

Changes to legislation: There are currently no known outstanding effects for the Planning and Compensation Act 1991, Cross Heading: Caravans etc. affected by noise of public works. (See end of Document for details)

SCHEDULES

SCHEDULE 17

AMENDMENTS RELATING TO LAND COMPENSATION IN SCOTLAND

Commencement Information

II Sch. 17 wholly in force at 25.09.1991 see s. 84(2)(3) and S.I. 1991/2092, art. 3.

PART I

MISCELLANEOUS AMENDMENTS

Caravans etc. affected by noise of public works

13 (1) After section 18 of the ^{M1}Land Compensation (Scotland) Act 1973 there is inserted—

“18A Power to make payments in respect of caravans and other structures affected by noise of public works.

- (1) The Secretary of State may make regulations empowering responsible authorities to make a payment, not exceeding an amount specified in the regulations, in respect of any dwelling which—
- (a) is not a building;
 - (b) is occupied by a person as his only or main residence; and
 - (c) is affected or likely to be affected by noise caused by the construction or use of public works.
- (2) Regulations under this section may—
- (a) make provision as to the level of noise giving rise to a power under the regulations and the area in which a dwelling must be situated if a power is to arise in respect of it;
 - (b) specify the classes of public works and of dwellings in respect of which a power is to arise, and the classes of persons entitled to make claims, under the regulations; and
 - (c) make provision as to the funds out of which expenses incurred by responsible authorities under the regulations are to be defrayed.
- (3) The power to make regulations under this section shall be exercisable by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (4) Subsections (3), (6) and (11) of section 18 above apply for the purposes of this section as they apply for the purposes of that.”

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(2) This paragraph does not apply in relation to any public works if the relevant date for the purposes of Part I of the ^{M2}Land Compensation (Scotland) Act 1973 fell more than twelve months before the date on which this paragraph comes into force.

Commencement Information

I1 Sch. 17 para. 13 wholly in force at 25.9.1991, see s. 84(2)(3) and S.I. 1991/2092, art. 3

Marginal Citations

M1 1973 c. 56.

M2 1973 c. 56.

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