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SCOTTISH STATUTORY INSTRUMENTS

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**2017 No. 457**

**The Allotments (Compensation) (Scotland) Regulations 2017**

**PART 3**

**Compensation for deterioration**

**Authority's decision**

**8.—(1)** The authority must, within 28 days beginning with the expiry of the period mentioned in regulation 7, determine—

(a) whether or not—

(i) the allotment has deteriorated during the tenant's lease; and

(ii) the deterioration was caused by the fault or negligence of the tenant; and

(b) where the determination under sub-paragraph (a) is in the affirmative, the amount of compensation which the tenant is liable to pay under section 134(2) of the Act, based on the matters mentioned in regulation 6(3).

(2) The authority's determination under paragraph (1) must take account of any representations made by the tenant under regulation 7.

(3) The authority must, within 28 days beginning with the expiry of the period mentioned in regulation 7, give written notice to the tenant stating—

(a) the authority's determination under paragraph (1);

(b) the amount of compensation which the tenant is liable to pay under section 134(2) of the Act;

(c) the reasons for the authority's determination; and

(d) particulars of the tenant's right to appeal a decision of the authority under section 134(7) of the Act.