

# GLASGOW AIRPORT RAIL LINK ACT 2007

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### Part 2 – Land

#### Compensation

#### *Section 26 – Period for compulsory acquisition of land*

134. Subsection (1) provides that the compulsory purchase powers of the Act will expire five years from the date on which the Act comes into force (i.e. five years following the day after it receives Royal Assent). Subsection (2) provides that for the purposes of this deadline the powers are deemed to have been exercised before that date if either notice to treat has already been served or if the authorised undertaker has executed a general vesting declaration under paragraph 1 of Schedule 15 to the Town and Country Planning (Scotland) Act 1997, the effect of which is to vest that land in the authorised undertaker. (See [paragraphs 192 to 196](#)).
135. A time limit on exercising the compulsory purchase powers is needed so that landowners are not prejudiced. Without a time limit landowners would be likely to find that for so long as land was at risk of compulsory purchase it would be difficult if not impossible to sell, or its value would be reduced. [Section 39](#) provides for the situation where a landowner needs to sell land that is affected in this way.
136. It is normal for legislation authorising the construction of works to impose time limits on the exercise of compulsory purchase powers<sup>1</sup>.

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<sup>1</sup> See e.g. *British Railways (No.2) Order Confirmation Act 1994 (c.ii), s.15*; *City of Edinburgh (Guided Busways) Order 1998 (c.iii), s.20*.