

SCHEDULE 2

Regulation 8

PROCEDURE FOR DEFINING AREAS OF SPECIAL CONTROL

1. Where a planning authority propose to define an area of special control they shall make an order defining an area by reference to a map annexed thereto, either with or without descriptive matter (which, in the case of any discrepancy with the map, shall prevail except in so far as may be otherwise provided by the order), and shall submit to the Secretary of State 2 certified copies of the order, map and descriptive matter (if any), and a statement of their reasons for proposing to make the order.

Commencement Information

I1 Sch. 2 para. 1 in force at 2.5.1984, see [reg. 1](#)

2. The authority shall forthwith publish in the Edinburgh Gazette, and in each of 2 successive weeks in one or more newspapers circulating in the locality in which the area is situated, a notice related to the submission for approval of the order in the form prescribed (Schedule 3, Form 1) or in a form substantially to the like effect.

Commencement Information

I2 Sch. 2 para. 2 in force at 2.5.1984, see [reg. 1](#)

3. If any objection is duly made and not withdrawn the Secretary of State shall, before approving the order, afford to the person making such objection an opportunity of appearing before and being heard by a person appointed by the Secretary of State for the purpose, and if any such person avails himself of the opportunity of being heard the Secretary of State shall also afford the like opportunity to the planning authority and to such other persons as he thinks fit.

Commencement Information

I3 Sch. 2 para. 3 in force at 2.5.1984, see [reg. 1](#)

4. After considering any representation or objection duly made and not withdrawn and the report of the person by whom any inquiry or hearing was held, the Secretary of State may approve the order with or without modifications:

Provided that if the Secretary of State proposes to approve the order subject to a modification involving the inclusion therein of any area of land not included in the order as submitted he shall publish prior notice of his intention so to do and shall afford opportunity for the making of objections or representations with respect to the proposed modification, and for such further hearing as may appear to him to be necessary or expedient.

Commencement Information

I4 Sch. 2 para. 4 in force at 2.5.1984, see [reg. 1](#)

Status: This version of this schedule 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](#)

5. As soon as may be after the order has been approved, the planning authority shall publish in the Edinburgh Gazette, and in each of 2 successive weeks in one or more newspapers circulating in the locality in which the area is situated, a notice relating to the approval of the order in the form prescribed (Schedule 3, Form 2) or in a form substantially to the like effect and any such order shall come into force on the date on which notice of the approval thereof is published in the Edinburgh Gazette.

Commencement Information

15 Sch. 2 para. 5 in force at 2.5.1984, see [reg. 1](#)

6. These provisions apply, with necessary modifications, to the making of an order revoking or modifying an existing area defining an area of special control.

Commencement Information

16 Sch. 2 para. 6 in force at 2.5.1984, see [reg. 1](#)

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Changes and effects yet to be applied to :

- Sch. 2 para. 1 coming into force by S.I. 1984/467 reg. 1
- Sch. 2 para. 2 coming into force by S.I. 1984/467 reg. 1
- Sch. 2 para. 3 coming into force by S.I. 1984/467 reg. 1
- Sch. 2 para. 4 coming into force by S.I. 1984/467 reg. 1
- Sch. 2 para. 5 coming into force by S.I. 1984/467 reg. 1
- Sch. 2 para. 6 coming into force by S.I. 1984/467 reg. 1
- 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