



Pow of Inchaffray Drainage Commission (Scotland) Act 2019

2019 asp 2

POW OF INCHAFFRAY DRAINAGE COMMISSION (SCOTLAND) ACT 2019

PART 1

THE COMMISSION

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- 1 The Pow of Inchaffray Drainage Commission
- 2 The Commissioners

The Pow and the benefited land

- 3 Extent of the Pow and the benefited land

Appointment etc. of Commissioners

- 4 Appointment of Commissioners etc.
- 5 First appointments of Commissioners
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- 7 Heritors' meetings convened by the Commission
- 8 Heritor's representative
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PART 2

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- 10 Annual budget and assessments
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- 14 Commission may act as surveyor's agent
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SCHEDULE 1 — THE POW OF INCHAFFRAY DRAINAGE COMMISSION

- 1 Functions
- 2 General powers
- 3 Appointment etc. of Clerk
- 4 Committees
- 5 Advisers and other services
- 6 The Commission may pay to that person fees and expenses....
- 7 Proceedings etc.
- 8 The validity of any act of the Commission is not...
- 9 Finances, accounts and audit
- 10 If requested by a heritor, the Commission must provide the...
- 11 The Commission may charge a reasonable fee for providing a...
- 12 Execution of documents

SCHEDULE 2 — COMMISSIONERS

- 1 Appointment
- 2 A heritor who owns land in more than one section...
- 3 Except where this Act provides otherwise, the appointment of a...
- 4 Subject to paragraphs 5 and 6, a Commissioner must be...
- 5 If only one relevant heritor attends the meeting, the heritor...
- 6 Where no Commissioner is appointed under paragraph 4 or 5,...
- 7 The Commission may fill a vacancy under paragraph 6 by...
- 8 A vacancy occurring less than three months before the end...
- 9 Except where this Act provides otherwise, a Commissioner is appointed...

- 10 A person appointed to fill a vacancy to which paragraphs...
- 11 Subject to paragraph 12, a person who has served as...
- 12 A person may not be reappointed as a Commissioner where...
- 13 Early termination of appointment as Commissioner

SCHEDULE 3 — MEETINGS OF THE COMMISSION

- 1 Meetings
- 2 A Commissioner may authorise another person to attend a meeting...
- 3 (1) The Clerk must give each Commissioner prior notice of...
- 4 The quorum of a meeting of the Commission is five...
- 5 A decision of the Commission must be made by a...
- 6 Conflicts of interest
- 7 (1) A Commissioner must not accept a benefit from a...
- 8 (1) If a Commissioner is in any way, directly or...
- 9 Records of resolutions

SCHEDULE 4 — PREPARATION OF ANNUAL BUDGETS AND HERITORS' RIGHTS TO REQUIRE REVIEW ETC.

- 1 Preparation of draft budget and provisional assessment notice
- 2 The budget— (a) must allow for any anticipated surplus or...
- 3 Promotion costs not recovered from heritors through assessments under the...
- 4 “Promotion costs” means costs, fees and expenses incurred by the...
- 5 As soon as practicable after the draft budget is prepared,...
- 6 The provisional assessment notice must include— (a) a copy of...
- 7 Right of heritors to make representations and to require a review
- 8 If written representations are made under paragraph 7, the Commission...
- 9 The Commission must notify all heritors of its decision under...
- 10 Where the draft budget is amended, the notice must specify...
- 11 A notice under paragraph 9 must also include a statement...
- 12 Where a heritor has made representations, the notice to the...
- 13 Independent review
- 14 The budget review threshold is— (a) for the first assessment...
- 15 No later than 14 days after service of a notice...
- 16 Confirmed budget

SCHEDULE 5 — CALCULATION OF CHARGEABLE VALUES

- 1 Subject to paragraph 7, in the case of residential property,...
- 2 The enhanced acreage value is the assumed value per acre...
- 3 Subject to sections 11 and 12— (a) the base value...
- 4 In the table in paragraph 3, “Land Classes” are as...
- 5 Where a heritor’s land falls into more than one land...
- 6 Where a residential property is divided into two or more...
- 7 Where the land category of a heritor’s land, or a...
- 8 For the purposes of section 11(2), the valuation assumptions specified...
- 9 In this schedule, “the Pow Acts” mean this Act, the...

SCHEDULE 6 — CONSENTS: PROCEDURE

- 1 An application for consent must be made in writing to...
- 2 The applicant must supply such further information that the Commission...
- 3 The Commission may either— (a) grant the consent on such...

4 If the Commission has not made a decision on the...

SCHEDULE 7 — SERVICE OF NOTICE

- 1 A notice to be given to a person for the...
- 2 For the purposes of paragraph 1(b), the proper address of...
- 3 A notice is duly served on— (a) a body corporate...
- 4 Where a notice is to be served on a person...
- 5 A notice is to be taken to have been served—...