



# Town and Country Planning (Scotland) Act 1972

## 1972 CHAPTER 52

### PART IX

#### PROVISIONS ENABLING OWNER OR LESSEE TO REQUIRE PURCHASE OF HIS INTEREST

##### *Interests affected by planning decisions or orders*

#### **170 Action by local planning authority on whom purchase notice is served**

- (1) The local planning authority on whom a purchase notice is served under section 169 of this Act shall, before the end of the period of three months beginning with the date of service of that notice, serve on the owner or lessee by whom the purchase notice was served a notice stating either—
  - (a) that the local planning authority are willing to comply with the purchase notice; or
  - (b) that another local authority or statutory undertakers specified in the notice under this subsection have agreed to comply with it in their place; or
  - (c) that, for reasons specified in the notice under this subsection, the local planning authority are not willing to comply with the purchase notice and have not found any other local authority or statutory undertakers who will agree to comply with it in their place, and that they have transmitted a copy of the purchase notice to the Secretary of State, on a date specified in the notice under this subsection, together with a statement of the reasons so specified.
- (2) Where the local planning authority on whom a purchase notice is served by an owner or lessee have served on him a notice in accordance with subsection (1)(a) or (b) of this section, the local planning authority, or the other local authority or statutory undertakers specified in the notice, as the case may be, shall be deemed to be authorised to acquire the interest of the owner or lessee compulsorily in accordance with the relevant provisions, and to have served a notice to treat in respect thereof on the date of service of the notice under that subsection.

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*Status: This is the original version (as it was originally enacted).*

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- (3) Where the local planning authority on whom a purchase notice is served by an owner or lessee propose to serve on him a notice in accordance with subsection (1)(c) of this section, they shall transmit a copy of the purchase notice to the Secretary of State, together with a statement of their reasons.
- (4) Where the local planning authority on whom a purchase notice is served by an owner or lessee do not, within the period specified in subsection (1) of this section, serve on him a notice under that subsection, the purchase notice shall be deemed to be confirmed at the expiration of that period, and the authority shall be deemed to be authorised to acquire the interest of the owner or lessee compulsorily in accordance with the relevant provisions, and to have served a notice to treat in respect thereof at the expiration of the said period.
- (5) In this section " the relevant provisions" means the provisions of Part VI of this Act or, in the case of statutory undertakers, any statutory provision (however expressed) under which they have power, or may be authorised, to purchase land compulsorily for the purposes of their undertaking.