

These notes relate to the Forth Crossing Act 2011 (asp 2) which received Royal Assent on 20 January 2011

FORTH CROSSING ACT 2011

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 3 – Land

Section 29 – Time limit for compulsory acquisition

98. **Section 29** provides that the compulsory purchase powers of the Act will expire 5 years from the date on which the Act receives Royal Assent. This is with the exception that if either a notice to treat (see **section 30**) has been served or if the Scottish Ministers have made a general vesting declaration (see **section 35**) within the 5 year period then for those notices/declarations, the time limit does not apply.
99. Setting a time limit in the Act within which the compulsory purchase powers can be exercised ensures that landowners are not prejudiced. Otherwise landowners would find that for so long as their land was at risk of compulsory purchase it would be difficult to sell their land, or its value would be reduced. **Section 72** (blighted land) provides for the situation where a landowner needs to sell land that is affected in this way.
100. It is normal practice for legislation authorising the construction of works to impose a time limit on the exercise of compulsory purchase powers.