PROSPECTIVE



Regulation 6

THE STANDARD CONDITIONS

PART I S

Conditions attaching to all consents save as otherwise provided in the regulations S

1. All advertisements displayed, and any land used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the planning authority.

Commencement Information

- II Sch. 1 para. 1 in force at 2.5.1984, see reg. 1
- **2.** Any hoarding or similar structure, or any sign, placard, board or device erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition to the reasonable satisfaction of the planning authority.

Commencement Information

- I2 Sch. 1 para. 2 in force at 2.5.1984, see reg. 1
- **3.** Where any advertisement is required under these regulations to be removed the removal thereof shall be carried out to the reasonable satisfaction of the planning authority.

Commencement Information

- I3 Sch. 1 para. 3 in force at 2.5.1984, see reg. 1
- **4.** Before an advertisement is displayed on land the permission of the owner of that land or other person entitled to grant permission shall be obtained.

Commencement Information

I4 Sch. 1 para. 4 in force at 2.5.1984, see reg. 1

Commencement Information

- II Sch. 1 para. 1 in force at 2.5.1984, see reg. 1
- I2 Sch. 1 para. 2 in force at 2.5.1984, see reg. 1
- I3 Sch. 1 para. 3 in force at 2.5.1984, see reg. 1
- I4 Sch. 1 para. 4 in force at 2.5.1984, see reg. 1

PART II S

Conditions attaching to consent deemed to be granted for the display of advertisements S

5. Advertisements shall not be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any road, railway, waterway (including any coastal waters) or airfield.

Commencement Information

I5 Sch. 1 para. 5 in force at 2.5.1984, see reg. 1

SCHEDULE 2 S

Regulation 8

PROCEDURE FOR DEFINING AREAS OF SPECIAL CONTROL

1. Where a planning authority propose to define an area of special control they shall make an order defining an area by reference to a map annexed thereto, either with or without descriptive matter (which, in the case of any discrepancy with the map, shall prevail except in so far as may be otherwise provided by the order), and shall submit to the Secretary of State 2 certified copies of the order, map and descriptive matter (if any), and a statement of their reasons for proposing to make the order.

Commencement Information

I6 Sch. 2 para. 1 in force at 2.5.1984, see reg. 1

2. The authority shall forthwith publish in the Edinburgh Gazette, and in each of 2 successive weeks in one or more newspapers circulating in the locality in which the area is situated, a notice related to the submission for approval of the order in the form prescribed (Schedule 3, Form 1) or in a form substantially to the like effect.

Commencement Information

I7 Sch. 2 para. 2 in force at 2.5.1984, see reg. 1

3. If any objection is duly made and not withdrawn the Secretary of State shall, before approving the order, afford to the person making such objection an opportunity of appearing before and being heard by a person appointed by the Secretary of State for the purpose, and if any such person avails himself of the opportunity of being heard the Secretary of State shall also afford the like opportunity to the planning authority and to such other persons as he thinks fit.

Commencement Information

I8 Sch. 2 para. 3 in force at 2.5.1984, see reg. 1

4. After considering any representation or objection duly made and not withdrawn and the report of the person by whom any inquiry or hearing was held, the Secretary of State may approve the order with or without modifications:

Provided that if the Secretary of State proposes to approve the order subject to a modification involving the inclusion therein of any area of land not included in the order as submitted he shall publish prior notice of his intention so to do and shall afford opportunity for the making of objections or representations with respect to the proposed modification, and for such further hearing as may appear to him to be necessary or expedient.

Commencement Information

I9 Sch. 2 para. 4 in force at 2.5.1984, see reg. 1

5. As soon as may be after the order has been approved, the planning authority shall publish in the Edinburgh Gazette, and in each of 2 successive weeks in one or more newspapers circulating in the locality in which the area is situated, a notice relating to the approval of the order in the form prescribed (Schedule 3, Form 2) or in a form substantially to the like effect and any such order shall come into force on the date on which notice of the approval thereof is published in the Edinburgh Gazette.

