

SCHEDULES

SCHEDULE 9

MINOR AND CONSEQUENTIAL AMENDMENTS

The New Towns (Scotland) Act 1968 (c. 16)

- 61 (1) The New Towns (Scotland) Act 1968 shall be amended in accordance with this paragraph.
- (2) In section 6 (planning control in new towns)—
- (a) in subsection (4), for the words " local highway authority or the Secretary of State " there shall be substituted the words " roads authority " ; and
 - (b) in subsection (5)—
 - (i) after the word " into " there shall be inserted the words " be registered in the Land Register of Scotland or, as the case may " ;
 - (ii) after the word " so " there shall be inserted the words " registered or " ; and
 - (iii) for the words "local highway authority or the Secretary of State, as the case may be," there shall be substituted the words " roads authority " .
- (3) In section 8 (acquisition of land for roads in connection with new towns), in each of subsections (1) and (6), for the word " highway " there shall be substituted the word " roads " .
- (4) In section 9 (recording of compulsory purchase orders), after the word " shall " there shall be inserted the words " register it in the Land Register of Scotland or as the case may be " .
- (5) In section 10(1)(a), (special procedure for acquisition of statutory undertakers' operational land), for the word "highway", in both places where it occurs, there shall be substituted the word " roads " .
- (6) In section 19 (power to override servitudes and other rights, in each of subsections (1), (3), (4) and (6), for the word " highway " there shall be substituted the word " roads " .
- (7) In section 20(1) (use and development of churches and burial grounds)—
- (a) for the words " local highway authority, or which has been acquired under this Act by the Secretary of State " there shall be substituted the words " roads authority " ; and
 - (b) in paragraph (a), for the words " such a corporation or " there shall be substituted the words " a development corporation or local roads " .
- (8) In section 21(1) (use and development of open spaces)—

Status: This is the original version (as it was originally enacted).

- (a) for the words " local highway authority, or which has been acquired under this Act by the Secretary of State" there shall be substituted the words " roads authority " ; and
 - (b) in paragraph (a), for the words "such a corporation or" there shall be substituted the words " a development corporation or local roads " .
- (9) In section 22 (displacement of persons from land acquired)—
- (a) in subsection (3), for the word " highway" there shall be substituted the word " roads " ; and
 - (b) in subsection (4), for the words " local highway, or has been acquired under this Act by the Secretary of State" there shall be substituted the words " roads authority " .
- (10) In section 23 (extinguishment of public rights of way over land acquired)—
- (a) in subsection (1)(a), for the word "highway" there shall be substituted the word " roads " ;
 - (b) in subsection (2), for sub-paragraph (ii) and the words from " In this subsection " to the end, there shall be substituted the following sub-paragraph—
 - “(ii) on the local roads authority, unless they applied for the order to be made.”; and
 - (c) in subsection (5), for the word " highway " there shall be substituted the word " road " .
- (11) In section 24(1) (provision as to telegraphic lines), for the word " highway " there shall be substituted the word " roads " .
- (12) In section 26 (extinguishment of rights of way, and rights as to apparatus of statutory undertakers), in each of subsections (1)(a) and (5), for the word " highway " there shall be substituted the word " roads " .
- (13) In section 32(2)(a) (construction and maintenance of works or equipment required in connection with trolley vehicles services by development corporation), for the word "highways" there shall be substituted the word " roads " .
- (14) In section 42(1) (powers of entry), for the word " highway " there shall be substituted the word " roads " .
- (15) In section 47(1) (interpretation)—
- (a) in the definition of " acquiring authority", for the word " highway " there shall be substituted the word " roads " ;
 - (b) for the definition of " local highway authority " there shall be substituted the following definition—
 - “" local roads authority " has the same meaning as in the Roads (Scotland) Act 1984 ;”;
 - (c) in the definition of " planning permission", for the words "the Town and Country Planning (Scotland) Act 1947" there shall be substituted the words " Part III of the Town and Country Planning (Scotland) Act 1972 " ; and
 - (d) after the definitions of " regional planning authority" and "district planning authority" there shall be inserted the following definition—
 - “" roads authority " has the same meaning as in the Roads (Scotland) Act 1984 ;”.

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- (16) In Schedule 3 (procedure for authorising compulsory acquisitions)—
- (a) in paragraph 1(1), for the word " highway " there shall be substituted the word " roads " ;
 - (b) in paragraph 7(2)(b), for the words from " section 1 " to the end there shall be substituted the words "section 5 or 15 of the Roads (Scotland) Act 1984, or of either of the following enactments no longer in force—
 - (i) section 1 of the Trunk Roads Act 1946 (additional trunk roads and reorganisation of trunk road system);
 - (ii) section 14(1) of the Special Roads Act 1949 (amendments of law relating to trunk roads)."
 - (c) in paragraph 8(6), for the word " highway " there shall be substituted the word " roads " ; and
 - (d) in paragraph 13(1)(b), for the word "highway" there shall be substituted the word " road " .
- (17) In Schedule 4(1) (procedure for authorising compulsory acquisition of statutory undertakers' operational land), for the word " highway " there shall be substituted the word " roads " .