATHS AND RIGHTS OF WAY

Powers of planning authorities to stop up roads, etc.

207 Roads affected by development: orders by planning authorities.

- (1) Subject to paragraph 5 of Schedule 16 and to subsection (5), a planning authority may by order authorise the stopping up or diversion of any road which is not—
- (a) a trunk road within the meaning of the ^{M1}Roads (Scotland) Act 1984, or
 - (b) a special road provided by the Secretary of State in pursuance of a scheme under that Act,

if they are satisfied that it is necessary to do so in order to enable the development to be carried out in accordance with planning permission granted under Part III, or by a government department.

- (2) An order under this section—
- (a) may make such provision as appears to the planning authority to be necessary or expedient for the construction or improvement of any other road (not being a trunk road such as is mentioned in paragraph (a), or a special road such as is mentioned in paragraph (b), of subsection (1)) and may direct that the other road so constructed or improved shall be entered by the local roads authority in the list of public roads kept by the local roads authority under section 1 of the ^{M2}Roads (Scotland) Act 1984, and
 - (b) may contain such incidental and consequential provisions as appear to the planning authority to be necessary or expedient, including in particular—
 - (i) provision for authorising the planning authority, or requiring any other authority or person specified in the order, to make

Status: Point in time view as at 01/08/1999. This version of this provision has been superseded.

Changes to legislation: Town and Country Planning (Scotland) Act 1997, Section 207 is up to date with all changes known to be in force on or before 05 August 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)

such payments, repayments or contributions as are mentioned in section 202(4)(a), and

(ii) such provision as is mentioned in section 202(4)(b).

- (3) An order may be made under this section authorising the stopping up or diversion of any road (not being a trunk road such as is mentioned in paragraph (a), or a special road such as is mentioned in paragraph (b), of subsection (1)) which is temporarily stopped up or diverted under any other enactment.
- (4) This section is without prejudice to any power conferred on the planning authority by any other enactment to authorise the stopping up or diversion of a road.
- (5) The planning authority shall not make an order under this section without consulting the roads authority (in a case where they are themselves not that authority).

Marginal Citations

M1 1984 c. 54.

M2 1984 c. 54.

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