



Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997

1997 CHAPTER 9

PART I

LISTED BUILDINGS

CHAPTER IV

ENFORCEMENT

36 Appeals: supplementary provisions.

- (1) The Secretary of State may prescribe the procedure to be followed on appeals under section 35, and may in particular—
- require the planning authority to submit, within such time as may be prescribed, a statement indicating the submissions which they propose to put forward on the appeal,
 - specify the matters to be included in such a statement,
 - require the authority or the appellant to give such notice of such an appeal as may be prescribed to such persons as may be prescribed, and
 - require the authority to send to the Secretary of State, within such period from the date of the bringing of the appeal as may be prescribed, a copy of the enforcement notice and a list of the persons served with copies of it.

^{F1}(2)

Textual Amendments

- F1** S. 36(2) repealed (1.12.2011 in so far as not already in force) by [Planning etc. \(Scotland\) Act 2006](#) (asp 17), s. 59(2), [sch.](#); S.S.I. 2011/382, art. 2(1)(2)(b)(3)

Changes to legislation: Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, Section 36 is up to date with all changes known to be in force on or before 27 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) [View outstanding changes](#)

Modifications etc. (not altering text)

- C1** Ss. 28-41I applied (with modifications) (1.10.2015) by [The Planning \(Listed Building Consent and Conservation Area Consent Procedure\) \(Scotland\) Regulations 2015](#) (S.S.I. 2015/243), regs. 1, 15, **sch. 3** (with reg. 2)
- C2** S. 36(2) savings for effects of 2006 asp 17, sch. (1.12.2011) by [The Planning etc. \(Scotland\) Act 2006 \(Listed Buildings\) \(Saving Provisions\) Order2011](#) (S.S.I. 2011/381), arts. 1(1), **3(2)(b)**

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 82(1)(aa)-(ad) inserted by [2006 asp 17 s. 55\(5\)](#)