
SCOTTISH STATUTORY INSTRUMENTS

2017 No. 457

The Allotments (Compensation) (Scotland) Regulations 2017

PART 4

Compensation for loss of crops

Consideration of regulation 10(1) notice of claim

11.—(1) Within 28 days beginning with the date on which the authority receives the regulation 10(1) notice of a claim, the authority must decide whether or not it has received sufficient information and evidence under regulation 10(3) to enable it to determine the matters mentioned in paragraph (2).

(2) The matters mentioned in this paragraph are—

- (a) whether the authority is or is not liable to pay compensation to the applicant under section 135(2) of the Act; and
- (b) if it is so liable—
 - (i) whether or not the lease makes provision about the procedure to be followed in assessing the amount of compensation which the authority is liable to pay under section 135(2) of the Act; and
 - (ii) the amount of compensation the authority is liable to pay under section 135(2) of the Act in cases where the lease does not make such provision.

(3) If the authority decides under paragraph (1) that it has not received sufficient information or evidence under regulation 10(3) to allow it to determine the matters mentioned in paragraph (2) it must, within the period mentioned in paragraph (1), give the applicant written notice stating any further information or evidence that it requires.

(4) The applicant must give the authority any information or evidence stated in the notice mentioned in paragraph (3) within—

- (a) 28 days beginning with the date on which the applicant receives the notice; or
- (b) such longer period as agreed between the authority and the applicant in writing.