

*These notes relate to the Forth Crossing Act 2011 (asp  
2) which received Royal Assent on 20 January 2011*

# **FORTH CROSSING ACT 2011**

---

## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### **Part 6 – Compensation**

##### ***Section 50 – Compensation: partial acquisition etc.***

170. **Section 50(1)** ensures that the Scottish Ministers must in addition to paying compensation for the value of any interest (which includes servitudes and rights) in the land acquired pay compensation for any loss resulting from the severance of the land.
171. Subsection (2) provides that when the Scottish Ministers withdraw a notice to treat under **section 32(4)** they must pay the land owner compensation for any expense caused by the giving and withdrawal of the notice to treat. This provision is required so that the land owner is appropriately compensated for any disturbance that may be caused. If there is any dispute about entitlement to compensation or the amount of any compensation the matter will be determined by the Lands Tribunal for Scotland. Either the land owner or the Scottish Ministers can approach the Lands Tribunal for a determination.