



# Town and Country Planning (Scotland) Act 1972

## 1972 CHAPTER 52

### PART VI

#### ACQUISITION AND APPROPRIATION OF LAND AND RELATED PROVISIONS

##### *Acquisition and appropriation of land*

#### **102 Compulsory acquisition of land in connection with development and for other planning purposes**

- (1) The Secretary of State may authorise a local authority to whom this section applies to acquire compulsorily any land within their area if he is satisfied—
- (a) that the land is required in order to secure or assist the treatment as a whole, by development, redevelopment or improvement, or partly by one and partly by another method, of the land or of any area in which the land is situated; or
  - (b) that it is expedient in the public interest that the land should be held together with land so required; or
  - (c) that the land is required for development or redevelopment, or both, as a whole for the purpose of providing for the relocation of population or industry or the replacement of open space in the course of the redevelopment or improvement, or both, of another area as a whole; or
  - (d) that it is expedient to acquire the land immediately for a purpose which it is necessary to achieve in the interests of the proper planning of an area in which the land is situated.
- (2) Where under subsection (1) of this section the Secretary of State has power to authorise a local authority to whom this section applies to acquire any land compulsorily he may, after the requisite consultation, authorise the land to be so acquired by another authority, being a local authority within the meaning of this Act.

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*Status: This is the original version (as it was originally enacted).*

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- (3) Before giving an authorisation under subsection (2) of this section, the Secretary of State shall—
  - (a) where the land is in a county, consult with the county council;
  - (b) where the land is in a large burgh, consult with the town council;
  - (c) where the land is in a small burgh, consult with the town council and with the county council within whose area the burgh is situated.
- (4) The Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947 shall apply to the compulsory acquisition of land under this section and accordingly shall have effect as if this section had been in force immediately before the commencement of that Act.
- (5) The local authorities to whom this section applies are the councils of counties, large burghs and small burghs.