



# Local Government (Scotland) Act 1973

## 1973 CHAPTER 65

### PART VI

#### MISCELLANEOUS POWERS OF LOCAL AUTHORITIES

##### *Land transactions*

#### **70 Acquisition of land by agreement**

- (1) For the purposes of—
  - (a) any of their functions under this or any other enactment, or
  - (b) the benefit, improvement or development of their area,a local authority may acquire by agreement any land, whether situated inside or outside their area.
- (2) A local authority may acquire by agreement any land for any purpose for which they are authorised by this or any other enactment to acquire land, notwithstanding that the land is not immediately required for that purpose; and, until it is required for the purpose for which it was acquired, any land acquired under this subsection may be used for the purpose of any of the authority's functions.
- (3) For the purpose of the purchase of land by agreement by a local authority, the Lands Clauses Acts (except so much thereof as relates to the acquisition of land otherwise than by agreement, and the provisions relating to access to the special Act, and except sections 120 to 125 of the Lands Clauses Consolidation (Scotland) Act 1845), and section 6 and sections 70 to 78 of the Railways Clauses Consolidation (Scotland) Act 1845 (as originally enacted and not as amended by section 15 of the Mines (Working Facilities and Support) Act 1923) are hereby incorporated with this section, and, in construing those Acts for the purposes of this section, this section shall be deemed to be the special Act and the local authority shall be deemed to be the promoters of the undertaking or company, as the case may require.
- (4) Where two or more local authorities acting together would have power to acquire any land by agreement by virtue of this section, nothing in any enactment shall prevent

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*Status: This is the original version (as it was originally enacted).*

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one of those authorities from so acquiring the land on behalf of both or all of them in accordance with arrangements made between them, including arrangements as to the subsequent occupation and use of the land.

- (5) References in the foregoing provisions of this section to acquisition are references to acquisition by purchase, feu, lease or excambion.