



# Land Compensation (Scotland) Act 1963

## CHAPTER 51

### LAND COMPENSATION (SCOTLAND) ACT 1963

#### PART I

##### DETERMINATION OF QUESTIONS OF DISPUTED COMPENSATION BY OFFICIAL ARBITER

- 1 Period during which Part I shall have effect
- 2 Tribunal for assessing compensation in respect of land compulsorily acquired
- 3 Procedure on references under s. 2
- 4 Consolidation of proceedings on claims in respect of several interests in the same land
- 5 Expenses
- 6 Power to refer to Commissioners of Inland Revenue or to agreed arbiter
- 7 Rules and fees

#### PART II

##### DETERMINATION OF QUESTIONS OF DISPUTED COMPENSATION BY LANDS TRIBUNAL

- 8 Tribunal for assessing compensation in respect of land compulsorily acquired
- 9 Procedure on references under s. 8
- 10 Consolidation of proceedings on claims in respect of several interests in the same land
- 11 Expenses

#### PART III

##### PROVISIONS DETERMINING AMOUNT OF COMPENSATION

*General provisions*

- 12 Rules for assessing compensation
- 13 Disregard of actual or prospective development in certain cases
- 14 Effect of certain actual or prospective development of adjacent land in same ownership
- 15 Subsequent acquisition of adjacent land and acquisition governed by enactment corresponding to s. 14
- 16 Disregard of depreciation due to prospect of acquisition by authority possessing compulsory purchase powers

*Special Cases*

- 17 Acquisition of houses unfit for human habitation
- 18 Land of statutory undertakers
- 19 Outstanding right to compensation for refusal, etc. of planning permission
- 20 Consideration in respect of discharge of feu-duty etc.
- 21 War-damaged land

*Assumptions as to planning permission*

- 22 Assumptions as to planning permission
- 23 Assumptions not directly derived from development plans
- 24 Special assumptions in respect of certain land comprised in development plans

**PART IV****CERTIFICATION BY PLANNING AUTHORITIES OF APPROPRIATE ALTERNATIVE DEVELOPMENT**

- 25 Certification of appropriate alternative development
- 26 Appeals against certificates under s. 25
- 27 Extension of ss. 25 and 26 to special cases
- 28 Power to prescribe matters relevant to Part IV
- 29 Proceedings for challenging validity of decision on appeal under s. 26
- 30 Interpretation of Part IV

**PART V****COMPENSATION IN CERTAIN CASES OF DEVELOPMENT AFTER ACQUISITION**

- 31 Compensation for new planning permission granted after acquisition of land
- 32 Consideration in respect of discharge of feu-duty etc., in cases falling under s. 31
- 33 Provisions as to claims under ss. 31 and 32
- 34 Extension of ss. 31, 32 and 33 to planning permission where no planning decision made
- 35 Extension of ss. 31, 32 and 33 to Crown development
- 36 Regulations for purposes of Part V
- 37 Interpretation of Part V

## PART VI

### MISCELLANEOUS AND GENERAL

- 38 Power to pay allowances to persons displaced
- 39 Withdrawal of notices to treat
- 40 Rate of interest after entry on land
- 41 Application of Act to Crown
- 42 Certificates of value
- 43 Saving for certain statutory purchases of statutory undertakings
- 44 Provisions as to inquiries and service of notices
- 45 Interpretation
- 46 Amendment of s. 1(6) of the Lands Tribunal Act 1949
- 47 Consequential amendments, repeals and transitional provisions
- 48 Saving for transactions before commencement
- 49 Short title, commencement and extent

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## SCHEDULES

### SCHEDULE 1 — Actual or Prospective Development relevant for purposes of Sections 13 & 14

### SCHEDULE 2 — Acquisition of Houses as being unfit for Human Habitation

- 1 (1) The provisions of this paragraph shall have effect in...
- 2 (1) Where in relation to a compulsory acquisition any of...
- 3 (1) Where, in the case of any compulsory acquisition.—
- 4 (1) Where a local authority have before the commencement of...
- 5 (1) In this Schedule "Act of 1950" means the Housing...

### SCHEDULE 3 — Application of Part V to certain Cases

#### PART I

#### *Disturbance, severance and injurious affection*

- 1 Subject to paragraph 2 of this Schedule, any reference in...
- 2 If the person entitled to the compensation under the said...

#### *Increase in value of contiguous or adjacent land*

- 3 In determining for the purposes of the said section 31...

#### *Land subject to a heritable security*

- 4 Subject to the provisions of this Schedule relating to land...
- 5 For the purposes of the application of section 31 of...
- 6 No compensation shall be payable by virtue of section 31...

#### *Land subject to a trust*

- 7 (1) Where, in a case falling within section 31(1) of...

#### PART II

- 8 (1) Where in a case falling within section 32(3) of...

#### PART III

- 9 In this Schedule " the relevant date" has the same...

## 10 References in this Schedule to sections 31, 32 and 33...

### SCHEDULE 4 — Enactments Repealed