

Changes to legislation: There are currently no known outstanding effects for the New Towns (Scotland) Act 1968, Part II. (See end of Document for details)

SCHEDULES

SCHEDULE 3

PROCEDURE FOR AUTHORISING COMPULSORY ACQUISITIONS

PART II

Special provisions applying to acquisitions by local highway authorities

- 7 (1) Subject to this paragraph, where a compulsory purchase order under section 8(1) of this Act is submitted to the Secretary of State, the notice required to be published under paragraph 2 above shall be published not only as mentioned in that paragraph but also by being exhibited at such places in the locality to which the order relates as appear to the acquiring authority to be suitable for bringing it to the attention of all persons concerned.
- (2) Sub-paragraph (1) above shall not apply in any case where the Secretary of State is satisfied that the land to which the compulsory purchase order relates is required for the purpose of a project—
- (a) which was adequately set out in a statement prepared for the purposes of an order under section 1 of this Act which has been made, or
 - (b) which has been the subject of an inquiry for the purposes of [F1 section 5 or 15 of the M1 Roads (Scotland) Act 1984, or of either of the following enactments no longer in force—
 - (i) section 1 of the M2 Trunk Roads Act 1946 (additional trunk roads and reorganisation of trunk road system);
 - (ii) section 14(1) of the M3 Special Roads Act 1949 (amendments of law relating to trunk roads).]

Textual Amendments

F1 Words substituted by [Roads \(Scotland\) Act 1984 \(c. 54, SIF 108\)](#), s. 156(1), [Sch. 9 para. 61\(16\)\(b\)](#)

Marginal Citations

M1 [1984 c. 54\(108\)](#).

M2 [1946 c. 30](#).

M3 [1949 c. 32](#).

- 8 Where there is submitted to the Secretary of State a compulsory purchase order under section 8(1) of this Act authorising the acquisition of any land forming a frontage to, or abutting on or adjacent to, a road, and the Secretary of State is satisfied as respects the whole or any part of the land—

- (a) that the acquisition would be requisite only for the purpose of controlling development, and

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- (b) that every owner has entered, or is willing to enter, into such an agreement with the local [^{F2}roads] authority or the Secretary of State as is provided for by section 6(4) of this Act, or is bound by such an agreement, and that the agreement or proposed agreement is satisfactory for the said purpose.

the order shall not be confirmed so as to authorise the acquisition of any part of the land as to which the Secretary of State is satisfied as aforesaid.

Textual Amendments

F2 Words substituted by [Roads \(Scotland\) Act 1984 \(c. 54, SIF 108\)](#), s. 156(1), [Sch. 9 para. 61\(16\)\(c\)](#)

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