



Planning and Compensation Act 1991

1991 CHAPTER 34

PART IV

LAND COMPENSATION - SCOTLAND

76 Powers to acquire land whose enjoyment will be affected by public works

- (1) After section 24(2) of the Land Compensation (Scotland) Act 1973 (acquisition of land in connection with public works) there is inserted—

“(2A) Where the responsible authority—

- (a) propose to carry out works on land to which this subsection applies for the construction or alteration of any public works, and
- (b) are, in relation to the land, the appropriate authority,

they may, subject to the provisions of this section, acquire by agreement land the enjoyment of which will in their opinion be seriously affected by the carrying out of the works or the use of the public works if the interest of the seller is an interest such as is mentioned in subsection (3) to (5) of section 181 (interests qualifying for protection under blight provisions) of the Town and Country Planning (Scotland) Act 1972.

(2B) Subsection (2A) above applies to any land such as is mentioned in subsection (1) of the said section 181.

(2C) In this section—

“appropriate authority” has the meaning given in section 194(1) of the said Act.”.

- (2) After section 106(2) of the Roads (Scotland) Act 1984 (acquisition of land for mitigating adverse effects of construction of road) there is inserted—

“(2A) Where the roads authority propose to carry out works on land to which this subsection applies for the construction or improvement of a road, they may acquire by agreement land the enjoyment of which will in their opinion be seriously affected by the carrying out of the works or the use of the road if the

Status: This is the original version (as it was originally enacted).

interest of the seller is an interest such as is mentioned in subsections (3) to (5) of section 181 (interests qualifying for protection under blight provisions) of the Town and Country Planning (Scotland) Act 1972.

(2B) Subsection (2A) above applies to any land such as is mentioned in subsection (1) of the said section 181.”