



# Town and Country Planning (Scotland) Act 1954

1954 CHAPTER 73 2 and 3 Eliz 2

## PART VI

### MISCELLANEOUS AND SUPPLEMENTARY PROVISIONS

#### 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 <sup>M1</sup>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 [<sup>F1</sup>value] mentioned in paragraph (b) of that subsection.

[<sup>F2</sup>(2) The said values are—

- (a) the value, at the time when the compensation accrues due, of the land in question (it being presumed that the land is subject to any servitude or other restriction then affecting it but otherwise is free from burdens); and
- (b) the value which such land would have at that time (on the same presumption as is mentioned in paragraph (a) above) if the land were then in the state in which it was when possession was taken in the exercise of emergency powers.]

(3) ..... <sup>F3</sup>

(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

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**Changes to legislation:** There are currently no known outstanding effects for the Town and Country Planning (Scotland) Act 1954, Section 55. (See end of Document for details)

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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) ..... F4

**Textual Amendments**

- F1** Word substituted with saving by [Town and Country Planning \(Scotland\) Act 1959 \(c. 70\)](#), ss. 44(1), 55(3), [Sch. 7](#)
- F2** [S. 55\(2\)](#) substituted (28.11.2004) by [Abolition of Feudal Tenure etc. \(Scotland\) Act 2000 \(asp 5\)](#), ss. 71, 77(2), [sch. 12 para. 20\(2\)](#) (with ss. 58, 62, 75); S.S.I. 2003/456, art. 2
- F3** [S. 55\(3\)](#) repealed by [Statute Law \(Repeals\) Act 1973 \(c. 39\)](#), [Sch. 1 Pt. IX](#)
- F4** [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)**

- C1** “the Act of 1948” means [Requisitioned Land and War Works Act 1948 \(c. 17\)](#)

**Marginal Citations**

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

**Changes to legislation:**

There are currently no known outstanding effects for the Town and Country Planning (Scotland) Act 1954, Section 55.