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SCOTTISH STATUTORY INSTRUMENTS

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**2004 No. 219**

**The Town and Country Planning (Fees for Applications and Deemed Applications) (Scotland) Regulations 2004**

**Fees for applications for consent for advertisements**

**14.**—(1) Where an application is made to a planning authority under regulation 15 of the 1984 Regulations for consent for the display of an advertisement, a fee shall accompany the application and shall be paid to that authority in accordance with this regulation.

(2) Subject to the provisions of paragraphs (3) to (7) the fee payable in respect of each site on which one or more than one advertisement is to be displayed shall be £120, and on or after 1st April 2005, £130.

(3) Where the application relates to the display of advertisements on parking meters, litter bins, public seating benches or bus shelters within a specified area, the whole of the area to which the application relates shall be treated as one site for the purpose of this regulation.

(4) Where the application is made by a community council, the amount of the fee payable in respect of the application shall be reduced by one half.

(5) Where all of the conditions set out in paragraph (6) are satisfied, this regulation shall not apply to an application for the display of advertisements which is made following—

- (a) the withdrawal before notice of decision was issued; or
- (b) the refusal of consent whether by the planning authority or by the Scottish Ministers on appeal,

in respect of an application for the display of advertisements made by the same person.

(6) The conditions referred to in paragraph (5) are—

- (a) that the application is made within 12 months of—
  - (i) the date when the earlier application was made, in the case of a withdrawn application; or
  - (ii) in any other case, the date of refusal;
- (b) that the application relates to the same site as that to which the earlier application related, or to part of that site;
- (c) that the planning authority to which the application is made is satisfied that it relates to an advertisement or advertisements, of the same description other than content, as the advertisement or advertisements to which the earlier application related;
- (d) that the fee payable in respect of the earlier application was paid; and
- (e) that no previous application has at any time been made by the same applicant which related to—
  - (i) the same site as the site to which the earlier application related; and
  - (ii) an advertisement of the same description other than content as any advertisement to which the earlier application related, and which was exempted from the provisions of this regulation by paragraph (5).

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

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(7) No fee is payable under this regulation in respect of an application for consent to display an advertisement if the application is occasioned by direction under regulation 11 of the 1984 Regulations disapplying regulation 10 in relation to that advertisement.

(8) Any fee paid under this regulation shall be refunded if the relevant application is rejected as invalidly made.