
SCOTTISH STATUTORY INSTRUMENTS

2013 No. 156

**The Town and Country Planning
(Appeals) (Scotland) Regulations 2013**

PART 5

Appeals under section 18 of the Listed Buildings Act

Notice to owners

18.—(1) The appellant is to give notice in the form set out in Part 1 of Schedule 3 to any person (other than the appellant) who at the beginning of the prescribed period is the owner of the building to which the appeal relates.

(2) Where the appellant is unable to give notice to every person (other than the appellant) who at the beginning of the prescribed period was the owner of the building to which the appeal relates, the appellant must publish a notice in a local newspaper circulating in the locality in which the building is situated.

(3) Notice under paragraph (2) is to—

- (a) be in the form set out in Part 2 of Schedule 3; and
- (b) be published before the beginning of the prescribed period.

(4) The appellant must issue a certificate stating, as appropriate—

- (a) that at the beginning of the prescribed period no person (other than the appellant) was the owner of the building to which the appeal relates;
- (b) that the appellant has given notice to every person (other than the appellant) who at the beginning of the prescribed period was the owner of the building to which the appeal relates; or
- (c) that the appellant is unable to give notice to every such person.

(5) A certificate issued—

- (a) under paragraph (4)(b) or (c) must state the name of every person to whom notice was given and the address at and date on which such notice was given;
- (b) under paragraph (4)(c) must certify that—
 - (i) the appellant has taken reasonable steps (specifying them) to ascertain the names and addresses of those persons to whom the applicant has been unable to give notice; and
 - (ii) that a notice has been published in accordance with paragraph (2) (specifying the date and place of publication).

(6) In this regulation “prescribed period” means the period of 21 days ending with the date on which notice of appeal is given to the Scottish Ministers under section 19(1) of the Listed Buildings Act.