



Town and Country Planning (Scotland) Act 1947

1947 CHAPTER 53

PART I

CENTRAL AND LOCAL ADMINISTRATION.

1 The Central Land Board.

- (1) In this Act the expression " Central Land Board " means the Board established under the Town and Country Planning Act, 1947.
- (2) The Board shall have an office in Scotland and shall maintain there such staff as may be necessary for the proper performance of their functions under this Act.
- (3) The Board shall, in the performance of their functions under this Act, comply with such directions as may be given to them by the Secretary of State.
- (4) The report made by the Board for any year under section two of the Town and Country Planning Act, 1947, shall set out any direction given by the Secretary of State to the Board during that year unless the Secretary of State has notified to the Board his opinion that it is against the interests of national security so to do.
- (5) The functions under this Act of the Board, and of their officers and servants, shall be (exercised on behalf of the Crown.
- (6) Regulations made .for the purposes of section two of the Town and Country Planning Act, 1947, shall provide for requiring members of the' Board who are interested in any land which is the subject of a claim or application made to the/Board under this Act to disclose to the Board the nature of their interest, and may for that purpose apply any of the provisions of section one hundred and forty-nine of the Companies Act, 1929, subject to such modifications as may be prescribed by the regulations.
- (7) Any administrative expenses incurred for the purposes of this Act by the Board with the approval of the Secretary of State shall, to such extent as may be sanctioned by the Treasury, be defrayed out of moneys provided by Parliament.

2 Local planning authorities.

- (1) Subject to the provisions of this section the local planning authority for the purposes of this Act shall be—
- (a) in the case of a large burgh, the town council;
 - (b) in the case of a county (including, subject as after-mentioned, any small burghs therein), the county : council or, in the case of a county combined with another county for the purposes mentioned in subsection (1) of section one hundred and eighteen of the Local Government (Scotland) Act, 1947, the joint county council of the combined county; and
 - (c) in the case of a small burgh, to the town council of which powers and duties have been transferred under subsection (2) of section two of the Act of 1932, the town council,

and the district of the local planning authority shall be the burgh or the county or the combined county, as the case may be.

- (2) Two or more local planning authorities may, with the consent of the Secretary of State, combine for any of the purposes of any provision of this Act on such terms and conditions as may be agreed between them and approved by the Secretary of State.
- (3) If it appears to the Secretary of State that the combination of any local planning authority with any other local planning authority or authorities for any of the purposes of any provision of this Act would be of public or local advantage he may make an order combining those authorities as respects their districts or parts thereof for such of the purposes aforesaid as are specified in the order:

Provided that the Secretary of State shall not make such an order except after holding a local inquiry unless all the authorities concerned have consented to the making of the order.

- (4) Any such order shall be laid before Parliament and if either House within a period of forty days after the order is so laid before it resolves that the order be annulled, the order shall thereupon cease to have effect, but without prejudice to the validity of anything previously done thereunder or to the making of a new order.

In reckoning for the purposes of this subsection any such period of forty days, no account shall be taken of any time during which Parliament is dissolved or prorogued or during which both Houses are adjourned for more than four days,

- (5) The provisions of Part I and Part II of the First Schedule to this Act shall have effect with respect to the combination of authorities under subsection (2) and subsection (3) respectively of this section; the provisions of Part III and Part IV of that Schedule shall have effect with respect to the establishment and functions of joint advisory committees and of planning committees respectively of local planning authorities; and the provisions of Part V of that Schedule shall have effect with respect to the establishment and functions of sub-committees of joint planning committees appointed in pursuance of any combination of local planning authorities under subsection (2) or subsection (3) of this section, of joint advisory committees and of planning committees of local planning authorities.