(*b*) 'the appropriate percentage' means the percentage of the notional loan charges by reference to which the annual grant was payable."

Given under the official seal of the Minister of Housing and Local Government this twenty-fifth day of July, nineteen hundred and fifty-eight.

(L.S.) *Henry Brooke,*
Minister of Housing and Local Government.

We consent to the making of these regulations.

*Martin Redmayne,*
*Paul Bryan,*
Two of the Lords Commissioners of Her Majesty's Treasury
this twenty-fifth day of July, nineteen hundred and fifty-eight.

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EXPLANATORY NOTE

*(This Note is not part of the Regulations, but is intended to indicate their general purport.)*

These regulations amend the Town and Country Planning (Grant) Regulations, 1956, which provide for the payment of exchequer grant to local authorities under the Town and Country Planning Act, 1947, so as to enable grant in respect of certain expenditure defrayed out of borrowings to be paid in a lump sum as a percentage of the expenditure itself instead of annually in relation to notional loan charges. The expenditure affected by the present regulations is expenditure incurred in respect of the acquisition and appropriation of land for use as open space and its clearing and preliminary development or in the payment of expenses in connection with restrictions on land use imposed by or under the 1947 Act.

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# TOWN AND COUNTRY PLANNING, SCOTLAND

## 1958 No. 1653 (S. 78)

## The Town and Country Planning (General Development) (Scotland) (Amendment) Order, 1958

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|---|---|
| *Made* - - - - | *6th October*, 1958 |
| *Laid before Parliament* | *9th October*, 1958 |
| *Coming into Operation* | *10th October*, 1958 |

In exercise of the powers conferred on me by sections 11 and 107 of the Town and Country Planning (Scotland) Act, 1947(a), and of all other powers enabling me in that behalf, I hereby order as follows :—

1.—(1) This Order may be cited as the Town and Country Planning (General Development) (Scotland) (Amendment) Order, 1958, and shall come into force on the 10th day of October, 1958.

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(a) 10 & 11 Geo. 6. c. 53.

(2) The Interpretation Act, 1889(a), shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

**2.** The Town and Country Planning (General Development) (Scotland) Order, 1950(b), is hereby amended by adding at the end of Class XVIII—Development by the National Coal Board—in columns (1) and (2) of the First Schedule to the Order the following provision:—

| Column (1) | Column (2) |
|---|---|
| (4) Development by the National Coal Board consisting of the temporary use of land for the purpose of prospecting for coal workable by opencast methods and the carrying out of any operations requisite for that purpose. | 1. No development shall be begun until after the expiration of 42 days from the date of service of notice in writing on the local planning authority, indicating the nature, extent and probable duration of the prospecting.<br><br>2. At the expiration of the period of prospecting, any buildings, plant or machinery and any waste materials shall be removed and any boreholes shall be properly and sufficiently sealed and other excavations filled in and levelled, any top-soil removed being replaced as the uppermost layer.<br><br>3. Standard conditions 1 and 2. |

Dated this 6th day of October, 1958.

*John S. Maclay,*
One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.

## EXPLANATORY NOTE

*(This Note is not part of the Order but is intended to indicate its general purport.)*

This Order amends the Town and Country Planning (General Development) (Scotland) Order, 1950, so as to grant planning permission to the National Coal Board for prospecting for coal workable by opencast methods, subject to conditions requiring the giving of 42 days prior notice to the local planning authority and the restoration of the site when the prospecting is finished. The permission is also subject to the standard conditions, which preclude the creation or alteration of a means of access to a trunk or classified road, and any interference with sight lines at road junctions.

(a) 52 & 53 Vict. c. 63. (b) S.I. 1950/942 (1950 II, p. 1107).