
STATUTORY INSTRUMENTS

1994 No. 2585 (S.121)

TOWN AND COUNTRY PLANNING, SCOTLAND

The Town and Country Planning (General Development Procedure) (Scotland) Amendment Order 1994

<i>Made</i>	- - - -	<i>5th October 1994</i>
<i>Laid before Parliament</i>		<i>10th October 1994</i>
<i>Coming into force</i>	- -	<i>31st October 1994</i>

The Secretary of State, in exercise of the powers conferred on him by sections 28(1)(c) and 273(3) of the Town and Country Planning (Scotland) Act 1972((1)) and of all other powers enabling him in that behalf, hereby makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Town and Country Planning (General Development Procedure) (Scotland) Amendment Order 1994 and shall come into force on 31st October 1994.

(2) In this Order “the 1992 Order” means the Town and Country Planning (General Development Procedure) (Scotland) Order 1992((2)).

Consultation before grant of planning permission

2. In article 15(1)(b) of the 1992 Order (consultations before grant of planning permission), for “British Coal Corporation” in each place where it appears there shall be substituted “Coal Authority”.

Transitional and saving

3. Any area of coal working or former or proposed coal working which has been notified, before the date of the coming into force of this Order, by the British Coal Corporation for purposes of article 15(1)(b) of the 1992 Order shall be treated as having been notified on or after that date by the Coal Authority for those purposes and, in relation to a particular application for planning permission made before that date, the planning authority are not required to consult the Coal Authority if they have already consulted the British Coal Corporation.

(1) 1972 c. 52; section 28(1) was amended by the Local Government (Scotland) Act 1973 (c. 65), section 172(2) and the Planning and Compensation Act 1991 (c. 34), Schedule 13, paragraph 7(a)(ii) and (iii).
(2) S.I.1992/224; amended by S.I. 1992/2083 and 1993/1039.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

St Andrew's House,
Edinburgh
5th October 1994

Allan Stewart
Parliamentary Under Secretary of State, Scottish
Office

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Town and Country Planning (General Development Procedure) (Scotland) Amendment Order 1992 (“the 1992 Order”). The amendment is consequent upon the restructuring of the coal industry, and establishment of the Coal Authority (“CA”) and a new licensing system provided by the Coal Industry Act 1994.

Article 2 of the Order amends article 15(1)(b) of the 1992 Order to provide that planning authorities should consult the CA, instead of the British Coal Corporation (“BCC”), on applications for specified developments in areas of coal working already notified to them by BCC and in any new areas specified by the CA. Article 3 makes transitional provisions in respect of such areas already notified by BCC prior to the coming into force of the Order.