

2004 No. 296

LAND REFORM

**The Community Right to Buy (Definition of Excluded Land)
(Scotland) Order 2004**

Made - - - -

14th June 2004

Coming into force in accordance with article 1(1)

The Scottish Ministers, in exercise of the powers conferred by section 33(2) of the Land Reform (Scotland) Act 2003^(a), hereby make the following Order, a draft of which has, in accordance with section 98(5) of that Act, been laid before and approved by resolution of the Scottish Parliament:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Community Right to Buy (Definition of Excluded Land) (Scotland) Order 2004 and shall come into force on the day after the day on which it is made.

(2) In this Order—

“the Act” means the Land Reform (Scotland) Act 2003;

“designated maps” means the maps entitled “The Community Right to Buy (Definition of Excluded Land) (Scotland) Order 2004: Definitive Maps” deposited at the Offices of the Scottish Executive Environment and Rural Affairs Department, Pentland House, 47 Robb’s Loan, Edinburgh, EH14 1TY; and

“the GROS report” means the General Register Office for Scotland publication “Scottish Settlements – Urban and Rural Areas in Scotland”^(b) which was published by the General Register Office for Scotland on 5th February 2001.

Excluded land

2.—(1) There is designated as excluded land for the purposes of section 33 of the Act, the land comprising the settlements listed in the Schedule to this Order, being settlements of over 10,000 people who are resident in the settlement areas defined in the GROS report.

(2) The boundaries of the settlements specified in the Schedule to this Order are the boundaries specified in the GROS report which are delineated on the designated maps.

^(a) 2003 asp 2.

^(b) ISBN 1-874451-60-5.

(3) Foreshore which is adjacent to the settlements specified in the Schedule to this Order is excluded land for the purposes of section 33 of the Act.

St Andrew's House,
Edinburgh
14th June 2004

ALLAN WILSON
Authorised to sign by the Scottish Ministers

SCHEDULE

Article 2

NAME
Aberdeen
Alloa
Arbroath
Ardrossan
Ayr/Prestwick
Bathgate
Blackwood (Cumbernauld)
Blantyre/Hamilton
Bo'ness
Bonnybridge
Broxburn
Buckhaven/Kennoway
Carluke
Carnoustie
Cowdenbeath
Dalkeith
Dumbarton
Dumfries
Dundee
Dunfermline
East Kilbride
Edinburgh
Elgin
Erskine
Falkirk
Forfar
Fraserburgh

NAME
Galashiels
Glasgow
Glenrothes
Greenock
Hawick
Helensburgh
Inverness
Inverurie
Irvine
Kilmarnock
Kilwinning
Kirkcaldy
Kirkintilloch/Lenzie
Largs
Larkhall
Linlithgow
Livingston
Montrose
Penicuik
Perth
Peterhead
St Andrews
Stirling
Stranraer
Troon
Whitburn

EXPLANATORY NOTE

(This note is not part of the Order)

This Order designates what is “excluded land” for the purposes of section 33 of the Land Reform (Scotland) Act 2003 (“the Act”).

Article 2(1) and (2) designates settlements of more than 10,000 people as “excluded land” for the purposes of defining registrable land under the Act. Those settlements are listed in the Schedule to the Order as “excluded land”. Where several localities form a settlement, a generic name is given where possible, but in some cases, e.g. Ayr/Prestwick, the settlement name is simply an amalgamation of the names of the constituent localities. The boundaries of those settlements are specified in the General Register Office for Scotland report “Scottish Settlements – Urban and Rural Land in Scotland” and are delineated on maps known as “The Community Right to Buy (Definition of Excluded Land) (Scotland) Order 2004: Definitive Maps”. The effect of a settlement being so designated is that a community body (as defined in section 34 of the Act) is not permitted to register an interest in the Register of Community Interests in Land in any land comprising the settlement.

Article 2(3) makes clear that foreshore which is adjacent to any settlement in the Schedule to the Order is excluded land.

Copies of the designated maps are available for public inspection free of charge during opening hours, as displayed at the following locations:–

- (a) the Scottish Executive Library, Saughton House, Broomhouse Drive, Edinburgh, EH11 3XD;
- (b) the Scottish Executive Environment and Rural Affairs Department, Pentland House, 47 Robb’s Loan, Edinburgh, EH14 4TY (Tel: 0131 244 6003); and
- (c) the Agricultural Area Offices specified in the following table.

Area Office	Address	Tel. No.
Ayr	Russell House, King Street, Ayr, KA8 0BE	01292 610188
Dumfries	Government Buildings, 161 Brooms Road, Dumfries, DG1 3ES	01387 255292
Elgin	32 Reidhaven Street, Elgin, IV30 1VE	01343 547514
Galashiels	Cotgreen Road, Tweedbank, Galashiels, TD1 3SG	01896 758333
Hamilton	Cadzow Court, 3 Wellhall Road, Hamilton, ML3 9BG	01698 281166
Inverness	28 Longman Road, Inverness, IV1 1SF	01463 234141
Perth	Broxden Business Park, Lamberkine Drive, Perth, PH1 1RZ	01738 602000
Thainstone	Thainstone Court, Inverurie, AB51 5YA	01467 626222

Note: Copies of these maps are not available at other Agricultural Area Offices as these areas contain no settlements.

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