Commencement Information

II0 Sch. 2 para. 5 in force at 2.5.1984, see reg. 1

6. These provisions apply, with necessary modifications, to the making of an order revoking or modifying an existing area defining an area of special control.

Commencement Information

III Sch. 2 para. 6 in force at 2.5.1984, see reg. 1

SCHEDULE 3 S

Regulation 8

FORMS OF NOTICES

Commencement Information

I12 Sch. 3 in force at 2.5.1984, see reg. 1

Form 1Form of notice of submission for approval of an order defining an area of special control

Town and Country Planning (Scotland) Act 1972

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

Notice is hereby given that (1)

in exercise of their powers under regulation 8 of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984, have submitted for the approval of the Secretary of State for Scotland an order defining as an area of special control for the purposes of the said regulations an area of land situated at

and described in the Schedule

hereto, which land is shown edged and coloured

on the map accompanying the order, and that the order is about to be considered by the Secretary of State.

Copies of the order and of the statement of reasons submitted therewith have been deposited at and will be available for inspection free of charge between the hours of

Objections or representations relating to the order should be sent in writing, stating the grounds on which they are made, to the Secretary, Scottish Development Department, New St Andrew's House, Edinburgh EH1 3SZ, before (2).

19

(Signature)(5)

SCHEDULE

(Here insert description of the land comprised in the order.)

Form 2Form of notice of the approval of an order defining an area of special control

Town and Country Planning (Scotland) Act 1972

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

Notice is hereby given that the Secretary of State for Scotland, in exercise of his powers under section 61 of the Town and Country Planning (Scotland) Act 1972, and regulation 8 of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984, has on approved [with modifications] (3) an order defining as an area of special control for the purposes of those Regulations an area of land situated at

and described on the Schedule hereto, which

land is shown edged and coloured referred to in the order.

on the map

The order comes into operation on

(4)

Copies of the approved order have been deposited at and will be available for inspection free of charge between the hours of

19

(Signature)(5)

SCHEDULE ·

(Here insert description of the land comprised in the order.)

IMPORTANT

Attention is drawn to regulation 9 of the above-mentioned regulations under which advertisements being displayed in an area defined as an area of special control may in certain circumstances continue to be displayed only for a limited period after the date on which the order defining the area comes into operation.

Attention is also drawn to the provisions of sections 231(2)(d) and 233 of the Town and Country Planning (Scotland) Act 1972, which provide that, if any person is aggrieved by any order to which the section applies, and desires to question the validity of that order on any of the grounds mentioned in section 233, he may within 6 weeks of the date on which notice of the approval of the order by the Secretary of State is, as required by paragraph 5 of Schedule 2 to the above regulations, first published in a newspaper, make application to the Court of Session under that section.

Footnotes to Forms 1 and 2 of Schedule 3

- (1) Insert name of Authority.
- (2) Insert a date not less than 28 days from the first date of local advertisement.
- (3) Strike out words if inapplicable.
- (4) Insert date of publication in the Edinburgh Gazette.
- (5) Insert name, designation and address of the proper officer of the planning authority and the date of signing.

SCHEDULE 4 S

Regulation 10

THE SPECIFIED CLASSES OF ADVERTISEMENTS DISPLAYED WITH DEEMED CONSENT

Commencement Information

II3 Sch. 4 in force at 2.5.1984, see reg. 1

Description of	Maximum	Maximum	Other conditions
advertisement	height of letters	height above	
	or figures	ground level of	
		highest part of	
		advertisement	

CLASS I:

Functional advertisements of local authorities, community councils, statutory undertakers and public transport undertakers.

(1) Advertisements relating to any function or operation of a local authority, community council, statutory undertaker public transport undertaker which reasonably required in order secure safe or efficient performance those functions or operations and which cannot be displayed in such a manner under the provisions of these regulations relating advertisements of any other specified class;

(i) Illumination is permissible for purposes of warning.

