
SCOTTISH STATUTORY INSTRUMENTS

2004 No. 171

**The Highland Council (Inverie)
Harbour Empowerment Order 2004**

PART III

LAND

Application of the Act of 1997

26.—(1) Section 195 of, and Schedule 15 to, the Act of 1997 shall apply as if this Order were a compulsory purchase order.

(2) In its application by virtue of paragraph (1) above, Schedule 15 to the Act of 1997 shall have effect with the following modifications.

(3) For paragraph 2 there shall be substituted—

“**2.**—(1) Before making a general vesting declaration with respect to any land which is subject to a compulsory purchase order, the acquiring authority shall include the particulars specified in sub-paragraph (2) below in a notice which is—

- (a) served on every person with a relevant interest in the land with respect to which the declaration is to be made (other than a heritable creditor who is not in possession), and
- (b) published in the Edinburgh Gazette, and a local newspaper circulating in the locality.

(2) The particulars to be included in the notice are—

- (a) such a statement of the effect of paragraphs 1 to 8 as may be prescribed, and
- (b) a notification to the effect that every person who, if a general vesting declaration were made in respect of all the land comprised in the order in respect of which notice to treat has not been given, would be entitled to claim compensation in respect of any such land is invited to give information to the authority making the declaration in the prescribed form with respect to his name and address and the land in question.

(3) For the purposes of this paragraph, a person has a relevant interest in land if he is the owner, lessee or occupier (except tenants for a month or any period less than month) of the land.”

(4) In sub-paragraph (1) of paragraph 3, after “publication” there shall be inserted “in the Edinburgh Gazette”.

(5) References to the Lands Clauses Act shall be construed as references to that Act as incorporated with this Order by Article 4 (Incorporation of the Lands and Railways Clauses Acts) of this Order.