Changes to legislation: *Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, Paragraph 5 is up to date with all changes known to be in force on or before 31 May 2024. 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) View outstanding changes*

SCHEDULES

SCHEDULE 3

DETERMINATION OF CERTAIN APPEALS BY PERSON APPOINTED BY SECRETARY OF STATE

Modifications etc. (not altering text)

C1 Sch. 3 savings for effects of 2011 asp 3 s. 21 (1.12.2011) by The Historic Environment (Amendment) (Scotland) Act 2011 (Saving, Transitional and Consequential Provisions) Order2011 (S.S.I. 2011/377), arts. 1(1), **6(b)**

Appointment of another person to determine appeal

5 (1) At any time before the appointed person has determined the appeal the Secretary of State may—

(a) revoke his appointment, and

(b) appoint another person under paragraph 1 to determine the appeal instead.

(2) Where such a new appointment is made the consideration of the appeal or any inquiry or other hearing in connection with it shall be begun afresh.

(3) Nothing in sub-paragraph (2) shall require—

[F1](a) . . . . . .

(b) any person to be given an opportunity of making fresh representations or modifying or withdrawing any representations already made.

Textual Amendments

F1 Sch. 3 para. 5(3)(a) and word repealed (27.2.2015 for specified purposes, 1.10.2015 in so far as not already in force) by Historic Environment Scotland Act 2014 (asp 19), s. 31(2), **sch. 3 para. 23(d)** (with ss. 29, 30); S.S.I. 2015/31, art. 2, sch.; S.S.I. 2015/196, art. 2, sch.

Changes to legislation:
Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, Paragraph 5 is up to date with all changes known to be in force on or before 31 May 2024. 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.
View outstanding changes

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:
Whole provisions yet to be inserted into this Act (including any effects on those provisions):

– s. 82(1)(aa)-(ad) inserted by 2006 asp 17 s. 55(5)