

Status: This version of this provision is prospective.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

STATUTORY INSTRUMENTS

1984 No. 467

The Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984

PROSPECTIVE

PART IV

ADVERTISEMENTS WHICH MAY BE DISPLAYED WITHOUT EXPRESS CONSENT

Power to exclude application of regulation 10

11.—(1) If the Secretary of State is satisfied, upon representations made to him by the planning authority, that the display of advertisements of a class or description specified in Schedule 4 should not be undertaken in any particular area or in any particular case without express consent he may direct that the provisions of regulation 10 shall not apply to the display of such advertisements in that area or in that case.

(2) Before making a direction under this regulation, the Secretary of State shall—

- (a) where the representations for such a direction relate to a particular area, publish, or cause to be published, in at least one newspaper circulating in the locality in which the area is situated, and on the same date or a subsequent date in the Edinburgh Gazette, a notice indicating that representations for such a direction have been made to him and naming a place or places in the locality where a map or maps defining that area may be inspected at all reasonable hours; and
- (b) where the representations for such a direction relate to a particular case, serve, or cause to be served, on the owner and occupier of the land in respect of which the representations have been made, and on any other person who, to the knowledge of the Secretary of State, proposes to display on such land an advertisement of the class or description referred to in the said representations, a notice indicating that representations have been made to him and specifying the land and the class or description of advertisement to which those representations relate;

and in each instance the notice shall state that any objection to the making of a direction under this regulation shall be made to the Secretary of State in writing within such period (not being less than 21 days from the date when the notice is given) as may be specified in the notice.

(3) The Secretary of State shall not make a direction under this regulation until after the expiration of the period specified in the notice referred to in paragraph (2) above, and in determining whether to make such a direction he shall take into account any objections made in accordance with that paragraph.

(4) Where the Secretary of State makes a direction under this regulation he shall send it to the planning authority with a statement in writing of his reasons for making it, and shall send a copy of that statement to any person who has made an objection in accordance with paragraph (2) above.

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(5) Notice of any direction given by the Secretary of State under this regulation with respect to an area shall be published by the planning authority in at least one newspaper circulating in the locality in which the area is situated and, unless the Secretary of State otherwise directs, on the same or a subsequent date in the Edinburgh Gazette; and such notice shall contain a concise statement of the effect of the direction and name a place or places in that locality where a copy of the direction and (where the direction does not include a map) of a map defining the area to which it relates may be seen at all reasonable hours.

(6) Notice of any direction given by the Secretary of State under this regulation in a particular case shall be served by the planning authority on the owner and on any occupier of the land to which the direction relates, and on any other person who, to the knowledge of the authority, proposes to display on such land an advertisement of the class or description referred to in the direction.

(7) A direction given under this regulation with respect to an area shall come into operation on the date specified in the notice relating to the direction, being a date not less than 14, and not more than 28, days after first publication of the notice; and a direction given under this regulation in a particular case shall come into operation on the date on which the notice of the direction is served on the occupier or, if there is no occupier, on the owner of the land.

Commencement Information

11 Reg. 11 in force at 2.5.1984, see [reg. 1](#)

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Changes and effects yet to be applied to :

- Regulations applied by [2020 asp 2 sch. 3 para. 29](#)
- Regulations applied by [1997 c. 61 Sch. 3 para. 3\(1\)](#)
- Regulations applied by [2011 c. 1 Sch. 1 para. 18\(2\)](#)
- Regulations applied by [S.I. 2002/2779 art. 86](#)
- Regulations applied by [S.I. 2010/2999 art. 89](#)
- Regulations applied by [S.I. 2016/219 Sch. 3 para. 110](#)
- Regulations applied in part (with modifications) by [S.S.I. 2006/270 art. 6](#)
- Regulations extended by [S.I. 1999/787 art. 90](#)
- Regulations modified by [2013 asp 14 Sch. 4 para. 28](#)
- Regulations modified by [S.S.I. 2015/425 art. 85](#)
- reg. 11 coming into force by [S.I. 1984/467 reg. 1](#)

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

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

- Sch. 4 Class 3 words added by [S.S.I. 2003/503 Sch. Pt. 2 para. 17\(3\)\(a\)](#)
- Sch. 4 Class 3 words added by [S.S.I. 2003/503 Sch. Pt. 2 para. 17\(3\)\(b\)](#)
- Sch. 4 Class 3 words added by [S.S.I. 2003/503 Sch. Pt. 2 para. 17\(3\)\(c\)](#)
- Sch. 4 words inserted by [S.S.I. 2014/249 reg. 2\(2\)\(a\)](#)
- Sch. 4 words inserted by [S.S.I. 2014/249 reg. 2\(2\)\(b\)](#)
- Sch. 4 words inserted by [S.S.I. 2014/249 reg. 2\(2\)\(c\)](#)
- Sch. 4 words inserted by [S.S.I. 2014/249 reg. 2\(2\)\(d\)](#)
- reg. 2 amended by
- reg. 2 amended by
- reg.2(1) (defn of advertisement) substituted by [S.I. 1992/1763 reg.2](#)
- reg. 2(1) words inserted by [S.S.I. 2004/332 Sch. 3 para. 1](#)
- reg. 2(1) words substituted by [S.I. 1996/252 Sch.](#)
- reg. 2A inserted by [S.S.I. 2004/332 Sch. 3 para. 2](#)
- reg 6 am by [S.S.I. 2006/95 art 2](#)
- reg. 6 words added by [S.S.I. 2003/503 Sch. Pt. 2 para. 17\(2\)](#)
- reg 12 am by [S.S.I. 2006/95 art 2](#)
- reg. 12(1)(c) words substituted by [S.I. 2013/602 Sch. 2 para. 67\(1\)](#)
- reg. 14(5) words omitted by [S.S.I. 2013/154 reg. 2\(2\)](#)
- reg. 20(2A) inserted by [S.S.I. 2004/332 Sch. 3 para. 3](#)
- reg. 20(3) omitted by [S.S.I. 2013/154 reg. 2\(3\)](#)
- reg. 21(1)(1A) substituted for reg. 21(1) by [S.S.I. 2013/154 reg. 2\(4\)\(a\)](#)
- reg. 21(2) words inserted by [S.S.I. 2013/154 reg. 2\(4\)\(b\)](#)
- reg. 21(3)-(7) omitted by [S.S.I. 2013/154 reg. 2\(4\)\(c\)](#)
- reg. 21(9) omitted by [S.S.I. 2013/154 reg. 2\(4\)\(c\)](#)
- reg. 24(4) words inserted by [S.S.I. 2013/154 reg. 2\(5\)](#)
- reg. 25 substituted by [S.S.I. 2013/154 reg. 2\(6\)](#)
- reg. 26A inserted by [S.S.I. 2014/139 reg. 2\(2\)](#)

– [reg. 32A inserted by S.S.I. 2004/332 Sch. 3 para. 4](#)