

## SCHEDULES

### SCHEDULE 1

Sections 13 and 14.

#### [<sup>F1</sup>PART I]

#### Textual Amendments

- F1** Cross heading inserted by [Local Government, Planning and Land Act 1980 \(c. 65\)](#), [Sch. 25 para. 9\(1\)](#) **(3)** except where a notice to treat has been served before 13.11.1980

Actual or Prospective Development relevant for purposes of Sections 13 & 14

#### DESCRIPTION OF DEVELOPMENT

<i>Case</i>	<i>Development</i>
1. Where the acquisition is for purposes involving development of any of the land authorised to be acquired.	Development of any of the land authorised to be acquired, other than the relevant land, being development for any of the purposes for which any part of the first-mentioned land (including any part of the relevant land) is to be acquired.
2. Where any of the relevant land forms part of an area defined in the current development plan as an area of comprehensive development.	Development of any land in that area, other than the relevant land, in the course of the development or redevelopment of the area in accordance with the plan.
3. Where on the date of service of the notice to treat any of the relevant land forms part of an area designated as the site of a new town by an order under [ <sup>F2</sup> the New Towns (Scotland) Act 1968].	Development of any land in that area, other than the relevant land, in the course of the development of that area as a new town.
[ <sup>F3</sup>	Development of any land included in that area, other than the relevant land, in the course of the development of that area as part of a new town.]
3A. Where on the date of service of the notice to treat any of the relevant land forms part of an area designated as an extension of the site of a new town by an order under the <sup>M1</sup>	
New Towns Act 1946 becoming operative after the date of the commencement of the <sup>M2</sup>	
New Towns Act 1966.	

*Changes to legislation: There are currently no known outstanding effects for the Land Compensation (Scotland) Act 1963, SCHEDULE 1. (See end of Document for details)*

4. Where any of the relevant land forms part of an area to which a town development scheme under Part II of the

M3

Housing and Town Development (Scotland) Act 1957 relates, being a scheme which is in operation on the date of service of the notice to treat.

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F4

4A. Where any of the relevant land forms part of an area designated as an urban development area by an order under section 134 of the

M4

Local Government, Planning and Land Act 1980.

Development of any land in that area, other than the relevant land, in the course of the execution of the scheme.

Development of any land other than the relevant land, in the course of the development or redevelopment of that area as an urban development area.]

#### Textual Amendments

**F2** Words substituted by virtue of [New Towns \(Scotland\) Act 1968 \(c. 16\)](#), [Sch. 9 para. 5](#)

**F3** [Para. 3A](#) inserted by [New Towns Act 1966 \(c. 44\)](#), [Sch. Pt. II](#), para. 4

**F4** [Para. 4A](#) inserted by [Local Government, Planning and Land Act 1980 \(c. 65\)](#), [s. 145\(1\)](#)

#### Marginal Citations

**M1** 1946 c. 68.

**M2** 1966 c. 44.

**M3** 1957 c. 38.

**M4** 1980 c. 65.

## [<sup>F5</sup>PART II]

### SPECIAL PROVISION AS TO NEW TOWNS

#### Textual Amendments

**F5** [Pt. II](#) added by [Local Government, Planning and Land Act 1980 \(c. 65\)](#), [Sch. 25 para. 9\(1\)\(3\)](#) except where a notice to treat has been served before 13.11.1980

- 5 (1) This paragraph applies where, before the date of service of the notice to treat for the purposes of a compulsory acquisition (the relevant acquisition), the land has been disposed of by an authority or body in circumstances where paragraph 3 or 3A of this Schedule would have applied if (at the time of the disposal) the authority or body had been compulsorily acquiring the land.
- (2) in that case, paragraphs 3 and 3A shall not apply for the purposes of the relevant acquisition.

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**Changes to legislation:** There are currently no known outstanding effects for the Land Compensation (Scotland) Act 1963, SCHEDULE 1. (See end of Document for details)

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### [<sup>F6</sup>PART III]

#### SPECIAL PROVISIONS AS TO URBAN DEVELOPMENT AREAS

##### Textual Amendments

**F6** Pt. III added by [Local Government, Planning and Land Act 1980 \(c. 65\), s. 145\(4\)](#)

- 6 For the avoidance of doubt it is hereby declared—
- (a) that, in assessing in the circumstances described in paragraph 4A in the first column of Part I of this Schedule the increase or diminution in value to be left out of account by virtue of section 13 of this Act no increase or diminution of value is to be excluded from being left out of account; and
  - (b) that, in assessing in those circumstances the increase in value to be taken into account by virtue of section 14 of this Act, no increase in value is to be excluded from being taken into account,
- merely because it is attributable—
- (i) to any development of land which was carried out before the area was designated as an urban development area;
  - (ii) to any development or prospect of development of land outside the urban development area;
  - (iii) to any development or prospect of development of land by an authority, other than the acquiring authority, possessing compulsory purchase powers.
- 7 Paragraph 6 of this Schedule shall have effect in relation to any increase or diminution in value to be left out of account by virtue of any rule of law relating to the assessment of compensation in respect of compulsory acquisition as it has effect in relation to any increase or diminution in value to be left out of account by virtue of section 13 of this Act.

**Changes to legislation:**

There are currently no known outstanding effects for the Land Compensation (Scotland) Act 1963, SCHEDULE 1.