



Town and Country Planning (Scotland) Act 1997

1997 CHAPTER 8

PART V

RIGHTS OF OWNERS ETC. TO REQUIRE PURCHASE OF INTERESTS

CHAPTER II

INTERESTS AFFECTED BY PLANNING PROPOSALS: BLIGHT

Compensation

108 Special provisions as to compensation for acquisition in pursuance of blight notice.

(1) Where—

- (a) an interest in land is acquired in pursuance of a blight notice, and
- (b) the interest is one in respect of which a compulsory purchase order is in force under section 1 of the ^{M1}Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947, as applied by section 42 of the ^{M2}Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, containing a direction for minimum compensation under section 45 of that Act of 1997,

the compensation payable for the acquisition shall be assessed in accordance with that direction and as if the notice to treat deemed to have been served in respect of the interest under section 105 had been served in pursuance of the compulsory purchase order.

(2) Where—

- (a) an interest in land is acquired in pursuance of a blight notice, and

Status: Point in time view as at 30/11/2017.

Changes to legislation: *Town and Country Planning (Scotland) Act 1997, Cross Heading: Compensation is up to date with all changes known to be in force on or before 10 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

- (b) the interest is one in respect of which a compulsory purchase order is in force under section 1 of the said Act of 1947 as applied by paragraph 5 of Schedule 8 to the ^{M3}Housing (Scotland) Act 1987 (acquisition of land for housing action areas),

the compensation payable for the acquisition shall be assessed in accordance with paragraph 12(2) and (3) of that Schedule and as if the notice to treat deemed to have been served in respect of the interest under section 105 had been served in pursuance of the compulsory purchase order.

- (3) The compensation payable in respect of the acquisition by virtue of section 111 of an interest in land comprised in—

- (a) the unaffected area of an agricultural unit, or
 (b) if the appropriate authority have served a counter-notice objecting to the blight notice on the grounds mentioned in section 102(4)(c), so much of the affected area of the unit as is not specified in the counter-notice,

shall be assessed on the assumptions mentioned in section 5(2), (3) and (4) of the ^{M4}Land Compensation (Scotland) Act 1973.

- (4) In subsection (3) the reference to “the appropriate authority” shall be construed as if the unaffected area of an agricultural unit were part of the affected area.

Marginal Citations

- M1** 1947 c. 42.
M2 1997 c. 9.
M3 1987 c. 26.
M4 1973 c. 56.

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