
EXPLANATORY NOTE

(This note is not part of the Order)

This Order designates what is “excluded land” for the purposes of section 33 of the Land Reform (Scotland) Act 2003 (“the Act”).

Article 2(1) designates as “excluded land” the settlements listed in the Schedule to the Order. The boundaries of the settlements are delineated on maps known as “The Community Right to Buy (Definition of Excluded Land) (Scotland) Order 2009: Definitive Maps”. The effect of a settlement being so designated is that a community body (as defined in section 34 of the Act) is not permitted to register an interest in the Register of Community Interests in Land in any land forming part of the settlement.

Article 2(2) is a saving provision to clarify that land in Armadale, Blackburn, Banknock, Hallglen or East Whitburn which is the subject of an application by a community body under section 37 of the Act will be treated as registrable land (within the meaning of section 33(1) of the Act) where the application is made before the date upon which this Order comes into force. For applications after that date that land is designated as excluded land for the purposes of Part 2 of the Act.

Article 2(4) makes clear that foreshore which is adjacent to any settlement listed in the Schedule to the Order is excluded land.

Details of the settlements comprising excluded land are available through the Rural Communities Mapping Tool which is accessible via the following web link <http://www.scotland.gov.uk/Topics/Rural/rural-land/right-to-buy/MappingTool>. Copies of the designated maps are available for public inspection free of charge during opening hours, as displayed, at the following locations:–

- (a) the Scottish Government Library, Saughton House, Broomhouse Drive, Edinburgh, EH11 3XD; and
- (b) the Scottish Government Rural Directorate, Pentland House, 47 Robb’s Loan, Edinburgh, EH14 1TY (Tel: 0131 244 6003).