

2015 No. 240

TOWN AND COUNTRY PLANNING

**The Planning (Listed Buildings and Conservation Areas)
(Urgent Works to Crown Land) (Scotland) Regulations 2015**

Made - - - - - *2nd June 2015*

Laid before the Scottish Parliament *4th June 2015*

Coming into force - - - *1st October 2015*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 73B(8) and (10) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997(a) and of all other powers enabling them to do so.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Planning (Listed Buildings and Conservation Areas) (Urgent Works to Crown Land) (Scotland) Regulations 2015 and shall come into force on 1st October 2015.

(2) In these Regulations “the Act” means the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

Application

2. These Regulations apply to applications for consent under section 73B of the Act made on or after 1st October 2015.

Advertisement of applications

3.—(1) The Scottish Ministers must give notice of an application under section 73B of the Act in accordance with this regulation.

(2) The notice must—

(a) be published in—

(i) the Edinburgh Gazette; and

(ii) a local newspaper circulating in the locality in which the building to which the application relates is situated; and

(b) be displayed on or near the building for not less than 7 days.

(3) The notice must—

(a) state the nature of the works to which the application relates;

(a) 1997 c.9. Section 73B was inserted by the Planning and Compulsory Purchase Act 2004 (c.5), section 93(1).

- (b) describe the location of the building to which the application relates including, where applicable, a postal address;
- (c) include the reference number (if any) given to the application by the Scottish Ministers;
- (d) state how the application, plans or drawings relating to it and other documents submitted in connection with it may be inspected;
- (e) state that representations may be made to the Scottish Ministers and include information as to how any representations may be made and by which date they must be made (being a date not earlier than 21 days after the date of publication of the notice).

Consultation

4. Historic Environment Scotland is a person prescribed for the purposes of section 73B(10)(b) of the Act.

St Andrew's House,
Edinburgh
2nd June 2015

FIONA HYSLOP
A member of the Scottish Government

EXPLANATORY NOTE

(This note is not part of the Order)

Section 93 of the Planning and Compulsory Purchase Act 2004 amended the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 by inserting new section 73B. This section makes provision for urgent applications for works to buildings on Crown land which are listed or which are in conservation areas and provides for such applications to be made directly to the Scottish Ministers.

Regulation 3 prescribe advertisement requirements for such applications, in accordance with section 73B(8) where the application is made to the Scottish Ministers. Regulation 4 prescribes Historic Environment Scotland as a person to be consulted about an application under section 73B.

These Regulations apply to applications for consent under section 73B made on or after 1st October 2015.

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