

**Changes to legislation:** There are currently no known outstanding effects for the Planning (Consequential Provisions) (Scotland) Act 1997, SCHEDULE 1. (See end of Document for details)

## SCHEDULES

### SCHEDULE 1

Section 3.

#### REPEALS

##### Extent Information

**E1** [Schedule 1](#): repeals in Part II extend to Scotland only; repeals in Part III extend to England and Wales only

##### Commencement Information

**II** [Schedule 1](#) (except the repeal in Part I relating to s. 186 of [1997 c. 8](#) which repeal is prospective, see [s. 6\(2\)\(3\)\(4\)](#)) in force at 27.5.1997

#### PART I

##### GENERAL

Chapter	Short title	Extent of repeal
10 & 11 Geo. 6 c. 53.	The Town and Country Planning (Scotland) Act 1947.	Section 46(8).  In Schedule 8, the entry relating to the Building Restrictions (War-time Contraventions) Act 1946.
14 & 15 Geo. 6 c. 60.	The Mineral Workings Act 1951.	Section 32.
1967 c. 69.	The Civic Amenities Act 1967.	Section 40(6). Section 5.
1969 c. 48.	The Post Office Act 1969.	In section 30(1), the definition of “the Scottish Planning Act”.
		In Schedule 4, paragraph 92; and in paragraph 93, in sub-paragraph (1), paragraph (xxxiv) and the words from “Subject to” to the end, and sub-paragraph (4)(k).

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		In Schedule 9, paragraph 27(8) and (11).
1972 c. 42.	The Town and Country Planning (Amendment) Act 1972.	The whole Act.
1972 c. 52.	The Town and Country Planning (Scotland) Act 1972.	The whole Act.
1973 c. 56.	The Land Compensation (Scotland) Act 1973.	In section 49(5) the words from “sections 169” to “or”. Sections 64 to 69. Sections 71 to 77.
1973 c. 65.	The Local Government (Scotland) Act 1973.	Section 171C(b). Section 172. Section 175. In Schedule 23, paragraphs 6 and 16 to 34.
1974 c. 32.	The Town and Country Amenities Act 1974.	Section 2(1). Section 3(2). Section 4(2) and (3). Section 6. Section 7(2). Section 9. Section 11. In section 13, subsection (1) (b); and in subsection (2), the words from “and in section” to the end.
1977 c. 10.	The Town and Country Planning (Scotland) Act 1977.	The whole Act.
1979 c. 46.	The Ancient Monuments and Archaeological Areas Act 1979.	Section 48(1).
1980 c. 65.	The Local Government, Planning and Land Act 1980.	In Schedule 4, paragraph 12. Section 87. In section 92, subsections (1) to (8); and in subsection (9),

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		the words from “section 87” to “that.”
		In section 122, in subsection (1) the words “or section 103 of the Town and Country Planning (Scotland) Act 1972” and “or as the case may be 103”; in subsections (2), (3), and (8) the words “and 103”; and in subsection (6) the words “or 103”.
		Section 147.
		In section 149, in subsection (6), the words from “in place of” to “authority” in the third place where it occurs; in subsection (8)(a), the words from “and in place” to “them”; and subsection (10).
		In Schedule 32, paragraphs 5(8), 15(2)(b), 17, 19, 20(2), 21, 22, 24, 25 and 26(1A).
1981 c. 23.	The Local Government (Miscellaneous Provisions) (Scotland) Act 1981.	Section 36.
		In Schedule 2, paragraphs 16 to 25, 27 and 28.
		In Schedule 3, paragraphs 13, 15 to 20, 22 and 23.
1981 c. 36.	The Town and Country Planning (Minerals) Act 1981.	The whole Act.
1981 c. 38.	The British Telecommunications Act 1981.	In Schedule 3, paragraph 10(2)(d).
1982 c. 16.	The Civil Aviation Act 1982.	In Schedule 2, in paragraphs 4 and 5, the entries relating to the Town and Country Planning (Scotland) Act 1972; and paragraph 7.
		In Schedule 10, paragraphs 4(c) and 8(c) and, in each case, the preceding “and”.

