



# Land Compensation (Scotland) Act 1963

## CHAPTER 51

### LAND COMPENSATION (SCOTLAND) ACT 1963

#### PART I

1—7 .....

#### PART II

##### DETERMINATION OF QUESTIONS OF DISPUTED COMPENSATION BY LANDS TRIBUNAL

- 8 Tribunal for assessing compensation in respect of land compulsorily acquired.
- 9 Procedure on references under s. 8.
- 10 Consolidation of proceedings on claims in respect of several interests in the same land.
- 11 Expenses.

#### PART III

##### PROVISIONS DETERMINING AMOUNT OF COMPENSATION

###### *General provisions*

- 12 Rules for assessing compensation.
- 13 Disregard of actual or prospective development in certain cases.
- 14 Effect of certain actual or prospective development of adjacent land in same ownership.
- 15 Subsequent acquisition of adjacent land and acquisition governed by enactment corresponding to s. 14.
- 16 Disregard of depreciation due to prospect of acquisition by authority possessing compulsory purchase powers.

*Status: Point in time view as at 28/12/2017.*

*Changes to legislation: Land Compensation (Scotland) Act 1963 is up to date with all changes known to be in force on or before 01 July 2024. 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)*

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### *Special Cases*

- 17 Acquisition of houses unfit for human habitation.
- 17A Expenses of owners not in occupation.
- 18 Land of statutory undertakers.
- 19 Outstanding right to compensation for refusal, etc. of planning permission.
- 20 Consideration in respect of discharge of feu-duty, etc.
- 21 War-damaged land.

### *Assumptions as to planning permission*

- 22 Assumptions as to planning permission.
- 23 Assumptions not directly derived from development plans.
- 24 Special assumptions in respect of certain land comprised in development plans.

## **PART IV**

### CERTIFICATION BY PLANNING AUTHORITIES OF APPROPRIATE ALTERNATIVE DEVELOPMENT

- 25 Certification of appropriate alternative development.
- 26 Appeals against certificates under s. 25.
- 27 Extension of ss. 25 and 26 to special cases.
- 28 Power to prescribe matters relevant to Part IV.
- 29 Proceedings for challenging validity of decision on appeal under s. 26.
- 30 Interpretation of Part IV.

## **PART V**

31—37 .....

## **PART V**

### COMPENSATION WHERE PERMISSION FOR ADDITIONAL DEVELOPMENT GRANTED AFTER ACQUISITION

- 31 Compensation where planning decision made after acquisition.
- 32 Provisions as to claims under section 31.
- 33 Extension to planning permission where no planning decision made.
- 34 Extension to Crown development.
- 35 Application of Part V to certain cases.
- 36 Regulations for purposes of Part V.
- 37 Interpretation of Part IV.

## **PART VI**

### MISCELLANEOUS AND GENERAL

- 38 Power to pay allowances to persons displaced.
- 39 Withdrawal of notices to treat.
- 40 Rate of interest after entry on land.
- 41 Application of Act to Crown.
- 42 Certificates of value.
- 43 Saving for certain statutory purchases of statutory undertakings.
- 44 Provisions as to inquiries and service of notices.
- 45 Interpretation.

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- 46 Amendment of s. 1 (6) of the Lands Tribunal Act 1949.
- 47 Consequential amendments, repeals, and transitional provisions.
- 48 Saving for transactions before commencement of Act.
- 49 Short title, commencement and extent.

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## SCHEDULES

### SCHEDULE 1 — Part I

#### Part II — SPECIAL PROVISION AS TO NEW TOWNS

- 5 (1) This paragraph applies where, before the date of service...

#### Part III — SPECIAL PROVISIONS AS TO URBAN DEVELOPMENT AREAS

- 6 For the avoidance of doubt it is hereby declared—
- 7 Paragraph 6 of this Schedule shall have effect in relation...

### SCHEDULE 2 — ACQUISITION OF HOUSES WHICH DO NOT MEET THE TOLERABLE STANDARD

#### *Acquisitions to which this Schedule applies*

- 1 (1) This Schedule applies to a compulsory acquisition of a...

#### *Procedure*

- 2 (1) The local authority may make and submit to the...

#### *Amount of compensation*

- 3 (1) Where in relation to a compulsory acquisition, section 120(2)...

#### *Interpretation*

- 4 This Schedule shall be construed as one with Parts IV...

### SCHEDULES 3 —

#### Third Schedule — Application of Part V to Certain Cases

#### *Disturbance, severance and injurious affection*

- 1 Subject to paragraph 2 of this Schedule, any reference in...
- 2 If the person entitled to the compensation under section 31...

#### *Increase in value of contiguous or adjacent land*

- 3 In determining for the purposes of section 31 of this...

#### *Land held subject to heritable security*

- 4 Subject to the provisions of this Schedule relating to settled...
- 5 For the purposes of the application of section 31 of...
- 6 No compensation shall be payable by virtue of section 31...

#### *Land held in trust*

- 7 (1) Where, in a case falling within section 31(1) of...

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### *Interpretation*

8 References in this Schedule to sections 31 and 32 of...

SCHEDULES 4 —

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