

*Status: Point in time view as at 27/05/1997.*

**Changes to legislation:** Local Government (Scotland) Act 1973, Schedule 23 is up to date with all changes known to be in force on or before 18 September 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

## SCHEDULES

### <sup>XI</sup>SCHEDULE 23

Section 184.

#### AMENDMENT OF ENACTMENTS RELATING TO PLANNING

##### Editorial Information

- X1** The text of Schs. 9, 12, 13, 14, 15, 17(2)–(64), 18, 23, 24, 25, 27 Pt. II, 28, 29 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

**F1** .....

##### Textual Amendments

- F1** [Sch. 23 para. 1](#) repealed by Ancient Monuments and Archaeological Areas Act (c. 46), Sch. 5

#### *The <sup>M1</sup>Caravan Sites and Control of Development Act 1960*

##### Marginal Citations

- M1** 1960 C. 62.

2 In section 32(1) (application of Part I to Scotland), the following amendments shall be made—

- F2**(a) .....
- (b) in paragraph (k)(i), for the words from “in relation” to “county council” there shall be substituted the words “a general or district planning authority within the meaning of Part IX of the Local Government (Scotland) Act 1973”.

##### Textual Amendments

- F2** [Sch. 23 para. 2\(a\)](#) repealed by [Local Government and Planning \(Scotland\) Act 1982 \(c. 43\)](#), [Sch. 4 Pt. I](#)

#### *The <sup>M2</sup>Town and Country Planning (Scotland) Act 1947*

##### Marginal Citations

- M2** [1947 c. 53](#)

3 In section 113(1) (interpretation), the following amendments shall be made—

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- (a) in the definition of “local authority”, for the words from “county” onwards there shall be substituted the words “regional, islands or district council”;
- (b) in the definition of “planning authority”, for the words “section 2 of this Act” there shall be substituted the words “section 172 of the Local Government (Scotland) Act 1973”.

*The <sup>M3</sup>Town and Country Planning (Scotland) Act 1959*

**Marginal Citations**  
**M3** 1959 c. 70.

4 In section 27 (powers of disposal of land), the following amendments shall be made—

- (a) for subsection (4) there shall be substituted the following subsection—
  - “(4) Subject to the provisions of this Act, section 74(2) of the Local Government (Scotland) Act 1973 (consideration for disposal of land) shall apply to any disposal of land by an authority to whom this Part of this Act applies in the exercise of a power in relation to which subsection (1) of this section has effect (not being a power under Part VI of the said Act of 1973) as it applies to the like disposal of land by a local authority in the exercise of any power under the said Part VI.”
- (b) in subsection (5)(c), for the words from “subsection” to “1947” there shall be substituted the words “section 75(1) of the Local Government (Scotland) Act 1973”.

5 In Schedule 4 (Authorities to whom Part II applies), the following amendments shall be made—

- (a) in paragraph 1, for the word “1947” there shall be substituted the word “1973”;
- (b) in paragraph 2, for the word “1947”, where first occurring, there shall be substituted the word “1973”;
- <sup>F3</sup>(c) .....
- (d) for paragraph 4 there shall be substituted the following paragraph—
  - “4 A river purification authority for the purposes of the Rivers (Prevention of Pollution) (Scotland) Acts 1951 and 1965.”

**Textual Amendments**  
**F3** Sch. 23 para. 5(c) repealed by [Water \(Scotland\) Act 1980 \(c. 45\)](#), [Sch. 11](#)

*The <sup>M4</sup>Civic Amenities Act 1967*

**Marginal Citations**  
**M4** 1967 c. 69.

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F4 6 .....

**Textual Amendments**

F4 Sch. 23 para. 6 repealed (27.5.1997) by 1997 c. 11, ss. 3, 6(2), Sch. 1 Pt. I (with s. 5, Sch. 3)

*The<sup>M5</sup>New Towns (Scotland) Act 1968*

**Marginal Citations**

M5 1968 c. 16.

7 In section 6(1) (planning control in new towns), for the words “local planning” there shall be substituted the words “district planning”.

8 In section 23(2)(i) (extinguishment of public rights of way), for the words “local planning” there shall be substituted the words “district planning” and after the word “situated” there shall be inserted the words “and on any other local authority who appear to him to be concerned”.

9 In section 35(2) (development corporations may transfer undertaking), for the words “county or burgh” there shall be substituted the words “region, islands area or district”.

10 In section 36(2)(a)(i) (winding up of development corporations), for the words “county or town council of the burgh” there shall be substituted the words “region, islands area or district”.

11 In section 41(2) (application of certain enactments), for the words “county council” there shall be substituted the words “regional or islands council concerned”.

12 In section 47(1) (interpretation), in the definition of “local authority”, for the words from “county” onwards there shall be substituted the words “regional, islands or district council”, in the definition of “local highway authority”, for the words from “a highway” onwards there shall be substituted the words “a regional council”, in the definition of “planning authority”, for the word “1947” there shall be substituted the word “1972” and at the appropriate place in alphabetical order there shall be inserted the following definitions—

““regional planning authority” and “district planning authority” have the meanings assigned to them by Part IX of the Local Government (Scotland) Act 1973;”.

13 In Schedule 1 (procedure for designating site of new town), in paragraph 2, for the words “county or on the town council of the burgh” there shall be substituted the words “region, islands area or district”.

F5 14 .....

