

Status: Point in time view as at 02/04/2004.

Changes to legislation: Town and Country Planning (Scotland) Act 1997, Cross Heading: Execution of general vesting declarations is up to date with all changes known to be in force on or before 13 July 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)

SCHEDULES

SCHEDULE 15

GENERAL VESTING DECLARATIONS

Modifications etc. (not altering text)

- C1** Sch. 15 applied (with modifications) (23.12.1999) by [S.I. 1999/201](#), [art. 26\(1\)\(2\)](#)
Sch. 15 applied (with modifications) (23.12.1999) by [S.I. 1999/203](#), [art. 27\(1\)](#)
- C1** Sch. 15 applied (with modifications) (2.4.2004) by [Highland Council \(Inverie\) Harbour Empowerment Order 2004 \(S.S.I. 2004/171\)](#), [arts. 1, 26](#) (with [arts. 28, 29](#))

PART I

GENERAL PROVISIONS

Execution of general vesting declarations

- 1 (1) Where a compulsory purchase order authorising an acquiring authority to acquire any land has come into operation, the authority may execute in respect of any of the land which they are authorised to acquire by the compulsory purchase order a declaration in the prescribed form (in this Schedule referred to as a “general vesting declaration”) vesting the land in themselves as from the end of such period as may be specified in the declaration (not being less than 28 days) from the date on which the service of notices required by paragraph 4 is completed.
- (2) A general vesting declaration shall contain a particular description of the lands affected or a description by reference of those lands in the manner provided by section 61 of the ^{M1}Conveyancing (Scotland) Act 1874.

Marginal Citations

- M1** 1874 c. 94.

- 2 (1) Before making a general vesting declaration with respect to any land which is subject to a compulsory purchase order, the acquiring authority shall include in the notice of the making or confirmation of the order which is required to be published or served by paragraph 6 of Schedule 1 to the Acquisition Act 1947 or any other provision of the relevant enactments corresponding to that paragraph, or in a notice given subsequently and before the service of the notice to treat in respect of that land—
- (a) such a statement of the effect of paragraphs 1 to 8 as may be prescribed, and
- (b) a notification to the effect that every person who, if a general vesting declaration were made in respect of all the land comprised in the order in respect of which notice to treat has not been given, would be entitled to claim

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compensation in respect of any such land is invited to give information to the authority making the declaration in the prescribed form with respect to his name and address and the land in question.

- (2) The requirements of the relevant enactments with respect to the publication and service of a notice of the making or confirmation of a compulsory purchase order shall apply to a notice under this paragraph given subsequently to the first-mentioned notice.
- 3 (1) Subject to sub-paragraph (2), a general vesting declaration shall not be executed before the end of the period of 2 months beginning with the date of the first publication of the notice complying with paragraph 2(1), or such longer period, if any, as may be specified in the notice.
- (2) The acquiring authority may, with the consent in writing of every occupier of any of the land specified in the declaration, execute a general vesting declaration before the end of that period of 2 months, or of the longer period so specified, as the case may be.
- 4 As soon as may be after executing a general vesting declaration, the acquiring authority shall serve—
- (a) on every occupier of any of the land specified in the declaration (other than land in which there subsists a short tenancy or a long tenancy which is about to expire), and
 - (b) on every other person who has given information to the authority with respect to any of that land in pursuance of the invitation published and served under paragraph 2(1),
- a notice in the prescribed form specifying the land and stating the effect of the declaration.
- 5 For the purposes of this Schedule, a certificate by the acquiring authority that the service of notices required by paragraph 4 was completed on a date specified in the certificate shall be conclusive evidence of the fact so stated.

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