



# Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997

## 1997 CHAPTER 9

### PART I

#### LISTED BUILDINGS

#### CHAPTER V

#### PREVENTION OF DETERIORATION AND DAMAGE

##### *Acquisition by agreement*

#### **47 Acquisition of land by agreement.**

- (1) A planning authority may acquire by agreement—
  - (a) any building appearing to them to be of special architectural or historic interest, and
  - (b) any land comprising or contiguous or adjacent to such a building which appears to them to be required—
    - (i) for preserving the building or its amenities,
    - (ii) for affording access to it, or
    - (iii) for its proper control or management.
- (2) The enactments mentioned in subsection (3) shall apply in relation to the acquisition of land under subsection (1).
- (3) Those enactments are—
  - (a) the Lands Clauses Acts (except the provisions relating to the purchase of land otherwise than by agreement and the provisions relating to access to the special Act, and except sections 120 to 125 of the <sup>M1</sup>Lands Clauses Consolidation (Scotland) Act 1845), and

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**Changes to legislation:** Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, Cross

Heading: Acquisition by agreement is up to date with all changes known to be in force on or before 27 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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- (b) sections 6 and 70 of the <sup>M2</sup>Railways Clauses Consolidation (Scotland) Act 1845, and sections 71 to 78 of that Act, as originally enacted and not as amended for certain purposes by section 15 of the <sup>M3</sup>Mines (Working Facilities and Support) Act 1923.
- (4) For the purposes of the application of those enactments—
- (a) this section shall be deemed to be the special Act, and
  - (b) references to the promoters of the undertaking or to the company shall be construed as references to the authority authorised to acquire the land under this section.

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**Marginal Citations**

**M1** 1845 c. 19.

**M2** 1845 c. 33.

**M3** 1923 c. 20.

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 82(1)(aa)-(ad) inserted by [2006 asp 17 s. 55\(5\)](#)