

1977 No. 255 (S. 35)
TOWN AND COUNTRY PLANNING, SCOTLAND
The Town and Country Planning (Listed Buildings and Buildings in Conservation Areas) (Scotland) Amendment Regulations 1977

Made 9th February 1977

Laid before Parliament 25th February 1977

Coming into Operation 18th March 1977

In exercise of the powers conferred on me by section 273 as read with sections 54(6) and 262A(2) (inserted by section 2(1) of the Town and Country Amenities Act 1974(a)) of, and paragraph 2 of Schedule 10 to, the Town and Country Planning (Scotland) Act 1972(b) and of all other powers enabling me in that behalf, I hereby make the following regulations:—

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Town and Country Planning (Listed Buildings and Buildings in Conservation Areas) (Scotland) Amendment Regulations 1977 and shall come into operation on 18th March 1977.

(2) The Town and Country Planning (Listed Buildings and Buildings in Conservation Areas) (Scotland) Regulations 1975(c) (hereafter in these regulations referred to as “the principal regulations”) and these regulations may be cited together as the Town and Country Planning (Listed Buildings and Buildings in Conservation Areas) (Scotland) Regulations 1975 to 1977.

(3) The Interpretation Act 1889(d) shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

Amendments to certificates to accompany applications and appeals

2. The principal regulations are hereby amended as follows:—

(a) In regulation 6 for paragraph (1)(a) there shall be substituted the following paragraph:—

“(a) a certificate stating that at the beginning of the period of 21 days ending with the date of application, no person (other than the applicant) was the owner of any land to which the application related.”

(a) 1974 c. 32.

(b) 1972 c. 52.

(c) S.I. 1975/2069 (1975 III, p. 7573).

(d) 1889 c. 63.

- (b) In Schedule 3 for Part I there shall be substituted the new Part I set out in the Schedule to these regulations.

Bruce Millan,
One of Her Majesty's Principal
Secretaries of State.

New St. Andrew's House,
Edinburgh.
9th February 1977

Regulation 2

SCHEDULE

"PART I

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1972

Certificate under paragraph 2 of Schedule 10.

*Certificate A** I hereby certify that:—

No person other than **myself*
the applicant was an owner (a) of any part of the land
the appellant
to which the **application*
appeal relates at the beginning of the period of 21 days ending
with the date of the accompanying **application*
appeal ;

*Certificate B** I hereby certify that:—

**I have*
the applicant has given the requisite notice to all the persons other than
the appellant has
**myself*
the applicant who, at the beginning of the period of 21 days ending with the date
the appellant
of the accompanying **application*
appeal were owners (a) of any part of the land (b) to
which the **application*
appeal relates, viz:—

Name of Owner	Address	Date of Service of Notice.
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*Delete where inappropriate.

*Certificate C** I hereby certify that:—

1. *I am
the applicant is unable to issue a certificate in accordance with either sub-
the appellant is
 paragraph (a) or sub-paragraph (b) of Regulation 6(1) of the Town and Country
 Planning (Listed Buildings and Buildings in Conservation Areas) (Scotland)
 Regulations 1975 to 1977 in respect of the accompanying *application
appeal
 dated.....

2. *I have
the applicant has given the requisite notice to the following persons who, 21
the appellant has
 days before the date of the *application
appeal were owners (a) of the land (b) or any
 part thereof, to which *application
appeal relates, viz:—

Name of Owner Address Date of Service of Notice.

3. *I have
the applicant has taken the steps listed below, being steps reasonably open to
the appellant has
*me
him to ascertain the names and addresses of the owners (a) of the land or any
 part thereof and *have
has been unable to do so:

(c)

4. Notice of the *application
appeal as set out below has been published in the (d)
 on (e).....

Copy of notice as published.

*Certificate D** I hereby certify that:—

1. *I am
the applicant is unable to issue a certificate in accordance with sub-para-
the appellant is
 graph (a) of regulation 6(1) of the Town and Country Planning (Listed Buildings
 and Buildings in Conservation Areas) (Scotland) Regulations 1975 to 1977 in
 respect of the accompanying *application
appeal dated

*I have
He has taken the steps listed below, being steps reasonably open to *me
him,
 to ascertain the names and addresses of any of the owners (a) of any of the land
 (b) to which the *application
appeal relates and *have
has been unable to do so:

*Delete where inappropriate.

(c)

2. Notice of the ^{*application}/_{appeal} as set out below has been published in the

(d)..... on (e).....

Copy of notice as published.

Signed

*[on behalf of]

Date

Notes

(a) "Owner" means (i) the proprietor of the *dominium utile* or in relation to land not held on feudal tenure, the proprietor thereof, or a lessee under a lease the unexpired term of which was not less than 7 years; or (ii) an occupier of any part of the land.

(b) For the purpose of this certificate "land" includes a building or buildings.

(c) Insert description of steps taken.

(d) Insert name of the local newspaper (circulating in the locality in which the land is situated) in which the notice has been published.

(e) Insert date of publication (which must not be earlier than 21 days before the application or appeal)."

*Delete where inappropriate.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the Town and Country Planning (Listed Buildings and Buildings in Conservation Areas) (Scotland) Regulations 1975 to take account of the amendments made to the Town and Country Planning (Scotland) Act 1972 by paragraph 7(1) of Schedule 10 to the Community Land Act 1975 (1975 c. 77).

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