



Forth Crossing Act 2011

2011 asp 2

PART 4

TAKING TITLE TO LAND

General vesting declarations

35 General vesting declarations

- (1) Ministers may vest in themselves by a general vesting declaration any land which they are authorised to acquire compulsorily under section 22.
- (2) Schedule 15 to the 1997 Act accordingly applies to the compulsory acquisition of land under section 22, with the following modifications—
 - (a) this Act is to be treated as a compulsory purchase order,
 - (b) Ministers are the “acquiring authority”,
 - (c) section 36 of this Act applies instead of paragraph 2, and
 - (d) in the definition of land in paragraph 39, “relevant enactments” means this Act.

36 Duty to publicise general vesting declarations

- (1) Before making a general vesting declaration, Ministers must—
 - (a) publish a compulsory purchase notice in one or more local newspapers circulating in the locality in which the land comprised in the general vesting declaration is situated,
 - (b) serve a notice in the same or a similar form (together with a copy of this Act and the Parliamentary plans) on—
 - (i) the owner of the land to which the general vesting declaration relates,
 - (ii) any occupier of that land (except tenants for any period of no longer than a month),
 - (iii) the holder of any real burden which would be extinguished under section 25 on the registration of the general vesting declaration, and
 - (iv) if a development management scheme applies to the land, the owners’ association concerned.

Status: This is the original version (as it was originally enacted).

- (2) A “compulsory purchase notice” means a notice in the form prescribed for notices under paragraph 6 of the First Schedule to the Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947 (c.42) which—
- (a) states that this Act has received Royal Assent,
 - (b) describes the land to which the general vesting declaration relates,
 - (c) names a place where a copy of this Act, of the Parliamentary plans and of the book of reference may be inspected at all reasonable hours,
 - (d) states the effect of paragraphs 1 to 8 of Schedule 15 to the 1997 Act in the manner prescribed for the purposes of sub-paragraph (1)(a) of paragraph 2 of Schedule 15 to the 1997 Act, and
 - (e) invites every person who, if the general vesting declaration were made, would be entitled to compensation to give Ministers information in the form prescribed for the purposes of sub-paragraph (1)(b) of that paragraph.