
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

Harm to environmental wellbeing of a relevant community

- 6.—(1) The matters referred to in regulation 2(3)(b) are—
- (a) whether the use or management of the land or any building or other structure on the land has resulted in or caused, directly or indirectly, a statutory nuisance;
 - (b) whether the land or any building or other structure on the land is subject to—
 - (i) a current closure notice issued under section 26 of the 2004 Act (authorisation of closure notices); or
 - (ii) a current closure order made under section 29 of the 2004 Act (closure orders);
 - (c) whether the use or management of the land or any building or other structure on the land has resulted in a warning notice being issued under section 44 of the 2004 Act (warning notices).
- (2) In this regulation—
- “2004 Act” means the Antisocial Behaviour etc. (Scotland) Act 2004⁽¹⁾; and
- “statutory nuisance” means a statutory nuisance within the meaning of section 79(1) of the Environmental Protection Act 1990 (statutory nuisances and inspections therefor)⁽²⁾.

(1) 2004 asp 8. Section 26 was amended by section 99(1) of the Criminal Justice and Licensing (Scotland) Act 2010 asp 13.

(2) 1990 c.43. Section 79(1) was amended by sections 109, 110, 111, 112 of the Public Health etc. (Scotland) Act 2008 asp 5.