Description of advertisement	Maximum height of letters or figures	Maximum height above ground level of highest part of advertisement	Other conditions	
Advertisements displayed by a planning authority on land in respect of which they are the planning authority. CLASS II: Miscellaneous advertisements relating to land on which they are				
displayed. (1) Advertisements for the purpose of identification, direction or warning with respect to the land or building on which they are displayed.	metre in an area of		(i) (ii)	Maximum area for each advertisement—0.2 sq metre. Illumination is permissible for purposes of warning.
(2) Advertisements	0.75 metre, or 0.3 metre in an area of special control		(ii)	Maximum area for each advertisement—sq metre. Limited to one advertisement in respect of each person, partnership or company or in the case of premises with entrances on different road frontages one advertisement at each of 2 such entrances. Illumination is permissible to indicate that medical services or supplies are available on the premises.
(3) Advertisements relating to any institution of a religious, educational,	metre in an area of		(i) (ii)	Maximum area for each advertisement—1.2 sq metres. Limited to one advertisement in respect of each person, partnership or company or in the case of premises with

Description of advertisement	Maximum height of letters or figures	Maximum height above ground level of highest part of advertisement	Othe	er conditions
cultural, recreational or medical or similar character, to any hotel, inn or public house, block of flats, club, boarding- house or hostel, situated on the land on which any such advertisement is displayed. CLASS III: Certain advertisements of a temporary nature.			(iii)	entrances on different road frontages one advertisement at each of 2 such entrances. Illumination is permissible to indicate that medical services or supplies are available on the premises.
(1) Advertisements relating to the availability for sale or letting of the land on which they are displayed.	0.75 metre, or 0.3 metre in an area of special control		(i) (ii) (iii) (iv)	Limited in respect of each sale or letting to one advertisement consisting of a board (whether or not attached to a building) not exceeding 2 sq metres or of 2 conjoined boards together not exceeding 2.3 sq metres. When displayed on a building not to project further than 1 metre from the face of the building. When the sale is due to start on a specified date not to be displayed earlier than 28 days before that date. To be removed within 14 days after the conclusion of the sale or letting.
Advertisements announcing a sale of goods or livestock, and displayed on the land where such goods or livestock are situated or	metre in an area of	4.6 metres, or 3.6 metres in an area of special control	(i)(ii)(iii)	Limited to one advertisement not exceeding 1.2 sq metres at each place. When the sale is due to start on a specified date not to be displayed earlier than 28 days before that date. To be removed within 14 days after the conclusion of the sale.

Description of advertisement	Maximum height of letters or figures	Maximum height above ground level of highest part of advertisement	Other conditions	
where such a sale is held, not being land which is normally used, whether at regular intervals or otherwise, for the purpose of holding such sales.				
Advertisements relating to the carrying out of building or similar work on the land on which they are displayed, not being land which is normally used, whether at regular intervals or otherwise, for the purpose of carrying out such work.	0.75 metre, or 0.3 metre in an area of special control	4.6 metres, or 3.6 metres in an area of special control	(i) (ii)	Limited to one advertisement not exceeding 2 sq metres on each road frontage of the land in respect of each contractor or sub-contractor carrying out such work. To be displayed only while such works are in progress.
(4) Advertisements announcing any local event of a religious, educational, cultural, social or recreational character and advertisements relating to any temporary matter in connection with an event or a local activity of such a character, not in either case being an event or a local activity promoted	metre in an area of special control	4.6 metres, or 3.6 metres in an area of special control	(i) (ii) (iii)	Limited to a display of advertisements occupying an area not exceeding a total of 0.6 sq metre on any site. When the event is due to start on a specified date not to be displayed earlier than 28 days before that date. To be removed within 14 days of the conclusion of the event.

