



# Town and Country Planning (Scotland) Act 1947

1947 CHAPTER 53 10 and 11 Geo 6

## S

An Act to make fresh provision with respect to Scotland for planning the development and use of land, for the grant of permission to develop land and for other powers of control over the use of land; to confer on public authorities additional powers in respect of the acquisition and development of land for planning and other purposes, and to amend the law relating to compensation in respect of the compulsory acquisition of land; to provide for payments out of central funds in respect of depreciation occasioned by planning restrictions; to secure the recovery for the benefit of the community of development charges in respect of certain new development; to provide for the payment of grants out of central funds in respect of expenses of local planning authorities in connection with the matters aforesaid; and for purposes connected with the matters aforesaid.

[13th August 1947]

### Modifications etc. (not altering text)

- C1 Act extended by [Countryside \(Scotland\) Act 1967 \(c. 86\), s. 8](#) and [Town and Country Planning \(Scotland\) Act 1969 \(c. 30\), s. 103\(2\)](#)
- C2 Words of enactment omitted under authority of [Statute Law Revision Act 1948 \(c. 62\), s. 3](#)

## PART I S

1 ..... F1 S

*Changes to legislation: There are currently no known outstanding effects for the Town and Country Planning (Scotland) Act 1947. (See end of Document for details)*

**Textual Amendments**

**F1** Ss. 1–43, 44(2), 46(1)–(7)(9), 47–108, 109(2)–(6), 110–112, 113(2)–(4) repealed by [Town and Country Planning \(Scotland\) Act 1972 \(c. 52\)](#), **Sch. 23**.

2 ..... <sup>F2</sup> **S**

**Textual Amendments**

**F2** Ss. 1–43, 44(2), 46(1)–(7)(9), 47–108, 109(2)–(6), 110–112, 113(2)–(4) repealed by [Town and Country Planning \(Scotland\) Act 1972 \(c. 52\)](#), **Sch. 23**.

**PART II S**

3–33. .... <sup>F3</sup> **S**

**Textual Amendments**

**F3** Ss. 1–43, 44(2), 46(1)–(7)(9), 47–108, 109(2)–(6), 110–112, 113(2)–(4) repealed by [Town and Country Planning \(Scotland\) Act 1972 \(c. 52\)](#), **Sch. 23**.

**PART III S**

ACQUISITION OF LAND, ETC

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

**C3** Pt. III modified by [Land Compensation \(Scotland\) Act 1963 \(c. 51\)](#), s. 17, **Sch. 2 para. 1(1)**

34— ..... <sup>F4</sup> **S**  
43.

**Textual Amendments**

**F4** Ss. 1–43, 44(2), 46(1)–(7)(9), 47–108, 109(2)–(6), 110–112, 113(2)–(4) repealed by [Town and Country Planning \(Scotland\) Act 1972 \(c. 52\)](#), **Sch. 23**.

*Powers relating to highways*

44 **S**

(1) ..... <sup>F5</sup>

*Changes to legislation: There are currently no known outstanding effects for the Town and Country Planning (Scotland) Act 1947. (See end of Document for details)*

(2) ..... F6

**Textual Amendments**

- F5 Ss. 44(1), 45 repealed by Roads (Scotland) Act 1984 (c. 54, SIF 108), s. 156(3), **Sch. 11** (with s. 128(1) )
- F6 Ss. 1–43, 44(2), 46(1)–(7)(9), 47–108, 109(2)–(6), 110–112, 113(2)–(4) repealed by Town and Country Planning (Scotland) Act 1972 (c. 52), **Sch. 23**.

45 ..... F7 **S**

**Textual Amendments**

- F7 Ss. 44(1), 45 repealed by Roads (Scotland) Act 1984 (c. 54, SIF 108), s. 156(3), **Sch. 11** (with s. 128(1) )

46 †Power to stop up and divert highways, etc. **S**

(1) ..... F8

F9(8) .....

