



Town and Country Planning (Scotland) Act 1997

1997 CHAPTER 8

PART XII

CROWN LAND

Application of Act as respects Crown land

244 Supplementary provisions as to special enforcement notices

- (1) Not later than 28 days after the date of the issue of a special enforcement notice and not later than 28 days before the specified date, the planning authority who issued it shall serve a copy of it—
 - (a) on the person who carried out the development alleged in the notice,
 - (b) on any person who is occupying the land when the notice is issued, and
 - (c) on the appropriate authority.
- (2) The planning authority need not serve a copy of the notice on the person mentioned in subsection (1)(a) if they are unable after reasonable enquiry to identify or trace him.
- (3) Any such person as mentioned in subsection (1)(a) or (b) may, at any time before the date specified in the notice as the date on which it is to take effect, appeal against the notice to the Secretary of State on the ground that the matters alleged in the notice—
 - (a) have not taken place, or
 - (b) do not constitute development to which section 243 applies.
- (4) A person may appeal against a special enforcement notice under subsection (3) whether or not he was served with a copy of it.
- (5) The provisions contained in or having effect under sections 130(2) and (3), 131(1) to (3), 132 and 133(1) shall apply to special enforcement notices issued by planning authorities and to appeals against them under subsection (3) as they apply to enforcement notices and to appeals under section 130.

Status: This is the original version (as it was originally enacted).

- (6) The Secretary of State may by regulations apply to special enforcement notices and to appeals under subsection (3) such other provisions of this Act (with such modifications as he thinks fit) as he thinks necessary or expedient.