

## STATUTORY INSTRUMENTS

# 1984 No. 467

## The Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984

PROSPECTIVE

### PART VIII MISCELLANEOUS

#### Advertisements relating to travelling circuses and fairs

27.—(1) On application in that behalf being made to them, a planning authority may grant consent for the temporary display, on unspecified sites in their district, of placards, posters or bills relating to the visit of a travelling circus, fair or similar travelling entertainment to any specified place in the area; and for the purposes of this regulation the expression “in the area” means in the district of the planning authority to whom application for such consent is made or in the district of any neighbouring planning authority.

(2) Consent granted under this regulation shall be subject to the following conditions in addition to the standard conditions:—

- (a) no such advertisement shall exceed 0.6 sq metre in area or be displayed above 3.6 metres from ground level;
- (b) no such advertisement shall be displayed earlier than 14 days before the first performance or opening of the circus, fair or other entertainment in the area at a place specified in the advertisement; and every such advertisement shall be removed within 7 days after the last performance or closing of the circus, fair or other entertainment in the area at a place specified in the advertisement;
- (c) no such advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway (including any coastal waters) or airfield.

(3) Without prejudice to the right to apply under Part V of these regulations for consent to display advertisements of the foregoing description on specified sites, the provisions of the Part shall not apply to an application for consent under this regulation, and the decision of a planning authority on any such application shall be final.

#### Commencement Information

**II** Reg. 27 in force at 2.5.1984, see [reg. 1](#)

*Status: This version of this part contains provisions that are prospective.*

*Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

## Power of Secretary of State

**28.** The Secretary of State may if he thinks fit give a direction to any planning authority or to planning authorities in general requiring them to furnish him with such information as he may require for the purpose of exercising any of his functions under these regulations.

### Commencement Information

**I2** Reg. 28 in force at 2.5.1984, see [reg. 1](#)

## Extension of time

**29.—(1)** Subject to the provisions of the Act and of these regulations—

- (a) the Secretary of State may for special reasons, in any particular case, extend the time within which anything is required under these regulations to be done, or within which any objection, representation or claim for compensation may be made;
- (b) the planning authority may, on reasonable cause being shown to them, extend the time within which an application for consent is required to be or may be made to them under these regulations;

and any such extension may be granted either unconditionally or subject to such conditions as the Secretary of State or the planning authority think fit to impose.

**(2)** The power conferred by this regulation to grant extensions of time shall not apply to—

- (a) the time within which the planning authority is required under regulation 20 to notify an applicant of the manner in which his application has been dealt with save as expressly provided in that regulation;
- (b) any period specified by these regulations during which an advertisement may be displayed with consent deemed to be granted.

### Commencement Information

**I3** Reg. 29 in force at 2.5.1984, see [reg. 1](#)

## How to claim compensation in respect of expenses under section 165 of the Act

**30.—(1)** Any person who is required by or under these regulations to remove an advertisement which was being displayed on 16th August 1948 or to discontinue the use for the display or advertisements of any site being used for that purpose on 16th August 1948, and who desires to claim compensation under section 165 of the Act<sup>(1)</sup> in respect of any expenses reasonably incurred by him in carrying out works in compliance with such a requirement, shall submit a claim in writing to the planning authority within 6 months after the completion of such works; and such a claim shall contain sufficient information to enable the planning authority to give proper consideration to the claim.

**(2)** If the planning authority consider that the information furnished by any claimant under this regulation is insufficient to enable them properly to determine the claim they may call for such further particulars as they require for that purpose.

(1) 1972 c. 52.

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#### Commencement Information

**I4** Reg. 30 in force at 2.5.1984, see [reg. 1](#)

#### Register of applications

**31.**—(1) Every planning authority shall keep a register available for public inspection, containing the following information in respect of all land within their district, namely:—

- (a) particulars of any application made to them for consent for the display of advertisements on any such land, including the name and address of the applicant, the date of receipt of the application, and brief particulars of the type of advertisement forming the subject of the application;
- (b) particulars of any direction given under these regulations in respect of the application;
- (c) the decision (if any) of the planning authority in respect of the application and the date of such decision;
- (d) the date and effect of any decision of the Secretary of State in respect of the application given on appeal.

(2) Such register shall include an index for enabling a person to trace any entry in the register.

(3) Such register shall be kept at the office of the planning authority:

Provided that so much of the register as relates to land within any particular part of the district of a planning authority may be kept at a place within or convenient to that part of their district.

