
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations add to the classes of appeal under the Town and Country Planning (Scotland) Act 1972 which are to be determined by a person appointed for the purpose by the Secretary of State instead of being determined by the Secretary of State. They do so by amending the Town and Country Planning (Determination of Appeals by Appointed Persons) (Prescribed Classes) (Scotland) Regulations 1987.

Regulation 2(a) of the amending Regulations re-states those classes of appeal falling under section 33 of the 1972 Act (appeals against planning decisions), including that section as applied by other statutory provisions, which are to be determined by a person appointed by the Secretary of State. The re-statement includes for the first time appeals relating to the control of the display of advertisements. The relevant provision is at sub-paragraph (d)(ii) of the new paragraph (1) of Schedule 1 to the 1987 Regulations as substituted by Regulation 2(a).

Regulation 2(b) of the amending Regulations re-states those classes of appeal falling under section 85 of the Act (appeals against enforcement notices), including that section as applied by other statutory provisions, which are to be determined by a person appointed by the Secretary of State. This re-statement involves a new reference to appeals in relation to enforcement of advertisement controls.