

**2001 No. 245**

**TOWN AND COUNTRY PLANNING**

**The Town and Country Planning (General Development Procedure) (Scotland) Amendment Order 2001**

*Made* 25th June 2001

*Laid before the Scottish Parliament* 25th June 2001

*Coming into force* 23rd July 2001

The Scottish Ministers, in exercise of the powers conferred by sections 30, 32 and 275 of the Town and Country Planning (Scotland) Act 1997(a) and of all other powers enabling them in that behalf, hereby make the following Order:

**Citation, commencement and interpretation**

1.—(1) This Order may be cited as the Town and Country Planning (General Development Procedure) (Scotland) Amendment Order 2001 and shall come into force on 23rd July 2001.

(2) In this Order, “the 1992 Order” means the Town and Country Planning (General Development Procedure) (Scotland) Order 1992(b)

**Amendment of the 1992 Order**

2. In article 3(c) of the 1992 Order (application for planning permission)—
- (a) the word “and” at the end of sub-paragraph (iv) shall be omitted;
  - (b) for “Regulations.” at the end of sub-paragraph (v), substitute “Regulations; and”; and
  - (c) after sub-paragraph (v), insert the following sub-paragraph:—

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(a) 1997 c.8. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).

(b) S.I. 1992/224; amended by S.I. 1992/2083, 1993/1039, 1994/2585 and 1994/3293.

“(vi) where the application relates to the installation of an antenna to be employed in a telecommunications system, within the meaning of section 4(1) of the Telecommunications Act 1984<sup>(a)</sup>, a declaration by the applicant that the antenna is designed to be in full compliance with the requirements of the radio frequency public exposure guidelines of the International Commission on Non-Ionising Radiation Protection, as expressed in EU Council recommendation of 12 July 1999<sup>(b)</sup> on the limitation of exposure of the general public to electro magnetic fields (0Hz to 300 GHz).”.

St Andrew’s House,  
Edinburgh  
25th June 2001

*LEWIS MACDONALD*  
Authorised to sign by the Scottish Ministers

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<sup>(a)</sup> 1984 c.12.  
<sup>(b)</sup> 1999/519/EC.

## **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order amends article 3 of the Town and Country Planning (General Development Procedure) (Scotland) Order 1992.

The purpose of the Order is to require that applications for planning permission, in cases where the proposed development involves an antenna to be employed in a telecommunications system, are accompanied by a declaration that the development is designed to comply with the public exposure guidelines of the International Commission on Non-Ionising Radiation Protection.

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