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1982 c. 43.	The Local Government and Planning (Scotland) Act 1982.	Sections 36 to 48.  Schedule 2.
1983 c. 47.	The National Heritage Act 1983.	In Schedule 4, paragraph 22(6).
1984 c. 10.	The Town and Country Planning Act 1984.	The whole Act.
1984 c. 12.	The Telecommunications Act 1984.	In Schedule 4, paragraph 54.
1984 c. 54.	The Roads (Scotland) Act 1984.	In Schedule 9, paragraphs 41, 70, 72(7) and (8).
1985 c. 19.	The Town and Country Planning (Compensation) Act 1985.	The whole Act.
1985 c. 52.	The Town and Country Planning (Amendment) Act 1985.	The whole Act.
1986 c. 31.	The Airports Act 1986.	In Schedule 2, in paragraph 1, in sub-paragraph (1), the entry for the Town and Country Planning (Scotland) Act 1972 and the words from “and for the purposes” to the end, and in sub-paragraph (2), the entry for the Town and Country Planning (Scotland) Act 1972.  In Schedule 4, paragraph 2.
1986 c. 44.	The Gas Act 1986.	In Schedule 7, paragraph 13.
1986 c. 63.	The Housing and Planning Act 1986.	Section 26.  Sections 35 to 38. Sections 50 and 51. Section 52(1)(a). Section 54(2).  In section 58(2), the words from “in Part II” to “Schedule 6”, the words from “in Part IV” to “Schedule 7” and the words “Part II of Schedule 9”.

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		In Schedule 6, Parts III and IV.
		In Schedule 7, Part II.
		In Schedule 9, paragraphs 13 to 24.
		In Schedule 11, paragraphs 28 to 60 and 62.
1987 c. 3.	The Coal Industry Act 1987.	In Schedule 1, paragraph 20.
1987 c. 18.	The Debtors (Scotland) Act 1987.	In Schedule 6, paragraph 15.
1987 c. 26.	The Housing (Scotland) Act 1987.	In Schedule 23, paragraphs 18 and 19(9) and (10).
1988 c. 41.	The Local Government Finance Act 1988.	In Schedule 12, paragraph 9.
1989 c. 29.	The Electricity Act 1989.	In Schedule 8, paragraph 7.
		In Schedule 16, in paragraph 1, in sub-paragraph (1), paragraph (xxiii) and in paragraph (xxvi) the words “and 67”; in paragraph 2, sub-paragraphs (2)(d) and (7)(a) and, in sub-paragraph (8), the words from “and section 204” to “1972”; and paragraph 3(2)(e).
1990 c. 11.	The Planning (Consequential Provisions) Act 1990.	In Schedule 2, paragraphs 3(3), 16, 24(2), 26, 27, 44(14)(c), 62, 68 and 70.
1990 c. 19.	The National Health Service and Community Care Act 1990.	In Schedule 8, paragraph 7.
1990 c. 43.	The Environmental Protection Act 1990.	In Schedule 13, paragraphs 11 to 13.
1991 c. 22.	The New Roads and Street Works Act 1991.	In Schedule 8, paragraph 104.
1991 c. 28.	The Natural Heritage (Scotland) Act 1991.	Section 6(8) and (9).
1991 c. 34.	The Planning and Compensation Act 1991.	Sections 33 to 59.
		Section 60(1) to (5), (7) and (8).
		Schedules 8 to 11.

