

2014 No. 139

TOWN AND COUNTRY PLANNING

**The Town and Country Planning (Control of Advertisements)
(Scotland) Amendment Regulations 2014**

<i>Made</i> - - - -	<i>21st May 2014</i>
<i>Laid before the Scottish Parliament</i>	<i>27th May 2014</i>
<i>Coming into force</i> - -	<i>30th June 2014</i>

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 182, 186 and 275 of the Town and Country Planning (Scotland) Act 1997^(a) and all other powers enabling them to do so.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Town and Country Planning (Control of Advertisements) (Scotland) Amendment Regulations 2014 and come into force on 30th June 2014.

(2) In these Regulations “the 1984 Regulations” means the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984^(b).

Amendment of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984

2.—(1) Subject to regulation 3, the 1984 Regulations are amended in accordance with paragraph (2).

(2) After regulation 26 (execution and cost of operations required by enforcement notice) insert—

“Stop notices

26A.—(1) The provisions of sections 136, 140(1), (3) and (7) to (9), 141, 142, 143(1) to (5) and 144 of the Act apply in respect to an enforcement notice served under regulation 24 as they apply in respect to an enforcement notice issued under section 127 of the Act subject to the modifications specified in paragraph (2).

(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). Section 182 was amended by section 7(2) of, and the schedule to, the Planning etc. (Scotland) Act 2006 (asp 17), and section 275 was relevantly amended by section 54(16)(a) of that Act.

(b) S.I. 1984/467 to which there are amendments not relevant to these Regulations.

(2) The modifications are—

- (a) the references in sections 140, 141 and 143 to “relevant activity” are to be treated as references to the display of an advertisement specified in the enforcement notice served under regulation 24;
- (b) the references in sections 136, 140 and 141 to the compliance period are to be treated as references to the period specified in the enforcement notice served under regulation 24 for compliance with it or such extended period as the planning authority may allow for compliance with it;
- (c) the reference in section 141(4) to section 127 is to be treated as a reference to regulation 24; and
- (d) the reference in section 143(5)(a) to an activity which constitutes or contributes to a breach of planning control is to be treated as a reference to any display of an advertisement in contravention of these Regulations.”.

Transitional provisions

3. The amendments made to the 1984 Regulations by regulation 2(2) apply only in respect to an enforcement notice served under regulation 24 of the 1984 Regulations on or after the date on which these Regulations come into force.

St Andrew’s House,
Edinburgh
21st May 2014

DEREK MACKAY
Authorised to sign by the Scottish Ministers

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984 (“the 1984 Regulations”). Regulation 2(2) applies specified provisions of Part 6 of the 1997 Act to enforcement notices served under the 1984 Regulations. These introduce powers to serve stop notices in respect of enforcement action taken where there is a breach of the 1984 Regulations and make it an offence to fail to comply with an enforcement notice or stop notice.

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