

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

# FORTH CROSSING ACT 2011

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### **Part 7 – Statutory Undertakers**

#### ***Section 59 – Compensation for removal of water, gas, electricity or communications apparatus***

201. Under section 134(3) of the [Roads \(Scotland\) Act 1984 \(c.54\)](#) where apparatus of a statutory undertaker is removed under section 224 of the Town and Country Planning (Scotland) Act 1997 any person who is an owner or occupier of premises to which a supply (e.g. gas, electricity etc.) was given from that apparatus is entitled to be compensated for having to connect the premises to other apparatus from which a supply is given. The purpose of [section 59](#) is to ensure that the principle of compensating for a loss of supply applies under the Act.
202. Accordingly subsection (1) enables an owner or occupier to seek compensation from the Scottish Ministers for reconnection of a supply, provided that the supply was provided by apparatus of those described within subsection (2).