

*Status: This is the original version (as it was originally enacted).*

## SCHEDULE 8

*(introduced by section 55(2))*

### COMMUNITY CONSULTATION NOTICE

“NOTICE INVITING COMMENTS IN RELATION TO PROPOSAL TO VARY OR DISCHARGE COMMUNITY BURDEN AFFECTING SHELTERED OR RETIREMENT HOUSING

**Person to whom comments should be sent:**

*(see note for completion 1)*

**Description of development:**

*(see note for completion 2)*

**Terms of community burden to be varied or discharged:**

*(see note for completion 3)*

**Effect of registration of proposed deed on that burden:**

*(see note for completion 4)*

**Date by which any comments are to be made:**

*(see note for completion 5)*

**Date of intimation:**

*(see notes for completion 6)*

**Signature of a person who proposes to grant the deed:**

**Date:** . . . . .

*Explanatory note*

*(This explanation has no legal effect)*

This notice, which is sent under section 55 of the Title Conditions (Scotland) Act 2003, concerns a community burden which affects the sheltered or retirement housing development of which your property is part. The sender is intimating to you a proposal to grant a deed of [variation] or [discharge] in respect of the burden and invites your comments.

If such a deed is granted and duly registered (which cannot be before the date specified, in the notice, as that by which any comments are to be made) the burden [may be varied] or [may be discharged] as described in the notice.

For further guidance you may wish to consult a solicitor or other adviser.

*Notes for completion of the notice*

*(These notes have no legal effect)*

- 1 This should ordinarily be a person who proposes to grant the deed. Give the person's name and address.
- 2 Describe the sheltered or retirement housing development in a way that is sufficient to identify it.
- 3 Set out the community burden in question in full.
- 4 State whether the proposed deed is of variation or of discharge. If the community burden is wholly to be discharged say so; otherwise describe the extent of variation or discharge.
- 5 Specify a date no earlier than three weeks after the latest date mentioned in section 55(3) of the Title Conditions (Scotland) Act 2003 (asp 9).
- 6 Intimation is by sending (or delivering) the notice. Since evidence of sending may be required at the time of registration in the Land Register of any deed granted, it is recommended that the notice be sent by recorded delivery or registered post.