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		In Schedule 12, paragraphs 6 to 33.
		In Schedule 13, paragraphs 2 to 43 and 45 to 47.
		In Schedule 17, paragraphs 11, 12, 17 and 18.
		In Schedule 19, in Part IV, the entry relating to the Town and Country Planning (Scotland) Act 1972.
1992 c. 53.	The Tribunals and Inquiries Act 1992.	In Schedule 3, paragraphs 3 to 8.
1994 c. 21.	The Coal Industry Act 1994.	Section 68(2)(d)(v). In Schedule 9, paragraph 13. In Schedule 10, in paragraph 12, in sub-paragraph (1) the words from “and section” to “1972”, and in sub-paragraph (2) the words from “or sections” to the end.
1994 c. 39.	The Local Government etc. (Scotland) Act 1994.	Section 33. Schedule 4. In Schedule 13, paragraphs 88 and 92(57).
1995 c. 25.	The Environment Act 1995.	In Schedule 22, paragraph 16.
1995 c. 45.	The Gas Act 1995.	In Schedule 4, paragraph 2(1) (xix), (2)(e) and (10)(d).
1995 c. 49.	The Town and Country Planning (Costs of Inquiries etc.) Act 1995.	Sections 3 and 4.  In section 5, in subsection (2), the definition of “the 1972 Act”; and subsection (5).
1997 c. 8.	The Town and Country Planning (Scotland) Act 1997.	In section 186, subsections (1) and (2); and in subsection (3), the words from the beginning to “(2)”.

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## PART II

### SCOTLAND ONLY

Chapter	Short title	Extent of repeal
9 & 10 Geo. 6 c. 35.	The Building Restrictions (War-Time Contraventions) Act 1946.	The whole Act.
1995 c. 25.	The Environment Act 1995.	Section 96. Schedules 13 and 14.

## PART III

### ENGLAND AND WALES ONLY

Chapter	Short title	Extent of repeal
1995 c. 25.	The Environment Act 1995.	<p>In section 96, in subsection (2), the words “as they apply to England and Wales” and “(as so applying)”; subsection (3); in subsection (4) the words “and section 251A of the 1972 Act”; in subsection (5) the words “or, as the case may be, section 21 of the 1972 Act”; and in subsection (6) the definition of “the 1972 Act”.</p> <p>In Schedule 13, the words “as respects England and Wales” in each place where they occur; in paragraph 1, in sub-paragraph (1), in each of the definitions of “mineral planning authority”, “old mining permission” and “owner”, paragraph (b) and the preceding “and”, and in sub-paragraph (7)(a) the words “or, as the case may be, section 233 of the 1972 Act”; in paragraph 2, sub-paragraph (4) (d) and (e) and, in sub-paragraph (6), paragraph (b) and the preceding “and”; in paragraph 7, in sub-paragraph (4)(d) the</p>

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words “or (6)”, and sub-paragraph (6); in paragraph 9, in sub-paragraph (2)(f) the words “or (4)”, sub-paragraph (4) and, in sub-paragraph (5), the words “or, as respects Scotland, section 24 of the 1972 Act”; in paragraph 12(4)(a) the words “or, as the case may be, section 233 of the 1972 Act”; in paragraph 15, in sub-paragraph (4), paragraph (b) and the preceding “or” and the words “or, as the case may be, section 42 of the 1972 Act” in both places where they occur, in sub-paragraph (5) the words “or section 42 of the 1972 Act”, and in sub-paragraph (6) the words “and section 167A of the 1972 Act”; and paragraph 16(5) to (7).

In Schedule 14, the words “as respects England and Wales” in each place where they occur; in paragraph 2, in sub-paragraph (1), in each of the definitions of “mineral planning authority”, “old mining permission” and “owner”, paragraph (b) and the preceding “and”, and in sub-paragraph (4) the words “or section 233 of the 1972 Act”; in paragraph 3, in sub-paragraph (1) the words “or, as the case may be, paragraph 2 of Schedule 10A to the 1972 Act”, “or, as the case may be, paragraph 10(2) of Schedule 10A to the 1972 Act” and “or, as the case may be, section 49H of and Schedule 10A to the 1972 Act”, and in sub-paragraph (6) the words “or section 42 of the 1972 Act” and “or section 49 of the 1972 Act”; in paragraph 6, in sub-paragraph (2)(f), the



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words “or (4)”, and sub-paragraph (4); paragraph 9(5) to (7); and in paragraph 13, in sub-paragraph (4) the words “and, as respects Scotland, Parts VIII and XI of the 1972 Act” and the words “or, as the case may be, section 42 of the 1972 Act” in both places where they occur, and in sub-paragraph (6) the words “and section 167A of the 1972 Act”.

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