



# Town and Country Planning (Scotland) Act 1959

## 1959 CHAPTER 70

### PART V

#### MISCELLANEOUS AND SUPPLEMENTARY PROVISIONS

#### **47 Advances to highway authorities in respect of land acquired for roads**

- (1) The power of the Secretary of State under section eight of the Development and Road Improvement Funds Act, 1909, to make advances to highway authorities shall include power to make such advances in respect of the acquisition of land by a highway authority, where the Secretary of State is satisfied that the land has been or is to be acquired by that authority with a view to the construction of a new road or the improvement of an existing road.
- (2) Where any land is acquired by a highway authority, and the Secretary of State is satisfied as mentioned in the preceding subsection, the power of the Secretary of State to make advances under the said section eight shall also include power to make such advances in respect of either or both of the following, that is to say—
  - (a) any amount by which the annual expenditure incurred by the authority in maintaining the land, during the period between its acquisition and the construction or improvement of the road in question, and in the payment of loan charges accruing due during that period in respect of any debt incurred by the authority for the purpose of acquiring the land, exceeds the annual income accruing to the authority from the land during that period; and
  - (b) any loan charges accruing due after the end of that period in respect of any money borrowed by the authority for the purpose of acquiring the land.
- (3) In this section " loan charges ", in relation to any borrowed money, means the sums required for the payment of interest on that money and for the repayment thereof either by instalments or by means of a sinking fund, and expressions used in this section and in the said section eight have the same meanings in this section as in that section.