Description of advertisement	Maximum height of letters or figures	Maximum height above ground level of highest part of advertisement	Other conditions	
or carried on for commercial purposes.				
(5) Advertisements relating to any demonstration of agricultural methods or processes on the land on which they are displayed.	0.75 metre, or 0.3 metre in an area of special control	4.6 metres, or 3.6 metres in an area of special control	(i) (ii) (iii) (iv)	Limited in respect of each demonstration to a display occupying an area not exceeding 1.2 sq metres, no one advertisement of which exceeds 0.4 sq metre. Maximum period of display for any demonstration to be 6 months in any period of 12 months. When the demonstration is due to start on a specified date, not to be displayed earlier than 28 days before that date. To be removed within 14 days of the conclusion of the demonstration.
Advertisements on hoardings enclosing, either wholly or in part, land on which building operations are taking or are about to take place and which is designated in any development plan for the time being in force primarily for commercial, industrial or business purposes.	0.75 metre	4.6 metres	(i) (ii) (iii) (iv) (v)	Not to be displayed in an area of special control or a conservation area. The consent shall not apply to advertisements which are less than 1.5 metres in height and 1 metre in length or more than 3.1 metres in height and 6.1 metres in length. When building operations are due to start on a specified date not to be displayed earlier than 28 days before that event. Not to be displayed for more than 2 years from the date of commencement of the display. The advertiser shall not less than 14 days before the commencement of the display notify the planning authority of the date of the commencement of the display.
Advertisements on Business Premises:				

Description of advertisement	Maximum height of letters or figures	Maximum height above ground level of highest part of advertisement	Othe	er conditions
(1) Advertisements displayed on business premises wholly with reference to all or any of the following matters: the business or other activity carried on, the goods sold or services provided, and the name and qualification of the person carrying on such business or activity or manufacturing or supplying such goods or services on those premises.	0.75 metre, or 0.3 metre in an area of special control	The bottom of the first floor level of the building or the wall on which the advertisement is displayed or, if lower, 4.6 metres or 3.6 metres in an area of special control		Not to be displayed on the wall of a shop unless the wall contains a shop window. Aggregate area of such advertisements on any external face of the building in an area of special control not to exceed one-twelfth of the area of that face up to a height of 3.6 metres; the area occupied by any such advertisements to be computed as if the advertisement were displayed flat against the face of the building.
Advertisements displayed on any forecourt of business premises wholly with reference to all or any of the matters specified in paragraph (1) above. CLASS V: Advertisements within Buildings:	0.75 metre, or 0.3 metre in an area of special control	4.6 metres, or 3.6 metres in an area of special control	(i)	Aggregate area of such advertisements on any forecourt not to exceed 4.5 sq metres and where a building has a forecourt on 2 or more frontages it shall be treated as having a separate forecourt on each of these frontages.
Advertisements displayed within any building and not exempted from these regulations by	metre in an area of	4.6 metres, or 3.6 metres in an area of special control	(i) (ii)	When illuminated not to incorporate any moving feature or animation. Any one advertisement not to be more than 250 sq centimetres in area.

Description of advertisement	Maximum height of letters or figures	Maximum height above ground level of highest part of advertisement	Othe	Other conditions	
virtue of regulation 3(2).			(iii)	Any group of such advertisements not to total more than one-tenth of the area of the door or window within which they are displayed.	
CLASS VI:					
Illuminated Advertisements:					
Illuminated advertisements displayed on business premises wholly with	0.75 metre	4.6 metres	(i)	Each character of such advertisements to be illuminated individually from within, the background to be non-illuminated.	
reference to all or any of the following			(ii)	Not to be displayed in a conservation area or an area of special control.	
matters: the business or other activity carried on, goods sold or			(iii)	To be displayed only on the external face of business premises and parallel to that face.	
services provided and the name or names and qualifications of			(iv)	Not more than one such advertisement to be displayed on any external face of the business premises.	
the person or persons carrying on such business			(v)	No part of the advertisement to be less than 2.5 metres above ground level.	
or activity or providing such goods or services			(vi)	Not to incorporate any moving feature or animation or to be illuminated intermittently.	
on those premises.			(vii)	Not to be displayed on any wall which does not contain a shop window.	
			(viii)	Any part of such an advertisement not to project more than 0.25 metre from the wall.	
			(ix)	Switches, wires or other electrical installations necessary for the purpose of illumination to be concealed as far as is reasonably practicable.	

