
STATUTORY INSTRUMENTS

1987 No. 1531

The Town and Country Planning (Determination of Appeals by Appointed Persons) (Prescribed Classes) (Scotland) Regulations 1987

Application, citation and commencement

1.—(1) These Regulations may be cited as the Town and Country Planning (Determination of Appeals by Appointed Persons) (Prescribed Classes) (Scotland) Regulations 1987 and shall come into force on 1st October 1987.

(2) Subject to regulation 6 below, these Regulations apply to appeals within the classes prescribed in regulation 3 of which notice is given on or after the date when they come into force.

Interpretation

2.—(1) In the Regulations, unless the context otherwise requires—

“the Act” means the Town and Country Planning (Scotland) Act 1972;

“the 1984 Act” means the Town and Country Planning Act 1984⁽²⁾;

“statutory undertakers” means persons authorised by any enactment to carry on any railway, light railway, tramway, road transport, water transport, canal, inland navigation, dock, harbour, pier or lighthouse undertaking or any undertaking for the supply of electricity, hydraulic power or water and includes the British Airports Authority, the Civil Aviation Authority, the Post Office and companies which are deemed to be statutory undertakers by virtue of section 141(2) of the Transport Act 1968⁽¹⁾, telecommunications code system operators within the meaning of the Telecommunications Act 1984⁽³⁾ and public gas suppliers within the meaning of Part I of the Gas Act 1986⁽⁴⁾.

(2) Any reference to a numbered regulation or to a numbered Schedule is, unless otherwise expressly provided or the context otherwise requires, a reference to the regulation or Schedule bearing that number in these Regulations.

Classes of appeal for determination by appointed persons

3. Subject to the provisions of regulation 4, the classes of appeal specified in Schedule 1 are prescribed for the purposes of paragraph 1(1) of Schedule 7 to the Act as appeals to be determined by a person appointed by the Secretary of State for the purpose instead of by the Secretary of State.

(2) 1984 c. 10.

(1) 1968 c. 73; section 141(2) was relevantly amended by the Town and Country Planning (Scotland) Act 1972 (c. 52), Schedule 21, Part II.

(3) 1984 c. 12.

(4) 1986 c. 44.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Classes of appeal reserved for determination by the Secretary of State

4. The classes of case specified in Schedule 2 are prescribed for the purposes of paragraph 1(1) of Schedule 7 to the Act as appeals which are not to be determined in the manner set out in that paragraph.

Publicity for directions under paragraph 1(1) of Schedule 7 to the Act

5. On the making by the Secretary of State of a direction under paragraph 1(1) of Schedule 7 to the Act, he may by notice in writing enclosing a copy of the direction require the planning authority for every area in respect of which the direction has effect to publish as soon as may be a notice in at least one newspaper circulating in the area; and such notice shall contain a concise statement of the effect of the direction and shall specify the place or places where a copy of the direction may be seen at all reasonable hours.

Revocation and saving

6. The Town and Country Planning (Determination of Appeals by Appointed Persons) (Prescribed Classes) (Scotland) Regulations 1980(5) are hereby revoked and any appeal to which those Regulations applied, but in respect of which a person had not been appointed to determine the appeal before the coming into force of these Regulations, shall be determined under and in accordance with the provisions of these Regulations.

New St. Andrew's House, Edinburgh
28th August 1987

James Douglas-Hamilton
Parliamentary Under Secretary of State, Scottish
Office