



Aquaculture and Fisheries (Scotland) Act 2013

2013 asp 7

PART 1

AQUACULTURE

CHAPTER 4

PLANNING PERMISSION

23 Planning permission for marine fish farms

- (1) Section 31A of the Town and Country Planning (Scotland) Act 1997 (planning permission in respect of operation of marine fish farm) is amended in accordance with this section.
- (2) After subsection (2) insert—
 - “(2A) Subject to subsection (4), any planning permission may be granted by the Scottish Ministers—
 - (a) by order, or
 - (b) on application to them in accordance with regulations under subsection (8).”.
- (3) After subsection (4) insert—
 - “(4A) Subsection (4B) applies where—
 - (a) an order granting planning permission (whether by virtue of subsection (2A)(a) or subsection (3)) is revoked, and
 - (b) the date of the revocation is, in relation to any marine fish farm to which the order applied, earlier than the appropriate date (within the meaning of section 26AA(2)) in respect of that fish farm.

Status: This is the original version (as it was originally enacted).

- (4B) For the purposes of the operation of section 26AA(1)(a)(ii) in relation to any such marine fish farm after revocation of the order, the fact that planning permission had been granted by the order is to be ignored.”.
- (4) In subsection (8)—
- (a) paragraph (a) is repealed, and
 - (b) in paragraph (b), for the words “such an application” substitute “an application for planning permission”.