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SCOTTISH STATUTORY INSTRUMENTS

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**2017 No. 457**

**The Allotments (Compensation) (Scotland) Regulations 2017**

**PART 3**

**Compensation for deterioration**

**Assessment of deterioration**

**5.** Where it appears to the authority that a tenant may be liable to pay compensation for the deterioration of an allotment under section 134(2) of the Act, the authority must—

- (a) carry out an inspection of the allotment to which the lease relates within 10 days beginning with the date of expiry or termination of the lease; and
- (b) where following that inspection it appears to the authority that—
  - (i) the allotment has deteriorated during the tenant's lease; and
  - (ii) the deterioration was caused by the fault or negligence of the tenant,

give a deterioration notice to the tenant within 28 days beginning with the date of expiry or termination of the lease.