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SCOTTISH STATUTORY INSTRUMENTS

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**2009 No. 213**

**TOWN AND COUNTRY PLANNING**

**The Town and Country Planning (Temporary Stop Notice) (Scotland) Regulations 2009**

<i>Made</i>	- - - -	<i>2nd June 2009</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>3rd June 2009</i>
<i>Coming into force</i>	- -	<i>3rd August 2009</i>

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 144B(1) of the Town and Country Planning (Scotland) Act 1997<sup>(1)</sup> 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 (Temporary Stop Notice) (Scotland) Regulations 2009 and come into force on 3rd August 2009.

(2) In these Regulations “caravan” has the same meaning as for the purposes of Part 1 of the Caravan Sites and Control of Development Act 1960<sup>(2)</sup>.

**Circumstances in which temporary stop notice does not prohibit stationing of caravan**

2.—(1) The stationing of a caravan on any land in the circumstances specified in paragraph (2) is an activity prescribed for the purposes of section 144B(1)(b) of the Town and Country Planning (Scotland) Act 1997.

(2) The circumstances are that—

- (a) the caravan is stationed on the land immediately before the issue of the temporary stop notice;
- (b) the caravan is at that time occupied by a person as that person’s main residence.

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(1) 1997 c. 8. Sections 144A to 144D were inserted into the Town and Country Planning (Scotland) Act 1997 (“the Act”) by section 26 of the [Planning etc. \(Scotland\) Act 2006 asp. 17](#). The functions of the Secretary of State under the Act transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46). See section 277(1) of the Act for the definition of prescribed.

(2) 1960 c. 62 as amended by the Caravan Sites Act 1968 (c. 52).

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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St Andrew's House,  
Edinburgh  
2nd June 2009

*STEWART STEVENSON*  
Authorised to sign by the Scottish Ministers

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## **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations provide that the stationing of a caravan on land is an activity not prohibited by a temporary stop notice in the circumstances specified in regulation 2(2).