



Transport and Works (Scotland) Act 2007

2007 asp 8

PART 1

ORDERS AUTHORISING WORKS ETC.

Consents etc. under other enactments

14 Consents etc. under other enactments

- (1) This section applies to relevant proposals which give rise to a requirement for—
 - (a) the giving of a consent, permission or licence under any enactment, or
 - (b) the making or confirmation of an order under any enactment.
- (2) For the purposes of subsection (1), a proposal is a relevant proposal if it is—
 - (a) the subject of an application under section 4, or
 - (b) intended to be given effect to by an order made by virtue of section 6.
- (3) The Scottish Ministers may make regulations regarding any requirement referred to in subsection (1) which (leaving out of account any provision in the regulations) would not be removed by the order to which the application relates or to be made by virtue of section 6 (as the case may be).
- (4) The regulations may make provision—
 - (a) that the making of the order in question will remove the requirement for—
 - (i) the consent, permission or licence, or
 - (ii) the making or confirmation of an order under any enactment,
 - (b) that the making of the order in question will have the effect that—
 - (i) the consent, permission or licence is deemed to be given, or
 - (ii) an order under any enactment is deemed to be made or confirmed,
 - (c) for securing that—
 - (i) the procedure for obtaining, or otherwise relating to, the consent, permission, licence, order or confirmation, and
 - (ii) the procedure relating to the application made under section 4 or the procedure relating to the proposal made under section 6 (as the case may be),

Status: This is the original version (as it was originally enacted).

are wholly or partly assimilated (and in particular that proceedings relating to the one may be held concurrently with proceedings relating to the other).

- (5) The regulations may include provision—
- (a) excluding or modifying the application of any enactment,
 - (b) authorising the Scottish Ministers to give directions or take such other steps as they consider appropriate for the purpose of the regulations.

15 Town and country planning

- (1) In section 57 of the Town and Country Planning (Scotland) Act 1997 (c. 8) (power to deem planning permission to be granted in certain cases where development is authorised by a government department), after subsection (2) insert—

“(2A) On making an order under section 1 of the Transport and Works (Scotland) Act 2007 which includes provision for development, the Scottish Ministers may direct that planning permission for that development shall be deemed to be granted, subject to such conditions (if any) as may be specified in the direction.”.

- (2) In Schedule 14 to that Act (blighted land), after paragraph 15 add—

“16 This paragraph applies to land—

- (a) the compulsory acquisition of which is authorised by an order under section 1 of the Transport and Works (Scotland) Act 2007,
- (b) which falls within the limits of deviation within which powers of compulsory acquisition conferred by such an order are exercisable, or
- (c) which is the subject of a proposal, contained in an application made in accordance with rules under section 4 of that Act or in a draft order prepared under section 6(3) of that Act, that it should be such land.”.