
 STATUTORY INSTRUMENTS

1967 No. 528 (S. 39)

LAND COMMISSION

ACQUISITION, MANAGEMENT AND DISPOSAL OF LAND

**The Compulsory Acquisition of Land (Development Plan)
(Specification) (Scotland) Regulations 1967**

<i>Made</i> - - - -	30th March 1967
<i>Laid before Parliament</i>	5th April 1967
<i>Coming into Operation</i>	6th April 1967

In exercise of the powers conferred on me by sections 6(3)(b) and 98 of the Land Commission Act 1967(a), and of all other powers enabling me in that behalf, I, being for the purposes of these regulations the appropriate Minister in relation to Scotland, hereby make the following regulations:—

Citation, extent and commencement

1. These regulations, which may be cited as the Compulsory Acquisition of Land (Development Plan) (Specification) (Scotland) Regulations 1967, apply to Scotland and shall come into operation on 6th April 1967 (being the first appointed day under the Act (b)).

Interpretation

2.—(1) In these regulations the following expressions have the meanings hereby respectively assigned to them, that is to say:

“the Act” means the Land Commission Act 1967;

“the Commission” means the Land Commission;

“the current development plan” has the meaning assigned to it in section 26(1) of the Act;

“local planning authority” has the meaning assigned to it in section 2 of the Town and Country Planning (Scotland) Act 1947(c);

“the planning Minister” in relation to Scotland means the Secretary of State.

(2) References in regulation 3(2) and (3) of these regulations to expressions of which there are definitions in the regulations of 1966 therein referred to have the meanings thereby respectively assigned to them.

(3) The Interpretation Act 1889(d) applies for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

Indication of land in current development plan

3.—(1) For the purposes of subsection (3) of section 6 of the Act (which in paragraph (b) thereof contains one of the several conditions without fulfilment of at least one of which the Commission's power to acquire land compulsorily under subsection (1) of that section is not exercisable) the manner in which, in the current development plan, or in any proposals submitted to the planning

Minister by a local planning authority for altering or adding to that plan, the land is defined or otherwise indicated (whether or not involving allocation to a purpose) shall be as set out in the following paragraphs of this regulation.

(2) In relation to a town map or proposals for altering or adding to that map, definition or other indication of the land or allocation of the land for particular purposes shall be in the manner adopted with reference to particulars and proposals in respect of land comprised in item (i)(a) or any of items (ii) to (iv) in Part II or of items (i) to (viii) and (xi) in Part I of Schedule 1 to the Town and Country Planning (Development Plans) (Scotland) Regulations 1966(a).

(3) In relation to a county map or proposals for altering or adding to that map, definition or other indication of the land or allocation of the land for particular purposes shall be in the manner adopted with reference to particulars and proposals in respect of land comprised in item (i)(c) or item (iii) in Part III or any of items (i) to (viii) and (xi) in Part I of Schedule 1 to the Town and Country Planning (Development Plans) (Scotland) Regulations 1966.

William Ross,

One of Her Majesty's Principal
Secretaries of State.

St. Andrew's House,
Edinburgh 1.

30th March 1967.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

Under section 6(3) of the Land Commission Act 1967, the Land Commission may not, under subsection (1) of that section, acquire land compulsorily unless, on the date on which the compulsory purchase order authorising the acquisition is made, one or more of a number of conditions is fulfilled. One of these (contained in subsection (3)(b)) is that in the current development plan, or in any proposals submitted by a local planning authority for altering or adding to the plan, the land is defined or otherwise indicated in such manner as is prescribed by regulations made for the purpose.

These regulations prescribe the manner of indication by reference to various particulars and proposals shown on maps prepared for the purposes of the current development plan—authority for which is contained in Part II of (and in Parts I to III of Schedule 1 to) the Town and Country Planning (Development Plans) (Scotland) Regulations 1966.

The regulations apply to Scotland.

(a) S.I. 1966/1385 (1966 III, p. 3730).