

Status: Point in time view as at 01/06/2009.

Changes to legislation: Planning Act 2008, Paragraph 20 is up to date with all changes known to be in force on or before 28 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)

SCHEDULES

SCHEDULE 12

APPLICATION OF ACT TO SCOTLAND: MODIFICATIONS

- 20 Section 152 applies as if—
- (a) in subsection (4), the reference to the [^{F1}Upper Tribunal were] a reference to the Lands Tribunal for Scotland,
 - (b) for subsections (5) and (6) there were substituted—
 - “(5) Section 6 of the Railway Clauses Consolidation (Scotland) Act 1845 (which makes the construction of the railway subject to that Act and the Lands Clauses Consolidation (Scotland) Act 1845) applies in relation to authorised works as it applies in relation to the construction of a railway.
 - (6) Any rule or principle applied to the construction of section 6 of the Railway Clauses Consolidation (Scotland) Act 1845 must be applied to the construction of subsection (3) of this section (with any necessary modifications).”, and
 - (c) in subsection (7)—
 - (i) the reference to Part 1 of the Land Compensation Act 1973 were a reference to Part 1 of the Land Compensation (Scotland) Act 1973, and
 - (ii) in paragraph (c), for “17” there were substituted “ 15 ”.

Textual Amendments

- F1** Words in Sch. 12 para. 20(a) substituted (1.6.2009) by [The Transfer of Tribunal Functions \(Lands Tribunal and Miscellaneous Amendments\) Order 2009 \(S.I. 2009/1307\)](#), art. 1, [Sch. 1 para. 298\(a\)](#) (with Sch. 5)

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