



Land Compensation (Scotland) Act 1963

1963 CHAPTER 51

PART IV

CERTIFICATION BY PLANNING AUTHORITIES OF APPROPRIATE ALTERNATIVE DEVELOPMENT

28 Power to prescribe matters relevant to Part IV.

[^{F1}Regulations made under [^{F2}section 275(1)(c) of the Town and Country Planning (Scotland) Act 1997] or a development order may] include provision for regulating the manner in which applications under section 25 or 27 of this Act and appeals under section 26 of this Act are to be made and dealt with respectively, and other procedural matters ancillary to such applications and appeals, and in particular—

- (a) for prescribing (subject to the provisions of section 25 (4) of this Act) the time within which a certificate is required to be issued under that section;
- (b) for prescribing the manner in which notices of appeals under section 26 of this Act are to be given, and the time for giving any such notice;
- (c) for requiring local planning authorities to furnish the Secretary of State, and such other persons (if any) as may be prescribed by or under the order, with such information as may be so prescribed with respect to applications under the said section 25 or the said section 27, including information whether any such application has been made in respect of any particular land and information as to the manner in which any such application has been dealt with, together, in such cases as may be so prescribed, with copies of certificates issued under the said section 25;
- (d) for requiring a local planning authority, on issuing a certificate specifying conditions by reference to general requirements in accordance with subsection (6) of the said section 25, to supply a copy of those requirements (or of so much thereof as is relevant to the certificate) with each copy of the certificate, unless, before the certificate is issued, the requirements in question have been made available to the public in such manner as may be specified in the development order;
- (e) for requiring an authority possessing compulsory purchase powers who—

Status: Point in time view as at 11/08/2004. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Land Compensation (Scotland) Act 1963, Section 28. (See end of Document for details)

- (i) propose to acquire the *dominium utile* of any land (where the land or part thereof does not consist or form part of any such area as is mentioned in section 25 (1) (a) or section 25 (1) (b) of this Act), and
- (ii) also propose to require the discharge of the land from any such feu-duty or incumbrance as is mentioned in section 27 (3) of this Act,
- to serve, at such time as may be specified in the order, notice of the proposals on the person entitled to the feu-duty or incumbrance;
- (f) for requiring an authority possessing compulsory purchase powers, when serving a notice to treat in relation to, or purchasing, the *dominium utile* of any land (where the land or part thereof does not consist or form part of any such area as is mentioned in section 25 (1) (a) or section 25 (1) (b) of this Act) to give notice of the fact that they have done so to such persons as may be prescribed in the order, being persons who might be entitled to apply under section 26 (3) of this Act for a certificate relating to the land.

Textual Amendments

- F1** Words in s. 28 substituted (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 28:2\)](#), s. 79, [Sch. 17 Pt. II para. 16](#) (with s. 84(5)); S.I. 1991/2092, [art. 3](#)
- F2** Words in s. 28 substituted (27.5.1997) by [1997 c. 11, ss. 4, 6\(2\)](#), [Sch. 2 para. 9\(4\)](#)

Modifications etc. (not altering text)

- C1** S. 28 applied (27.5.1997) by [1997 c. 8, ss. 275\(1\)\(c\), 278\(2\)](#)

Status:

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