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.

View outstanding changes

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Changes and effects yet to be applied to:
      Sch. 1 para. 1 coming into force by S.I. 1984/467 reg. 1
      Sch. 1 para. 2 coming into force by S.I. 1984/467 reg. 1
      Sch. 1 para. 3 coming into force by S.I. 1984/467 reg. 1
      Sch. 1 para. 4 coming into force by S.I. 1984/467 reg. 1
      Sch. 1 para. 5 coming into force by S.I. 1984/467 reg. 1
      Sch. 2 para. 1 coming into force by S.I. 1984/467 reg. 1
      Sch. 2 para. 2 coming into force by S.I. 1984/467 reg. 1
      Sch. 2 para. 3 coming into force by S.I. 1984/467 reg. 1
      Sch. 2 para. 4 coming into force by S.I. 1984/467 reg. 1
      Sch. 2 para. 5 coming into force by S.I. 1984/467 reg. 1
      Sch. 2 para. 6 coming into force by S.I. 1984/467 reg. 1
      Sch. 3 coming into force by S.I. 1984/467 reg. 1
      Sch. 4 coming into force by S.I. 1984/467 reg. 1
      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. 1 coming into force by S.I. 1984/467 reg. 1
      reg. 2 coming into force by S.I. 1984/467 reg. 1
      reg. 3 coming into force by S.I. 1984/467 reg. 1
      reg. 4 coming into force by S.I. 1984/467 reg. 1
      reg. 5 coming into force by S.I. 1984/467 reg. 1
      reg. 6 coming into force by S.I. 1984/467 reg. 1
      reg. 7 coming into force by S.I. 1984/467 reg. 1
      reg. 8 coming into force by S.I. 1984/467 reg. 1
      reg. 9 coming into force by S.I. 1984/467 reg. 1
      reg. 10 coming into force by S.I. 1984/467 reg. 1
      reg. 11 coming into force by S.I. 1984/467 reg. 1
      reg. 12 coming into force by S.I. 1984/467 reg. 1
      reg. 13 coming into force by S.I. 1984/467 reg. 1
      reg. 14 coming into force by S.I. 1984/467 reg. 1
      reg. 15 coming into force by S.I. 1984/467 reg. 1
      reg. 16 coming into force by S.I. 1984/467 reg. 1
      reg. 17 coming into force by S.I. 1984/467 reg. 1
      reg. 18 coming into force by S.I. 1984/467 reg. 1
      reg. 19 coming into force by S.I. 1984/467 reg. 1
      reg. 20 coming into force by S.I. 1984/467 reg. 1
      reg. 21 coming into force by S.I. 1984/467 reg. 1
     reg. 22 coming into force by S.I. 1984/467 reg. 1
     reg. 23 coming into force by S.I. 1984/467 reg. 1
      reg. 24 coming into force by S.I. 1984/467 reg. 1
      reg. 25 coming into force by S.I. 1984/467 reg. 1
      reg. 26 coming into force by S.I. 1984/467 reg. 1
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reg. 27 coming into force by S.I. 1984/467 reg. 1
reg. 28 coming into force by S.I. 1984/467 reg. 1
reg. 29 coming into force by S.I. 1984/467 reg. 1
reg. 30 coming into force by S.I. 1984/467 reg. 1
reg. 31 coming into force by S.I. 1984/467 reg. 1
reg. 32 coming into force by S.I. 1984/467 reg. 1
reg. 33 coming into force by S.I. 1984/467 reg. 1
reg. 34 coming into force by S.I. 1984/467 reg. 1
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Changes and effects yet to be applied to the whole Instrument associated Parts and

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

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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
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- 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