



Forth Crossing Act 2011

2011 asp 2

PART 5

POWERS TO ENTER AND USE LAND

46 Suspension of real burdens and servitudes etc.

- (1) Where Ministers take possession of land under section 37 or 39—
 - (a) any servitude or real burden over that land is unenforceable, and
 - (b) any development management scheme applying to the land is disapplied, for the period of possession.
- (2) “Period of possession” means the period beginning when Ministers enter and take possession and ending—
 - (a) where temporary possession is taken under section 37, when Ministers give up temporary possession,
 - (b) where possession is taken under section 39—
 - (i) on the registration of the relevant conveyance, or
 - (ii) where the notice to treat or general vesting declaration concerned is withdrawn or otherwise ceases to have effect.

Commencement Information

II [S. 46](#) in force at 3.2.2011 by [S.I. 2011/38](#), [art. 2](#), [Sch.](#)

Status:

Point in time view as at 03/02/2011.

Changes to legislation:

There are currently no known outstanding effects for the Forth Crossing Act 2011, Section 46.