

**Changes to legislation:** Abolition of Feudal Tenure etc. (Scotland) Act 2000, Cross Heading: is up to date with all changes known to be in force on or before 25 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

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## SCHEDULE 9 FORM OF NOTICE RESERVING RIGHT TO COMPENSATION IN RESPECT OF EXTINCTION OF DEVELOPMENT VALUE BURDEN

### *Explanatory Note*

*(This explanation has no legal effect)*

This notice is sent by your feudal superior.

The feudal system is shortly to be abolished. By this notice the feudal superior is claiming that your property is subject to a development value burden. He is reserving the right to claim compensation for the loss of the burden. Compensation so claimed is payable if either during the five year period ending on *[insert date of appointed day]* or during the twenty year period starting on that date something happens which, had the feudal system not been abolished, would have been a breach of the burden.

A development value burden is a special type of real burden designed to reserve for the superior the benefit of any increase in the value of the land arising from the land being freed to be used or dealt with in a way prohibited by the burden. Burdens of this type were typically inserted in feudal grants where the superior gave away land, or sold it very cheaply, on condition that it was used only for some charitable or community purposes (for example, for use only as a community hall or sports field).

For the superior to be entitled to reserve the right to claim compensation, the burden must have led to the price paid for your property when it was first sold by the superior being significantly lower than it would otherwise have been.

This notice will be registered in the Land Register of Scotland, or recorded in the Register of Sasines, under section 33 of the Abolition of Feudal Tenure etc. (Scotland) Act 2000.

If you think that there is a mistake in this notice or if you wish to challenge it, you are advised to consult your solicitor or other adviser.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 18C(1) words repealed by [2004 asp 7 sch. 2](#)
- s. 18C(3) words repealed by [2004 asp 7 sch. 2](#)