(4) Every entry in such register consisting of particulars of an application shall be made within 7 days of the receipt of such application.

(5) Every register kept under paragraph (1) above shall be available for inspection by the public at all reasonable hours.

#### Commencement Information

**I5** Reg. 31 in force at 2.5.1984, see [reg. 1](#)

#### Directions and notices

**32.**—(1) Any power conferred by these regulations to give a direction shall be construed as including power to cancel or vary that direction by a subsequent direction.

(2) Any notice to be served or given under these regulations may be served or given in the manner prescribed by section 269 of the Act and by any regulations made under that section.

#### Commencement Information

**I6** Reg. 32 in force at 2.5.1984, see [reg. 1](#)

**Status:**

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**Changes to legislation:**

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**Changes and effects yet to be applied to :**

- Regulations applied by [2020 asp 2 sch. 3 para. 29](#)
- Regulations applied by [1997 c. 61 Sch. 3 para. 3\(1\)](#)
- Regulations applied by [2011 c. 1 Sch. 1 para. 18\(2\)](#)
- Regulations applied by [S.I. 2002/2779 art. 86](#)
- Regulations applied by [S.I. 2010/2999 art. 89](#)
- Regulations applied by [S.I. 2016/219 Sch. 3 para. 110](#)
- Regulations applied in part (with modifications) by [S.S.I. 2006/270 art. 6](#)
- Regulations extended by [S.I. 1999/787 art. 90](#)
- Regulations modified by [2013 asp 14 Sch. 4 para. 28](#)
- Regulations modified by [S.S.I. 2015/425 art. 85](#)

**Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. 4 Class 3 words added by [S.S.I. 2003/503 Sch. Pt. 2 para. 17\(3\)\(a\)](#)
- Sch. 4 Class 3 words added by [S.S.I. 2003/503 Sch. Pt. 2 para. 17\(3\)\(b\)](#)
- Sch. 4 Class 3 words added by [S.S.I. 2003/503 Sch. Pt. 2 para. 17\(3\)\(c\)](#)
- Sch. 4 words inserted by [S.S.I. 2014/249 reg. 2\(2\)\(a\)](#)
- Sch. 4 words inserted by [S.S.I. 2014/249 reg. 2\(2\)\(b\)](#)
- Sch. 4 words inserted by [S.S.I. 2014/249 reg. 2\(2\)\(c\)](#)
- Sch. 4 words inserted by [S.S.I. 2014/249 reg. 2\(2\)\(d\)](#)
- reg. 2 amended by
- reg. 2 amended by
- reg.2(1) (defn of advertisement) substituted by [S.I. 1992/1763 reg.2](#)
- reg. 2(1) words inserted by [S.S.I. 2004/332 Sch. 3 para. 1](#)
- reg. 2(1) words substituted by [S.I. 1996/252 Sch.](#)
- reg. 2A inserted by [S.S.I. 2004/332 Sch. 3 para. 2](#)
- reg 6 am by [S.S.I. 2006/95 art 2](#)
- reg. 6 words added by [S.S.I. 2003/503 Sch. Pt. 2 para. 17\(2\)](#)
- reg 12 am by [S.S.I. 2006/95 art 2](#)
- reg. 12(1)(c) words substituted by [S.I. 2013/602 Sch. 2 para. 67\(1\)](#)
- reg. 14(5) words omitted by [S.S.I. 2013/154 reg. 2\(2\)](#)
- reg. 20(2A) inserted by [S.S.I. 2004/332 Sch. 3 para. 3](#)
- reg. 20(3) omitted by [S.S.I. 2013/154 reg. 2\(3\)](#)
- reg. 21(1)(1A) substituted for reg. 21(1) by [S.S.I. 2013/154 reg. 2\(4\)\(a\)](#)
- reg. 21(2) words inserted by [S.S.I. 2013/154 reg. 2\(4\)\(b\)](#)
- reg. 21(3)-(7) omitted by [S.S.I. 2013/154 reg. 2\(4\)\(c\)](#)
- reg. 21(9) omitted by [S.S.I. 2013/154 reg. 2\(4\)\(c\)](#)
- reg. 24(4) words inserted by [S.S.I. 2013/154 reg. 2\(5\)](#)
- reg. 25 substituted by [S.S.I. 2013/154 reg. 2\(6\)](#)
- reg. 26A inserted by [S.S.I. 2014/139 reg. 2\(2\)](#)

– [reg. 32A inserted by S.S.I. 2004/332 Sch. 3 para. 4](#)