Scottish Development Agency Act 1975

1975 CHAPTER 69

Various powers of the Agency

[F1**7   Development and improvement of the environment.**

(1) For the purposes mentioned in section 2(2)(*g*) of this Act, the Agency shall, after consultation with such local authorities, statutory and other bodies as appear to the Agency to have an interest, from time to time prepare and submit to the Secretary of State for his approval proposals for the development, re-development or improvement of any area.

(2) The Secretary of State may approve, in whole or in part, or with modifications, any proposals submitted to him under subsection (1) above, or may refuse to approve them, and any such approval may be given in relation to a specific act of the Agency or in relation to all acts of a class or description specified in the approval, and may be given subject to such conditions as may be so specified.

(3) The Agency, either by themselves or by agents or in conjunction with any other person, may implement or assist in implementing proposals approved under this section.

(4) The Agency may appoint any person to act as the agent of the Agency for the purposes of this section.

(5) The Secretary of State may, if he considers it expedient, and subject to subsection (6) below, incorporate in his approval under subsection (2) above a direction that the approval shall have effect as planning permission for the development, and any such direction shall have effect and the provisions of the M1Town and Country Planning (Scotland) Act 1972 shall apply as if it were planning permission granted by the Secretary of State under section 32 of that Act and as if any conditions to which the approval is subject, being conditions which could have been imposed by the Secretary of State under the said section 32, were conditions of that planning permission.

(6) Before making any direction under subsection (5) above, the Secretary of State shall consult each planning authority concerned, advertise the development proposed, consider any representations in relation thereto and may cause a local inquiry to be held in connection therewith.

(7) Section 267 of the **M2**Town and Country Planning (Scotland) Act 1972 shall apply to a local inquiry held by virtue of subsection (6) above as it applies to a local inquiry held by virtue of that section.

(8) The Agency may make payments of such amount and in such manner as they may, with the approval of the Secretary of State and the Treasury determine, to any person towards the cost of carrying out works specified in proposals approved under this section.

(9) Without prejudice to the generality of subsection (8) above, the Agency may make payments to a local authority in accordance with arrangements approved by the Secretary of State, with the consent of the Treasury, in respect of any expenses incurred by that authority in acquiring land, undertaking clearance or carrying out preliminary development works for the purposes of proposals approved under this section, but payments may not be made under this subsection to the extent that grants have been or are to be made to the authority by virtue of sections 237 to 239 of the **M3**Town and Country Planning (Scotland) Act 1972 in respect of the acquisition of such land, and grants shall not be made by virtue of the said sections to the extent that payments have been or are to be made to the authority by the Agency under this subsection.]

Textual Amendments

F1   Act except ss. 1, 20, 28, and paras. 1 to 6, 11 to 14, 16 and 17 of Sch. 1 repealed (E.W.S.) (1.4.1991) by 1990 c. 35, ss. 22(1), 23(4), 38(2), Sch. 3, **Sch. 5 Pt. II**; Enterprise and New Towns (Scotland) Act 1990 Transfer Dates Order dated 1.3.1991.

Marginal Citations

M1   1972 c. 52.
M2   1972 c. 52.
M3   1972 c. 52.

Changes to legislation:
There are currently no known outstanding effects for the Scottish Development Agency Act 1975, Section 7.