



Town and Country Planning (Scotland) Act 1997

1997 CHAPTER 8

PART III

CONTROL OVER DEVELOPMENT

Publicity for applications

34 Publication of notices of applications

- (1) Subject to subsection (2), regulations or a development order may provide, either in relation to applications generally or in relation to applications of a class or classes prescribed in the regulations or order, that—
- (a) any such application shall have been notified to such persons or classes of person, and in such manner, as may be so prescribed;
 - (b) any such application shall have been advertised, either in a local newspaper or on the land to which the application relates, or both, in such a manner and for such a period or on such a number of occasions as may be so prescribed;
 - (c) any newspaper advertisement required by virtue of paragraph (b) shall be placed by the planning authority to whom the application is made;
 - (d) the planning authority may recover from the applicant the cost incurred by them in arranging any such advertisement;
 - (e) any such application shall be accompanied by such certificates as to compliance with the requirements of provisions made under paragraphs (a) and (b) as may be so prescribed;
 - (f) the applicant shall furnish, at such time and to such persons as may be so prescribed, such information with respect to the application as may be so prescribed;
 - (g) no such application shall be entertained unless such further conditions as to payment as may be so prescribed have been complied with;

Status: This is the original version (as it was originally enacted).

- (h) no such application shall be determined until after the expiry of any period which may be so prescribed.
- (2) The applications mentioned in subsection (1) are—
- (a) applications for planning permission,
 - (b) applications for an approval required by a development order, and
 - (c) applications for any consent, agreement or approval required by a condition imposed on a grant of planning permission.
- (3) If any person knowingly or recklessly—
- (a) issues a notification,
 - (b) makes advertisement (other than newspaper advertisement), or
 - (c) supplies a certificate,
- which purports to comply with provisions made under subsection (1) but which contains a statement which is false or misleading in a material particular, he shall be guilty of an offence.
- (4) A person guilty of an offence under this section shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (5) A planning authority shall not entertain any application for planning permission unless any requirements imposed by virtue of this section have been satisfied.
- (6) Proceedings for an offence under this section may be brought at any time within the period of 2 years following the commission of the offence.