



Town and Country Planning (Scotland) Act 1997

1997 CHAPTER 8

PART XIV

MISCELLANEOUS AND GENERAL PROVISIONS

Rights of entry

269 Rights of entry.

- (1) Any person duly authorised in writing by the Secretary of State or by a planning authority may at any reasonable time enter upon any land for the purpose of surveying it in connection with—
 - (a) the preparation, approval, adoption, making or amendment of a structure plan or local plan relating to the land under Part II, including the carrying out of any survey under that Part,
 - (b) any application under Part III or sections 182 or 183, or under any order or regulations made under any of those provisions, for any permission, consent or determination to be given or made in connection with that land or any other land under that Part or those sections or under any such order or regulations, or
 - (c) any proposal by the planning authority or by the Secretary of State to make or serve any order or notice under Part III (other than section 61), Part VII (other than sections 160 to 163, 167 and 172 to 175) or under any order or regulations made under any of those provisions.

[^{F1}(1A) Any person duly authorised in writing by the planning authority may, at any reasonable time, enter upon land for the purposes of section 144A(4).]

- (2) Any person duly authorised in writing by the Secretary of State or the planning authority may at any reasonable time enter upon any land for the purpose of ascertaining whether a stop notice^[F2, temporary stop notice] or an enforcement notice is being complied with.

Status: Point in time view as at 12/12/2008. This version of this provision has been superseded.

Changes to legislation: Town and Country Planning (Scotland) Act 1997, Section 269 is up to date with all changes known to be in force on or before 22 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)

- (3) Any person who is an officer of the Valuation Office or is duly authorised in writing by the Secretary of State may at any reasonable time enter upon any land for the purpose of surveying it, or estimating its value, in connection with a claim for compensation under this Act in respect of that land or any other land.
- (4) Any person who is an officer of the Valuation Office or is duly authorised in writing by a planning authority may at any reasonable time enter upon any land for the purpose of surveying it, or estimating its value, in connection with a claim for compensation in respect of that land or any other land which is payable by the planning authority under Part IV, section 204(1) or Part X (other than section 232(2) or (3) or 233(1)(a)(iii)).
- (5) Any person who is an officer of the Valuation Office or is duly authorised in writing by a local authority or Minister authorised to acquire land under section 189 or 190, or by a local authority who have power to acquire land under Part VIII, may at any reasonable time enter upon any land for the purpose of surveying it, or estimating its value, in connection with any proposal to acquire that land or any other land, or in connection with any claim for compensation in respect of any such acquisition.
- (6) Subject to section 270, any power conferred by this section to survey land shall be construed as including power to search and bore for the purpose of ascertaining the nature of the subsoil or the presence of minerals in it.

Textual Amendments

- F1** S. 269(1A) inserted (12.12.2008 for specified purposes) by [Planning etc. \(Scotland\) Act 2006 \(asp 17\)](#), [ss. 26\(2\)\(a\)](#), 59(2); S.S.I. 2008/411, [art. 2\(2\)\(3\)\(b\)](#)
- F2** Words in s. 269(2) inserted (12.12.2008 for specified purposes) by [Planning etc. \(Scotland\) Act 2006 \(asp 17\)](#), [ss. 26\(2\)\(b\)](#), 59(2); S.S.I. 2008/411, [art. 2\(2\)\(3\)\(b\)](#)

Modifications etc. (not altering text)

- C1** S. 269(6) applied (with modifications) (25.7.2003 for specified purposes, 29.12.2003 in so far as not already in force) by [Communications Act 2003 \(c. 21\)](#), [s. 411\(2\)](#), [Sch. 4 para. 7\(3\)\(4\)](#) (with [Sch. 18](#)); S.I. 2003/1900, [arts. 1\(2\)](#), 2(1), [Sch. 1](#) (with [art. 3](#)) (as amended by S.I. 2003/3142, [art. 1\(3\)](#)); S.I. 2003/3142, [art. 3\(2\)](#) (with [art. 11](#))

Status:

Point in time view as at 12/12/2008. This version of this provision has been superseded.

Changes to legislation:

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