

GLASGOW AIRPORT RAIL LINK ACT 2007

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 3 – Miscellaneous and general

Section 39 – Blighted land

190. **Section 39** applies the planning blight provisions of sections 100 to 122 of the [Town and Country Planning \(Scotland\) Act 1997 \(c.8\)](#) (which applies in cases mentioned in Schedule 14 to the Act). These provisions ordinarily apply where compulsory purchase is authorised by a variety of legislative instruments, including a private Act of the UK Parliament, but on devolution this was not extended to apply automatically where the authorisation is by a private Act of the Scottish Parliament. This section is therefore needed to ensure that these provisions apply to the works authorised by the Act.
191. The effect of **section 39** is that–
- a resident owner-occupier of a residential dwelling;
 - an owner-occupier of land with an annual (i.e. in most cases rateable) value of (currently) £28,000¹; or
 - an owner-occupier of an agricultural unit,
- whose land is subject to compulsory purchase under the Act may require the authorised undertaker to purchase the land at market value if, having tried to sell the property, the landowner has been unable to sell except at a substantially lower price than might reasonably have been expected had the land not been subject to compulsory purchase.

¹ *Town and Country Planning (Limit of Annual Value) (Scotland) Order 2005/(SSI 2005/594) designed to catch small businesses.*