
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2018 No.

The Community Right to Buy (Abandoned, Neglected or Detrimental Land) (Eligible Land, Regulators and Restrictions on Transfers and Dealing) (Scotland) Regulations 2018

Eligible land

Matters Ministers must have regard to when determining whether land is eligible for the purposes of Part 3A of the Act

2.—(1) For the purposes of section 97C(4) of the Act (right to buy eligible land) matters that Ministers must have regard to are specified in paragraphs (2) and (3).

(2) In relation to section 97C(2)(a) of the Act and the question of whether land is wholly or mainly abandoned or neglected the matters are—

- (a) matters relating to the physical condition of the land that are set out in regulation 3;
- (b) matters relating to the designation or classification of the land that are set out in regulation 4; and
- (c) matters relating to the use or management of the land that are set out in regulation 5.

(3) In relation to section 97C(2)(b) of the Act and the question of whether the use or management of the land is such that it results in or causes harm, directly or indirectly, to the environmental wellbeing of a relevant community, the matters are—

- (a) matters relating to the use or management of the land that are set out in regulation 5; and
- (b) matters relating to the effect on the relevant community that are set out in regulation 6.