**Textual Amendments**

F5 Sch. 23 para. 14 repealed by Industrial Development Act 1982 (c. 52), s. 19, Sch. 2 Pt. I para. 1 Sch. 3

F6 15 .....

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**Textual Amendments**

**F6** Sch. 23 para. 15 repealed by [Town and Country Amenities Act 1974 \(c. 32\)](#), [Sch.](#)

*The <sup>M6</sup>Town and Country Planning (Scotland) Act 1972*

**Marginal Citations**

**M6** 1972 c. 5.

<sup>F7</sup>16 .....

**Textual Amendments**

**F7** Sch. 23 para. 16 repealed (27.5.1997) by 1997 c. 11, ss. 3, 6(2), [Sch. 1 Pt. I](#) (with s. 5, Sch. 3)

<sup>F8</sup>17 .....

**Textual Amendments**

**F8** Sch. 23 para. 17 repealed (27.5.1997) by 1997 c. 11, ss. 3, 6(2), [Sch. 1 Pt. I](#) (with s. 5, Sch. 3)

<sup>F9</sup>18 .....

**Textual Amendments**

**F9** Sch. 23 para. 18 repealed (27.5.1997) by 1997 c. 11, ss. 3, 6(2), [Sch. 1 Pt. I](#) (with s. 5, Sch. 3)

<sup>F10</sup>19 .....

**Textual Amendments**

**F10** Sch. 23 para. 19 repealed (27.5.1997) by 1997 c. 11, ss. 3, 6(2), [Sch. 1 Pt. I](#) (with s. 5, Sch. 3)

<sup>F11</sup>20 .....

**Textual Amendments**

**F11** Sch. 23 para. 20 repealed (27.5.1997) by 1997 c. 11, ss. 3, 6(2), [Sch. 1 Pt. I](#) (with s. 5, Sch. 3)

<sup>F12</sup>21 .....

**Textual Amendments**

**F12** Sch. 23 para. 21 repealed (27.5.1997) by 1997 c. 11, ss. 3, 6(2), [Sch. 1 Pt. I](#) (with s. 5, Sch. 3)

<sup>F13</sup>22 .....

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**Textual Amendments**

**F13** Sch. 23 para. 22 repealed (27.5.1997) by 1997 c. 11, ss. 3, 6(2), Sch. 1 Pt. I (with s. 5, Sch. 3)

<sup>F14</sup>23 .....

**Textual Amendments**

**F14** Sch. 23 para. 23 repealed (27.5.1997) by 1997 c. 11, ss. 3, 6(2), Sch. 1 Pt. I (with s. 5, Sch. 3)

<sup>F15</sup>24 .....

**Textual Amendments**

**F15** Sch. 23 para. 24 repealed (27.5.1997) by 1997 c. 11, ss. 3, 6(2), Sch. 1 Pt. I (with s. 5, Sch. 3)

<sup>F16</sup>25 .....

**Textual Amendments**

**F16** Sch. 23 para. 25 repealed (27.5.1997) by 1997 c. 11, ss. 3, 6(2), Sch. 1 Pt. I (with s. 5, Sch. 3)

<sup>F17</sup>26 .....

**Textual Amendments**

**F17** Sch. 23 para. 26 repealed (27.5.1997) by 1997 c. 11, ss. 3, 6(2), Sch. 1 Pt. I (with s. 5, Sch. 3)

<sup>F18</sup>27 .....

**Textual Amendments**

**F18** Sch. 23 para. 27 repealed (27.5.1997) by 1997 c. 11, ss. 3, 6(2), Sch. 1 Pt. I (with s. 5, Sch. 3)

<sup>F19</sup>28 .....

**Textual Amendments**

**F19** Sch. 23 para. 28 repealed (27.5.1997) by 1997 c. 11, ss. 3, 6(2), Sch. 1 Pt. I (with s. 5, Sch. 3)

<sup>F20</sup>29 .....

**Textual Amendments**

**F20** Sch. 23 para. 29 repealed (27.5.1997) by 1997 c. 11, ss. 3, 6(2), Sch. 1 Pt. I (with s. 5, Sch. 3)

<sup>F21</sup>30 .....

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**Textual Amendments**

**F21** Sch. 23 para. 30 repealed (27.5.1997) by 1997 c. 11, ss. 3, 6(2), Sch. 1 Pt. I (with s. 5, Sch. 3)

<sup>F22</sup>31 .....

**Textual Amendments**

**F22** Sch. 23 para. 31 repealed (27.5.1997) by 1997 c. 11, ss. 3, 6(2), Sch. 1 Pt. I (with s. 5, Sch. 3)

<sup>F23</sup>32 .....

**Textual Amendments**

**F23** Sch. 23 para. 32 repealed (27.5.1997) by 1997 c. 11, ss. 3, 6(2), Sch. 1 Pt. I (with s. 5, Sch. 3)

<sup>F24</sup>33 .....

**Textual Amendments**

**F24** Sch. 23 para. 33 repealed (27.5.1997) by 1997 c. 11, ss. 3, 6(2), Sch. 1 Pt. I (with s. 5, Sch. 3)

<sup>F25</sup>34 .....

**Textual Amendments**

**F25** Sch. 23 para. 34 repealed (27.5.1997) by 1997 c. 11, ss. 3, 6(2), Sch. 1 Pt. I (with s. 5, Sch. 3)

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