



Town and Country Planning (Scotland) Act 1947

1947 CHAPTER 53

PART III

ACQUISITION OF LAND, ETC.

Acquisition and disposal of land for planning purposes.

34 Compulsory acquisition by Ministers, local authorities and statutory undertakers.

- (1) Where any land is designated by a development plan as subject to compulsory acquisition by any Minister, local authority or statutory undertakers, that Minister or authority or those undertakers may be authorised to acquire that land compulsorily in accordance with the provisions of this section.
- (2) If, during the period before a development plan has become operative under this Act with respect to any district—
 - (a) the Secretary of State and the Minister of Works are satisfied that the acquisition of any land in that district is necessary for the public service or otherwise for the purposes of any of the functions of the Minister of Works; or
 - (b) the Secretary of State and the Postmaster-General are satisfied that the acquisition of any such land is necessary for the purposes of the Post Office,the Minister of Works or the Postmaster-General, as the case may be, may be authorised to purchase that land compulsorily in accordance with the provisions of this section.
- (3) The compulsory acquisition of land under this section may be authorised—
 - (a) in the case of land designated by a development plan as subject to acquisition by a Minister, by that Minister;
 - (b) in the case of land so designated as subject to acquisition by a local authority, by the Minister concerned with the function in question;

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (c) in the case of land so designated as subject to acquisition by any statutory undertakers, by the Minister who is the appropriate Minister for the purposes of those undertakers;
 - (d) in the case of such land as is mentioned in subsection (2) of this section, by the Minister of Works or the Postmaster-General, as the case may be.
- (4) The Acquisition of Land (Authorisation Procedure) (Scotland) Act, 1947, shall apply to the compulsory acquisition of land under this section, and accordingly shall have effect—
- (a) as if this section had been in force immediately before the commencement of that Act;
 - (b) as if any reference in that Act to a local authority (except the references thereto in subsection (2) of section one and in paragraph 9 of the First Schedule) included a reference to statutory undertakers; and
 - (c) as if references therein to the Minister of Transport and to the enactments specified in paragraph (b) of subsection (1) of section one of that Act included respectively references to any Minister and to the provisions of this section.
- (5) Any expenses incurred by the Minister of Transport in the acquisition of land under this section for the purpose of the construction or improvement of a road shall be defrayed out of the Road Fund.