SCOTTISH STATUTORY INSTRUMENTS

2007 No. 268

The Town and Country Planning (Marine Fish Farming) (Scotland) Order 2007

Amendment of the Town and Country Planning (Fees for Applications and Deemed Applications) (Scotland) Regulations 2004

13.—(1) The Town and Country Planning (Fees for Applications and Deemed Applications) (Scotland) Regulations 2004(**1**) are amended as follows.

(2) In regulation 2(1)–

(a) after the definition of "community council" insert–

""equipment" and "fish farming" have the same meanings as in section 26(6) of the 1997 Act;"; and

(b) after the definition of "dwellinghouse" insert–

""marine waters" means the waters described in paragraphs (b) and (c) of subsection (6) of section 26 of the 1997 Act;".

(3) In the Schedule–

(a) after paragraph 10 insert–

"**10A.** In relation to development within category 8A the area of the sea bed to be used in relation to the development is the area which if the anchorage or mooring points used in relation to the development were to be connected by straight lines would be enclosed by such imaginary lines.";

(b) in the Table in column 1 (category of development) after category 8 insert "8A. The placing or assembly of equipment in any part of any marine waters for the purpose of fish farming", and in column 2 (fee payable) corresponding to new category 8A insert, "£145 for each 0.1 hectare of the surface area of the marine waters which to be use in relation to the placement or assembly of any equipment for the purposes of fish farming and £50 for each 0.1 hectare of the sea bed to be used in relation to such development, subject to a maximum of £14,500."; and

(c) in the Table in column 1 in category 12 at the end insert, "; or in the use of equipment placed or assembled in marine waters for the purpose of fish farming.".