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*Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Transport (Scotland) Act 2005. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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## SCHEDULE 1 FURTHER PROVISION ABOUT REGIONAL TRANSPORT PARTNERSHIPS

### *Land*

- 6 (1) For the purposes of its functions, a Transport Partnership may—
- (a) acquire by agreement; or
  - (b) if authorised by the Scottish Ministers, purchase compulsorily, any land.
- (2) Sub-paragraph (1)(b) above—
- (a) does not apply in relation to Crown land (within the meaning of section 242 of the Town and Country Planning (Scotland) Act 1997 (c. 8)); and
  - (b) is subject to any other enactment conferring on the Transport Partnership power to acquire land compulsorily.
- (3) The Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947 (c. 42) applies in relation to the compulsory purchase of land under sub-paragraph (1)(b) above as if—
- (a) that provision were contained in an Act in force immediately before the commencement of that Act; and
  - (b) the Transport Partnership were a local authority.
- (4) The power to acquire or purchase land under sub-paragraph (1) above includes power to acquire a servitude or other right in or over land by the creation of a new right.
- (5) A Transport Partnership may develop its land for the purposes of its functions in such manner as it thinks fit.

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#### **Commencement Information**

**11** [Sch. 1 para. 6](#) in force at 10.10.2005 by [S.S.I. 2005/454, art. 2, Sch. 2](#)

- 7 (1) A Transport Partnership may—
- (a) develop, for use by other persons, any of its land no longer required for the purposes of its functions; or
  - (b) develop for use wholly or partly by other persons any of its land the use of which for the purposes of its functions (not including those conferred by this paragraph) can be combined with that other use,
- with a view to selling or otherwise disposing of the land (or any right or interest in or over it) after the development is carried out.
- (2) A Transport Partnership may acquire land adjacent to its own for the purposes of developing it under sub-paragraph (1) above together with its own.

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#### **Commencement Information**

**12** [Sch. 1 para. 7](#) in force at 10.10.2005 by [S.S.I. 2005/454, art. 2, Sch. 2](#)

- 8 In paragraphs 6 and 7 above, references to the functions of a Transport Partnership do not include those conferred by paragraph 7 above.

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**Commencement Information**

**I3** [Sch. 1 para. 8](#) in force at 10.10.2005 by [S.S.I. 2005/454](#), art. 2, [Sch. 2](#)

- 9 (1) A Transport Partnership may dispose of land; and section 74(2) to (2H) of the Local Government (Scotland) Act 1973 (c. 65) (disposal for best consideration) applies in relation to a Transport Partnership as it applies in relation to a local authority.
- (2) The power to dispose of land under sub-paragraph (1) above includes power to dispose of a servitude or other right in or over the land by the creation of a new right.

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**Commencement Information**

**I4** [Sch. 1 para. 9](#) in force at 10.10.2005 by [S.S.I. 2005/454](#), art. 2, [Sch. 2](#)

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 18A-18F inserted by [2019 asp 17 s. 110\(2\)](#)
- sch. 2 para. 3(2)(3) inserted by [2019 asp 17 s. 110\(4\)\(b\)](#)
- sch. 2 para. 3(1) sch. 2 para. 3 renumbered as sch. 3 para. 3(1) by [2019 asp 17 s. 110\(4\)\(a\)](#)

**Commencement Orders yet to be applied to the Transport (Scotland) Act 2005**

Commencement Orders bringing provisions within this Act into force:

- [S.S.I. 2008/90 art. 2](#) amendment to earlier commencing SSI 2008/15 art. 3