



# Local Government (Scotland) Act 1973

## 1973 CHAPTER 65

### PART IX

#### PLANNING

##### *Planning authorities and plans*

#### **172 Planning authorities.**

- (1) The planning authority for the purposes of the Act of 1972 and this Part of this Act shall be—
  - (a) in the case of regional planning functions, a general planning authority or a regional planning authority; and
  - (b) in the case of district planning functions, a general planning authority or a district planning authority,and the district of the planning authority shall be the region, islands area or the district, as the case may be.
- (2) In the term “local planning authority”, wherever it occurs in any enactment or instrument made under an enactment, the word “local” shall be omitted.
- (3) In any enactment or instrument made under an enactment, a reference to a planning authority shall, unless otherwise provided, [<sup>F1</sup>or unless the context otherwise requires] be construed as a reference to a general planning authority and to a district planning authority.
- (4) In this Part of this Act—
  - “the <sup>M1</sup>Act of 1972” means the Town and Country Planning (Scotland) Act 1972;
  - “regional planning functions” are those described in Part I of Schedule 22 to this Act together with those conferred on general or regional planning authorities by this Part of this Act;

*Changes to legislation: Local Government (Scotland) Act 1973, Part IX is up to date with all changes known to be in force on or before 11 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

“district planning functions” are those described as such in Part II of that Schedule or in this Part of this Act, together with those conferred on general or district planning authorities by this Part of this Act;

“general planning authority” means the council of the Highland region, the Borders region or the Dumfries and Galloway region or of an islands area;

“regional planning authority” means the council of any other region;

“district planning authority” means a district council within the region of a regional planning authority.

**Textual Amendments**

**F1** Words inserted by [Local Government and Planning \(Scotland\) Act 1982 \(c. 43\)](#), **Sch. 3 para. 22**

**Marginal Citations**

**M1** [1972 c. 52](#).

**F2** 173 .....

**Textual Amendments**

**F2** [S. 173](#) repealed (1.4.1996) by [1994 c. 39, s. 180\(2\)](#), **Sch. 14**; S.I. 1996/323, **art. 4(1)(c)**

**F3** 174 .....

**Textual Amendments**

**F3** [S. 174](#) repealed (1.4.1996) by [1994 c. 39, s. 180\(2\)](#), **Sch. 14**; S.I. 1996/323, **art. 4(1)(c)**

**F4** 175 .....

**Textual Amendments**

**F4** [S. 175](#) repealed (27.5.1997) by [1997 c. 11, ss. 3\(1\), 6\(2\)](#), **Sch. 1 Pt. I** (with [s. 5](#), [Sch. 3](#))

**F5** 176 .....

**Textual Amendments**

**F5** [S. 176](#) repealed (1.4.1996) by [1994 c. 39, s. 180\(2\)](#), **Sch. 14**; S.I. 1996/323, **art. 4(1)(c)**

**F6** 177 .....

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**Textual Amendments**

**F6** S. 177 repealed (1.4.1996) by 1994 c. 39, s. 180(2), [Sch. 14](#); S.I. 1996/323, [art. 4\(1\)\(c\)](#)

**178** ..... **F7**

**Textual Amendments**

**F7** S. 178 repealed by [Local Government and Planning \(Scotland\) Act 1982 \(c. 43\)](#), [Sch. 4 Pt. I](#)

*Development control*

**F8** **179** .....

**Textual Amendments**

**F8** S. 179 repealed (1.4.1996) by 1994 c. 39, s. 180(2), [Sch. 14](#); S.I. 1996/323, [art. 4\(1\)\(c\)](#)

**180** ..... **F9**

**Textual Amendments**

**F9** S. 180 repealed by [Town and Country Planning \(Scotland\) Act 1977 \(c. 10\)](#), [s. 5\(8\)](#)

**F10** **181** .....

**Textual Amendments**

**F10** S. 181 repealed (1.4.1996) by 1994 c. 39, s. 180(2), [Sch. 14](#); S.I. 1996/323, [art. 4\(1\)\(c\)](#)

*Miscellaneous*

**F11** **182** .....

**Textual Amendments**

**F11** S. 182 repealed (1.4.1996) by 1994 c. 39, s. 180(2), [Sch. 14](#); S.I. 1996/323, [art. 4\(1\)\(c\)](#)

**F12** **183** .....

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#### Textual Amendments

**F12** S. 183 repealed (1.4.1996) by 1994 c. 39, s. 180(2), **Sch. 14**; S.I. 1996/323, **art. 4(1)(c)**

### 184 Amendment of enactments relating to planning etc

The enactments mentioned in Schedule 23 to this Act being enactments relating to planning, new towns and kindred matters, shall have effect subject to the amendments set out in that Schedule.

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#### Modifications etc. (not altering text)

**C1** The text of ss. 130(3), 132(2), 134(2), 135(10), 138(2), 146(2)–(9), 147(2)(6)(7)(8), 155(2)(3)(5)(6)(7), 156(2)(3), 166(2), 170(2), 175, 184, 213(3), 237(1), Schs. 16, 19, 21 paras. 2–12 and Sch. 26 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

**Changes to legislation:**

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

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

- Sch. 7 para. 7(3) inserted by [1989 c. 42 Sch. 11 para. 36](#)