

## SCHEDULE 1

### PART 1

#### AMENDMENT OF PUBLIC GENERAL ACTS

##### **Title Conditions (Scotland) Act 2003**

**13.** In section 109 (amendment of Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947)–

- (a) in subsection (3), in inserted sub-paragraph 3A(c), after “notice” omit “to the burdened property and”;
- (b) in subsection (3), in inserted paragraph 3B, after—
  - (i) “paragraph 3A(c) above” insert “(including that paragraph as it is applied by paragraph 6A below in relation to service of a notice under paragraph 6 below)”;
  - (ii) after “paragraph 3(b) above” insert “or, as the case may be, paragraph 6 below”;
- (c) after subsection (4) insert–

“(4A) In paragraph 6 (which requires an acquiring authority to notify certain persons that a compulsory purchase order has been confirmed) the words “and a copy of the order as confirmed” shall be omitted.

(4B) After paragraph 6 there shall be inserted–

“**6A.** Paragraph 3A above applies in relation to service of a notice under paragraph 6 above on any persons on whom notices with respect to the land were required to be served under heads (ii) and (iii) of paragraph 3(b) above as it applies in relation to service of a notice under those heads of the said paragraph 3(b).

**6B.** Where a notice–

- (a) is required by paragraph 6 above to be served on any person mentioned in heads (ii) and (iii) of paragraph 3(b) above and service is by sending as mentioned in paragraph 3A(a) above, the acquiring authority shall send with the notice a copy of the order as confirmed;
- (b) is required by the said paragraph 6 to be served on any person mentioned in heads (i) and (iv) of the said paragraph 3(b), the acquiring authority shall serve with the notice a copy of that order.

**6C.** In paragraph 6B(a) above, the requirement to send a copy of the order shall be construed in accordance with section 124 of the [Title Conditions \(Scotland\) Act 2003 \(asp 9\)](#) and as if what was being done was being done under that Act.”

- (d) in subsection (5) for “6A” substitute “6D”.