



Town and Country Planning (Scotland) Act 1972

1972 CHAPTER 52

PART IX

PROVISIONS ENABLING OWNER OR LESSEE TO REQUIRE PURCHASE OF HIS INTEREST

Interests of owner-occupiers affected by planning proposals

194 " Appropriate authority " for purposes of these provisions

- (1) Subject to the following provisions of this section, in these provisions " the appropriate authority ", in relation to any land, means the government department, local authority or other body by whom, in accordance with the circumstances by virtue of which the land falls within any of the specified descriptions, the land is liable to be acquired or is indicated as being proposed to be acquired.
- (2) If any question arises—
 - (a) whether the appropriate authority in relation to any land for the purpose of these provisions is the Secretary of State or a local highway authority; or
 - (b) which of two or more local highway authorities is the appropriate authority in relation to any land for those purposes; or
 - (c) which of two or more local authorities is the appropriate authority in relation to any land for those purposes;that question shall be referred to the Secretary of State, whose decision shall be final.
- (3) If any question arises which authority is the appropriate authority for the purposes of these provisions—
 - (a) section 183(1) of this Act shall have effect as if the reference to the date of service of the blight notice were a reference to that date or the date on which that question is determined, whichever is the later;

Status: This is the original version (as it was originally enacted).

- (b) section 190(3)(b) of this Act shall apply with the substitution for the period of six months of a reference to that period extended by so long as it takes to obtain a determination of the question ; and
- (c) section 192(1)(b), (2)(b) and (3)(b) of this Act shall apply with the substitution for the reference to twelve months before the date of service of a reference to that period extended by so long as it takes to obtain a determination of the question.