



# Scottish Development Agency Act 1975

## 1975 CHAPTER 69

### *Various powers of the Agency*

#### [<sup>F19</sup> Acquisition and disposal of land. **N.I.**

- (1) Subject to subsection (4) below, for or in connection with the performance of any of their functions under this Act, the Agency may, in accordance with arrangements made with the Secretary of State—
  - (a) by agreement acquire land, whether by way of purchase, [<sup>F2</sup>feu,] lease or excambion;
  - (b) acquire land compulsorily;
  - (c) hold and manage land acquired by them and dispose of, or otherwise deal with, such land.
- (2) Except as provided in section 8(3) of this Act, the Agency shall not, except with the consent of the Secretary of State, dispose of or grant a lease of land for a consideration less than the best that can reasonably be obtained.
- (3) For the purpose of the acquisition of land by agreement by the Agency, the Lands Clauses Acts (except the provisions relating to the purchase of land otherwise than by agreement and the provisions relating to access to the special Act, and except sections 120 to 125 of the <sup>M1</sup> Lands Clauses Consolidation (Scotland) Act 1845) and sections 6 and 70 of the <sup>M2</sup> Railways Clauses Consolidation (Scotland) Act 1845 and sections 71 to 78 of that Act, as originally enacted and not as amended for certain purposes by section 15 of the <sup>M3</sup> Mines (Working Facilities and Support) Act 1923, shall be incorporated with this section, and in construing those Acts for the purposes of this section, this section shall be deemed to be the special Act, and the Agency to be the promoters of the undertaking or company, as the case may require.
- (4) Where the Agency propose to acquire land compulsorily for or in connection with the carrying on of industrial undertakings in any area, they may acquire only such land as appears to them to be necessary to secure an adequate supply of land for industrial undertakings in that area.

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**Changes to legislation:** There are currently no known outstanding effects for the Scottish Development Agency Act 1975, Section 9. (See end of Document for details)

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- (5) The <sup>M4</sup> Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947 shall apply in relation to the compulsory purchase of land by the Agency as if this Act had been in force immediately before the commencement of that Act and as if the Agency were a local authority within the meaning of that Act.
- (6) The power of the Agency to acquire land compulsorily under this Act shall include power to acquire a servitude or other right in or over land by the creation of a new right.
- (7) For the purposes of section 278 of the <sup>M5</sup> Town and Country Planning (Scotland) Act 1972 (general vesting declarations), the Agency shall be deemed to be a public authority to which that section applies. ]

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#### Textual Amendments

- F1** Act except ss. 1, 20, 28, and paras. 1 to 6, 11 to 14, 16 and 17 of Sch. 1 repealed (E.W.S.) (1.4.1991) by 1990 c. 35, ss. 22(1), 23(4), 38(2), Sch. 3, **Sch. 5 Pt. II**; Enterprise and New Towns (Scotland) Act 1990 Transfer Dates Order dated 1.3.1991.
- F2** Word in s. 9(1)(a) ceases to have effect (28.11.2004) by **Abolition of Feudal Tenure etc. (Scotland) Act 2000** (asp 5), ss. 71, 77(2), Sch. 12 paras. 37(2), **Sch. 13 Pt. 1** (with ss. 58, 62, 75); S.S.I. 2003/456, art. 2
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#### Marginal Citations

- M1** 1845 c. 19
- M2** 1845 c. 33.
- M3** 1923 c. 20.
- M4** 1947 c. 42.
- M5** 1972 c. 52.

**Changes to legislation:**

There are currently no known outstanding effects for the Scottish Development Agency Act 1975, Section 9.