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DRAFT SCOTTISH STATUTORY INSTRUMENTS

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**2007 No.**

**The Transport and Works (Scotland) Act 2007  
(Applications and Objections Procedure) Rules 2007**

**Notices to owners, occupiers etc.**

**13.**—(1) The applicant shall, as soon as possible after the application has been made, serve a notice in the form of Form 4 in Schedule 2 upon all those, other than the applicant and the appropriate authority in relation to any Crown interest, named in the book of reference described in rule 10(7).

(2) In every case where, pursuant to rule 10(9), the applicant has indicated in the book of reference that relevant names have or might have been omitted, the applicant shall, as soon as possible after the application has been made, serve a notice in the form of Form 4 in Schedule 2—

- (a) where the omission relates to the holder of any personal real burden, by—
  - (i) addressing it to the holder of the personal real burden by name or by the description of “holder of personal real burden”; and
  - (ii) leaving it conspicuously affixed to some building or object on the land affected by the personal real burden;
- (b) where the omission relates to the owner of land which is a benefited property in relation to a title condition, by—
  - (i) addressing it to the owner of the land which is a benefited property by name or by the description of “owner of land which is a benefited property”; and
  - (ii) leaving it conspicuously affixed to some building or object on the benefited property;
- (c) where the omission relates to the owners' association of a development to which a development management scheme applies, by—
  - (i) addressing it to the owners' association of the development in question by name or by the description of “owners' association under a development management scheme”; and
  - (ii) leaving it conspicuously affixed to some building or object on the land to which the development management scheme applies; and
- (d) in any other case, in the manner provided by section 20(5) of the Act.