

Status: Point in time view as at 25/07/1991. This version of this part contains provisions that are not valid for this point in time.

Changes to legislation: There are currently no known outstanding effects for the Planning and Compensation Act 1991, Part II. (See end of Document for details)

SCHEDULES

SCHEDULE 17

AMENDMENTS RELATING TO LAND COMPENSATION IN SCOTLAND

VALID FROM 25/09/1991

PART II

MINOR AND CONSEQUENTIAL AMENDMENTS

Land Compensation (Scotland) Act 1963 (c.51)

- 16 In section 28 (power to prescribe matters relevant to Part IV) of the Land Compensation (Scotland) Act 1963, for the words “The provisions which may be made by a development order shall” there are substituted the words “Regulations made under section 273(1)(c) of the Town and Country Planning (Scotland) Act 1972 or a development order may”.

Commencement Information

- I1** Sch. 17 para. 16 wholly in force at 25.9.1991, see s. 84(2)(3) and S.I. 1991/2092, art. 3

The 1972 Act

- 17 In section 181 of the 1972 Act (blighted land) for paragraph (h) of subsection (1) there is substituted—
“(h) is land comprised in the site of a road as proposed to be constructed, improved or altered by the Secretary of State if he has given written notice of the proposal, together with maps or plans sufficient to identify the land in question, to the planning authority;”.

Commencement Information

- I2** Sch. 17 para. 17 wholly in force at 25.9.1991, see s. 84(2)(3) and S.I. 1991/2092, art. 3

- 18 In section 273 (regulations) of the 1972 Act, after subsection (1)(b) there is inserted “and

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- (c) for any of the purposes mentioned in section 28 (power to prescribe matters relevant to Part IV) of the ^{M1}Land Compensation (Scotland) Act 1963;”.

Commencement Information

I3 Sch. 17 para. 18 wholly in force at 25.9.1991, see s. 84(2)(3) and S.I. 1991/2092, art. 3

Marginal Citations

M1 1963 c. 51.

Land Compensation (Scotland) Act 1973 (c.56)

- 19 In section 24 (acquisition of land in connection with public works) of the Land Compensation (Scotland) Act 1973—
- (a) in subsection (2) for the word “vendor” there shall be substituted the word “seller”, and
- (b) in subsection (5), for “and (2)” there is substituted “ (2) and (2A) ”.

Commencement Information

I4 Sch. 17 para. 19 wholly in force at 25.9.1991, see s. 84(2)(3) and S.I. 1991/2092, art. 3

- 20 (1) Section 27 of that Act is amended as follows.
- (2) In subsection (1)—
- (a) in paragraph (ii), “passed the resolution” is omitted;
- (b) “and” following paragraph (iii) is omitted; and
- (c) after paragraph (iv) there is inserted “ and ”.
- (3) In subsection (4), for paragraph (b) there is substituted—
- “(b) a right to occupy the dwelling-house—
- (i) as a statutory tenant within the meaning of the Rent (Scotland) Act 1984; or
- (ii) under a contract to which Part VII of that Act applies or would apply if the contract or dwelling-house were not excluded by section 63(3) to (5) or under section 64(3) respectively of that Act; and”.

Modifications etc. (not altering text)

C1 Sch. 17 para. 20 restricted (18.9.1991) by S.I. 1991/2092, art. 4, Sch. 2 Pt. II para. 6(2)

Commencement Information

I5 Sch. 17 para. 20 wholly in force at 25.9.1991, see s. 84(2)(3) and S.I. 1991/2092, art. 3

- 21 In section 48 (right to advance payment of compensation) of that Act—
- (a) in subsection (8), after “the amount of the advance payment” there is inserted “ together with any amount paid under section 48A ”, and
- (b) in subsection (9), the words following “unpaid” are omitted.

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Modifications etc. (not altering text)

C2 Sch. 17 para. 21 restricted (18.9.1991) by S.I. 1991/2092, art. 4, Sch. 2 Pt. I para. 4

Commencement Information

I6 Sch. 17 para. 21 wholly in force at 25.9.1991, see s. 84(2)(3) and S.I. 1991/2092, art. 3

Local Government, Planning and Land Act 1980 (c. 65)

22 After section 141(5) of the Local Government, Planning and Land Act 1980 there is inserted—

“(5B) No compensation is payable, by virtue of an order under this section, under Part V of the Land Compensation (Scotland) Act 1963”.

Commencement Information

I7 Sch. 17 para. 22 wholly in force at 25.9.1991, see s. 84(2)(3) and S.I. 1991/2092, art. 3

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