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SCOTTISH STATUTORY INSTRUMENTS

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**2015 No. 236**

**TOWN AND COUNTRY PLANNING**

**The Town and Country Planning (Determination of Appeals by Appointed Persons) (Prescribed Classes) (Scotland) Amendment Regulations 2015**

<i>Made</i>	- - - -	<i>2nd June 2015</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>4th June 2015</i>
<i>Coming into force</i>	- -	<i>1st October 2015</i>

The Scottish Ministers make the following Regulations in exercise of the powers conferred by paragraph 1 of Schedule 3 to the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997<sup>(1)</sup> and all other powers enabling them to do so.

**Citation and commencement**

1. These Regulations may be cited as the Town and Country Planning (Determination of Appeals by Appointed Persons) (Prescribed Classes) (Scotland) Amendment Regulations 2015 and come into force on 1st October 2015.

**Amendment of the Town and Country Planning (Determination of Appeals by Appointed Persons) (Prescribed Classes) (Scotland) Regulations 2010**

2.—(1) The Town and Country Planning (Determination of Appeals by Appointed Persons) (Prescribed Classes) (Scotland) Regulations 2010<sup>(2)</sup> are amended in accordance with paragraph (2).

(2) In regulation 4 (classes of appeal for determination by appointed persons – schedule 3 to the Listed Buildings Act) before paragraph (a) insert—

“(za) “(za) section 5B of the Listed Buildings Act (appeal against listing of buildings)<sup>(3)</sup>”.

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(1) 1997 c.9. Paragraph 1 of Schedule 3 is amended by paragraph 23 of schedule 3 to the Historic Environment Scotland Act 2014 ([asp 19](#)). Section 81(1) contains a definition of “prescribed” relevant to the exercise of the statutory powers under which these Regulations are made. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998.

(2) [S.S.I. 2010/467](#).

(3) Section 5B was inserted by paragraph 18 of schedule 3 to the Historic Environment Scotland Act 2014.

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**Status:** This is the original version (as it was originally made).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

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St Andrew's House, Edinburgh  
2nd June 2015

*FIONA HYSLOP*  
A member of the Scottish Government

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Town and Country Planning (Determination of Appeals by Appointed Persons) (Prescribed Classes) (Scotland) Regulations 2010. Regulation 2 extends those classes of appeal which are to be determined by persons appointed for the purpose by the Scottish Ministers instead of being determined by the Scottish Ministers to include appeals under section 5B of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.