(9) ..... F8

**Textual Amendments**

- F8 Ss. 1–43, 44(2), 46(1)–(7)(9), 47–108, 109(2)–(6), 110–112, 113(2)–(4) repealed by Town and Country Planning (Scotland) Act 1972 (c. 52), **Sch. 23**.
- F9 S. 46(8) repealed (27.5.1997) by 1997 c. 11, ss. 3, 6(2), **Sch. 1 Pt. I** (with s. 5, Sch. 3)

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

- C4 A dagger appended to a marginal note means that it is no longer accurate
- C5 S. 46 extended Land Powers (Defence) Act 1958 (c. 30), **ss. 8, 9(4)**; amended by Mineral Workings Act 1951 (c. 60), **ss. 32(1)(2)(4)**, 40(6)

**PARTS IV—VIII **S****

47— ..... F10 **S**  
95.

**Textual Amendments**

- F10 Ss. 1–43, 44(2), 46(1)–(7)(9), 47–108, 109(2)–(6), 110–112, 113(2)–(4) repealed by Town and Country Planning (Scotland) Act 1972 (c. 52), **Sch. 23**.

*Changes to legislation: There are currently no known outstanding effects for the Town and Country Planning (Scotland) Act 1947. (See end of Document for details)*

**PART IX S**

SUPPLEMENTAL

**96—** ..... **F11 S**  
**98.**

**Textual Amendments**

**F11** Ss. 1–43, 44(2), 46(1)–(7)(9), 47–108, 109(2)–(6), 110–112, 113(2)–(4) repealed by [Town and Country Planning \(Scotland\) Act 1972 \(c. 52\)](#), **Sch. 23**.

*General Provisions*

**99—** ..... **F12 S**  
**108**

**Textual Amendments**

**F12** Ss. 1–43, 44(2), 46(1)–(7)(9), 47–108, 109(2)–(6), 110–112, 113(2)–(4) repealed by [Town and Country Planning \(Scotland\) Act 1972 \(c. 52\)](#), **Sch. 23**.

**109** †**Amendments and repeals. S**

- (1) Subject to the provisions of this section, the enactments specified in the first column of the Eighth Schedule to this Act shall have effect, on and after the appointed day, subject to the amendments specified in the second column of that Schedule, being minor amendments and amendments consequential on the provisions of this Act.

(2) ..... **F13**

**Textual Amendments**

**F13** Ss. 1–43, 44(2), 46(1)–(7)(9), 47–108, 109(2)–(6), 110–112, 113(2)–(4) repealed by [Town and Country Planning \(Scotland\) Act 1972 \(c. 52\)](#), **Sch. 23**.

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

**C6** A dagger appended to a marginal note means that it is no longer accurate

**110—** ..... **F14 S**  
**112.**

**Textual Amendments**

**F14** Ss. 1–43, 44(2), 46(1)–(7)(9), 47–108, 109(2)–(6), 110–112, 113(2)–(4) repealed by [Town and Country Planning \(Scotland\) Act 1972 \(c. 52\)](#), **Sch. 23**.

*Changes to legislation: There are currently no known outstanding effects for the Town and Country Planning (Scotland) Act 1947. (See end of Document for details)*

### 113 Interpretation. **S**

- (1) ..... <sup>F15</sup>  
..... <sup>F15</sup>  
“land” includes land covered with water and any building as defined by this section, and, in relation to the acquisition of land under Part III of this Act, includes any interest or right in or over land;  
..... <sup>F15</sup>  
“local authority” means a [<sup>F16</sup>county council, town council or district council, or any other authority within the meaning of the <sup>M1</sup>Local Authorities Loans (Scotland) Act, 1891, and includes any joint board or joint committee of which all the constituent authorities are such local authorities as aforesaid;][<sup>F16</sup>regional, islands or district council]  
..... <sup>F15</sup>
- (2)—(4) . . . <sup>F17</sup>
- (5) References in this Act to any enactment shall be construed as references to that enactment as amended by any subsequent enactment including, except where the context otherwise requires, this Act.

#### Textual Amendments

- F15** S. 113(1) except the definitions of “land” and “local authority” repealed by [Roads \(Scotland\) Act 1984 \(c. 54, SIF 108\)](#), s. 156(3), [Sch. 11](#) (with s. 128(1) )
- F16** Words “regional” to “council” substituted for words “county” to “aforesaid” (16.5.1975) by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), s. 238(2), [Sch. 23 para. 3](#)
- F17** Ss. 1–43, 44(2), 46(1)–(7)(9), 47–108, 109(2)–(6), 110–112, 113(2)–(4) repealed by [Town and Country Planning \(Scotland\) Act 1972 \(c. 52\)](#), [Sch. 23](#).

