

# GLASGOW AIRPORT RAIL LINK ACT 2007

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### Part 2 – Land

#### Compensation

#### *Section 19 – Application of legislation relating to certificates of appropriate alternative Development*

92. The provisions relating to a certificate of appropriate alternative development under section 25 and 26 of the Land Compensation (Scotland) Act 1963 apply (as provided by section 30(2)(a) of the 1963 Act) to an interest in land subject to compulsory purchase where a notice to landowners has been served as part of the requirements of UK Parliament's standing orders for a Act when it is first introduced.
93. The effect of the certificate is that where an interest in land is subject to compulsory acquisition under an Act, the person in whom that interest is vested or the authorised undertaker may apply to the planning authority for a certificate of appropriate alternative development in respect of that land. If the planning authority issues such a certificate stating that, in the absence of the promoter's proposal, planning permission would have been granted for specified development, then it is assumed for compensation valuation purposes that such planning permission would have been granted.
94. Section 30(2)(a) of the 1963 Act was not extended on devolution to refer also to the standing Orders of the Scottish Parliament. The purpose of **section 19** is to amend section 30(2)(a) so that when (in accordance with the Scottish Parliament's standing orders) a notification is given of the proposal to acquire land compulsorily the provisions relating to a certificate of appropriate alternative development (sections 25 and 26) will apply.