



Town and Country Planning (Scotland) Act 1954

1954 CHAPTER 73 2 and 3 Eliz 2

An Act to make provision with respect to Scotland for compensation and other payments by reference to claims for payments under section fifty-five of the Town and Country Planning (Scotland) Act, 1947; to make further provision as to the acquisition of land by public authorities, as to compensation in respect of orders revoking or modifying permission to develop land and in respect of damage to requisitioned land, as to development charges, as to Exchequer grants under the said Act of 1947, and as to payments under section fifty-six of that Act, and to amend other provisions of that Act; to make further provision for the modification of mining leases and orders granting working rights; to make further provision for the assessment under section one hundred and eight of the Lands Clauses Consolidation (Scotland) Act, 1845, of the consideration payable in respect of the discharge of acquired land from feu-duty and ground annuals and other burdens; to provide for the transfer of the functions in Scotland of the Central Land Board, on the dissolution of that Board, to the Secretary of State; and for purposes connected with the matters aforesaid. [25th November, 1954]

Modifications etc. (not altering text)

C1 Words of enactment omitted under authority of [Statute Law Revision Act 1948 \(c. 62\), s. 3](#)

PARTS I—V

1—48. F1

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Town and Country Planning (Scotland) Act 1954. (See end of Document for details)

Textual Amendments

F1 Ss. 1–54, 56–68, 70, Schs. 1–9 repealed by [Town and Country Planning \(Scotland\) Act 1972 \(c. 52\)](#), [Sch. 23](#)

PART VI

MISCELLANEOUS AND SUPPLEMENTARY PROVISIONS

49— **F2**
54.

Textual Amendments

F2 Ss. 1–54, 56–68, 70, Schs. 1–9 repealed by [Town and Country Planning \(Scotland\) Act 1972 \(c. 52\)](#), [Sch. 23](#)

55 Compensation for damage to requisitioned land.

(1) Subject to the provisions of this section, any compensation accruing due in respect of any land after the commencement of this Act by virtue of paragraph (b) of subsection (1) of section two of the ^{M1}Compensation (Defence) Act, 1939 (which relates to compensation payable in respect of damage occurring to requisitioned land during the period of requisition) shall not exceed the amount (if any) by which the value mentioned in paragraph (a) of the next following subsection falls short of the [^{F3}value] mentioned in paragraph (b) of that subsection.

(2) The said [^{F3}values] are—
(a) the value, at the time when the compensation accrues due, of the *dominium utile* in the land in question, subject to any feu-duty, any ground annual and any servitude or other restriction, affecting the land at that time but otherwise free from burdens, and
[^{F4}(b) the value which such dominium utile (subject as mentioned in the preceding paragraph but otherwise free from burdens) would have at that time if the land were then in the state in which it was when possession thereof was taken in the exercise of emergency powers.]

(3) **F5**

(4) Subsection (3) of section ten of the said Act of 1948 (which makes provision as to the matters to be taken into account in calculating the compulsory purchase price of the land in its existing state) shall apply for the purposes of this section, with the substitution, for references to the compulsory purchase price of land, of references to the value of such an interest as is mentioned in paragraph (a) of subsection (2) of this section; and subsection (4) of that section (which provides for increased compensation in certain cases above the limit imposed by sub-section (1) of that section) shall apply for the purposes of this section, with the substitution, for the reference to subsection (1) of that section, of a reference to subsection (1) of this section.

(5) **F6**

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Town and Country Planning (Scotland) Act 1954. (See end of Document for details)

Textual Amendments

- F3** Word substituted with saving by [Town and Country Planning \(Scotland\) Act 1959 \(c. 70\)](#), ss. 44(1), 55(3), [Sch. 7](#)
- F4** [S. 55\(2\)\(b\)](#) substituted with saving by [Town and Country Planning \(Scotland\) Act 1959 \(c. 70\)](#), ss. 44(1), 55(3), [Sch. 7](#)
- F5** [S. 55\(3\)](#) repealed by [Statute Law \(Repeals\) Act 1973 \(c. 39\)](#), [Sch. 1 Pt. IX](#)
- F6** [S. 55\(5\)](#) repealed with saving by [Town and Country Planning \(Scotland\) Act 1959 \(c. 70\)](#), s. 55(3), [Sch. 8](#)

Modifications etc. (not altering text)

- C2** “the Act of 1948” means [Requisitioned Land and War Works Act 1948 \(c. 17\)](#)

Marginal Citations

- M1** [1939 c. 75](#).

56— **F7**
68.

Textual Amendments

- F7** [Ss. 1–54, 56–68, 70, Schs. 1–9](#) repealed by [Town and Country Planning \(Scotland\) Act 1972 \(c. 52\)](#), [Sch. 23](#)

69 Interpretation.

- (1) **F8**
- (5) **F9**
- (6) **F8**
- (9) Any reference in this Act to the *dominium utile* in relation to land which is not held on feudal tenure shall be construed as a reference to the interest in the land of the owner thereof.
- (10) **F9**

Textual Amendments

- F8** [Ss. 69\(1\)–\(4\)\(6\)–\(8\), 71\(2\)](#) repealed by [Statute Law \(Repeals\) Act 1989 \(c. 43\)](#), s. 1(1), [Sch. 1 Pt. VII](#)
- F9** [Ss. 69\(5\)\(10\), 71\(3\)](#) repealed by [Statute Law \(Repeals\) Act 1975 \(c. 10\)](#), [Sch. Pt. XII](#)

Modifications etc. (not altering text)

- C3** [S. 69\(9\)](#) applied by [Town and Country Planning \(Scotland\) Act 1959 \(c. 70\)](#), [s. 54\(4\)](#)

70 **F10**

Status: Point in time view as at 01/02/1991.

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Textual Amendments

F10 Ss. 1–54, 56–68, 70, Schs. 1–9 repealed by [Town and Country Planning \(Scotland\) Act 1972 \(c. 52\)](#), [Sch. 23](#)

71 Short title, citation, commencement and extent.

(1) This Act may be cited as the Town and Country Planning (Scotland) Act, 1954, and the ^{M2}Town and Country Planning (Scotland) Acts, 1947 ^{M3} and 1951, the ^{M4}Town and Country Planning Act, 1953, in its application to Scotland, and this Act, may be cited together as the Town and Country Planning (Scotland) Acts, 1947 to 1954.

(2) **F11**

(3) **F12**

(4) This Act shall extend to Scotland only.

Textual Amendments

F11 Ss. 69(1)–(4)(6)–(8), 71(2) repealed by [Statute Law \(Repeals\) Act 1989 \(c. 43\)](#), s. 1(1), [Sch. 1 Pt. VII](#)

F12 Ss. 69(5)(10), 71(3) repealed by [Statute Law \(Repeals\) Act 1975 \(c. 10\)](#), [Sch. Pt. XII](#)

Marginal Citations

M2 1947 c. 53.

M3 1951 c. 19.

M4 1953 c. 16.

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Town and Country Planning (Scotland) Act 1954. (See end of Document for details)

F13F13
FIRST TO
NINTH SCHEDULES

Textual Amendments

F13 Ss. 1–54, 56–68, 70, Schs. 1–9 repealed by [Town and Country Planning \(Scotland\) Act 1972 \(c. 52\)](#), [Sch. 23](#)

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F13

Status:

Point in time view as at 01/02/1991.

Changes to legislation:

There are currently no known outstanding effects for the Town and Country Planning (Scotland) Act 1954.