#### Marginal Citations

- M1** 1891 c. 34.

### 114 †Short title, commencement and extent. **S**

- (1) This Act may be cited as the Town and Country Planning (Scotland) Act, 1947.
- (2) ..... <sup>F18</sup>
- (3) This Act shall extend to Scotland only.

#### Textual Amendments

- F18** S. 114(2) repealed by [Statute Law Revision Act 1950 \(c. 6\)](#)

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

- C7** A dagger appended to a marginal note means that it is no longer accurate

*Changes to legislation: There are currently no known outstanding effects for the Town and Country Planning (Scotland) Act 1947. (See end of Document for details)*

F19F19 FIRST TO SEVENTH SCHEDULES **S**

**Textual Amendments**

**F19** Schs. 1–7, 9–11 repealed by Town and Country Planning (Scotland) Act 1972 (c. 52), **Sch. 23**

F19

EIGHTH SCHEDULE **S**

Sections 41, 100 and 109.

ENACTMENTS AMENDED

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

**C8** The text of Sch. 8 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

**Enactments amended**

**Amendments**

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F20

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F24

The  
M2  
Camps Act, 1939.

In section two, in subsection (1) the words “by means of a compulsory purchase order made by the company and confirmed” shall be omitted.

In section seven, for paragraphs (b) and (c) there shall be substituted the following paragraph—

(b) section two of this Act shall have effect as if for subsections (2) and (3) thereof the following subsection were substituted:—

(2) The Acquisition of Land (Authorisation Procedure)(Scotland) Act, 1947, shall have effect as if any reference therein to a local authority (except the references

*Changes to legislation:* There are currently no known outstanding effects for the  
Town and Country Planning (Scotland) Act 1947. (See end of Document for details)

thereto in subsection (2) of section one,  
in section two and in paragraph 9 of the  
First Schedule) included a reference to a  
recognised company.

...	...
F25	F25
...	...
F22	F22
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F26	F26
...	...
F22	F22
F27	F27
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...	...
...	F27
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F28	F28
...	...
F29	F29
...	...
F22	F22

#### Textual Amendments

- F20** Entry repealed by [Local Government \(Scotland\) Act 1973 \(c. 65, SIF 81:2\)](#), **Sch. 29**
- F21** Entry repealed by [Betting Gaming and Lotteries Act 1963 \(c. 2\)](#), **Sch. 8**
- F22** Entries repealed by [Statute Law \(Repeals\) Act 1975 \(c. 10\)](#), **Sch. Pt. XII**
- F23** Entry repealed by [Roads \(Scotland\) Act 1984 \(c. 54, SIF 108\)](#), s. 156(3), **Sch. 11** (with s. 128(1) )
- F24** Entry repealed by [Statute Law \(Repeals\) Act 1975 \(c. 10\)](#), **Sch. Pt. XII** and by [Statute Law \(Repeals\) Act 1989 \(c.43\)](#), s. 1(1), **Sch. 1 Pt. VII**
- F25** Entry repealed by [Town and Country Planning \(Scotland\) Act 1972 \(c. 52\)](#), **Sch. 23**
- F26** Entry repealed by [Statute Law \(Repeals\) Act 1989 \(c. 43\)](#), s. 1(1), **Sch. 1 Pt. VII**
- F27** **Sch. 8**: entry relating to “[Building Restrictions \(War Time Contraventions\) Act 1946](#)” repealed (27.5.1997) by [1997 c. 11, ss. 3, 6\(2\)](#), **Sch. 1 Pt. I** (with s. 5, Sch. 3)
- F28** Entry repealed by [New Towns \(Scotland\) Act 1968 \(c. 16\)](#), **Sch. 11**
- F29** Entry repealed by [Civil Aviation Act 1949 \(c. 67\)](#), **Sch. 12**

#### Marginal Citations

- M2** 2 & 3 Geo. 6. c. 22.

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F30F30 NINTH TO ELEVENTH  
SCHEDULES **S**

**Textual Amendments**

**F30** Schs. 1–7, 9–11 repealed by Town and Country Planning (Scotland) Act 1972 (c. 52), **Sch. 23**

F30



**Changes to legislation:**

There are currently no known outstanding effects for the Town and Country Planning (Scotland) Act 1947.