
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2008 No.

**The Transport and Works (Scotland) Act 2007
(Access to Land by the Scottish Ministers) Order 2008**

Notice of proposal to enter land

5.—(1) Where the Scottish Ministers propose to take entry to land under this Order they shall serve a notice in (or as nearly as may be in) the form of Form 1 in the Schedule upon—

- (a) the owner and every tenant and occupier of the relevant land to which the proposal relates;
and
- (b) any other person that they consider appropriate.

(2) Where the Scottish Ministers propose to take entry to land under this Order they shall also publish in at least one newspaper circulating in the locality, or each of the localities, in which the relevant land to which the proposal relates is situated, a notice in (or as nearly as may be in) the form of Form 2 in the Schedule.

(3) The notice to be published for the purposes of paragraph (2) may be combined with the newspaper notice of any other proposal by the Scottish Ministers to enter other relevant land.

(4) If any person makes a request for further details as to the relevant land to which a proposal relates which is received by the Scottish Ministers on or before the expiry date for representations, the Scottish Ministers shall provide to that person, free of charge, further details sufficient to identify that relevant land.

(5) The Scottish Ministers may comply with their obligation under paragraph (4) by providing the person making the request with a plan showing the relevant land.