



Lands Clauses Consolidation (Scotland) Act 1845

1845 CHAPTER 19 8 and 9 Vict

Purchase of lands otherwise than by agreement

61 Purchase money and compensation how to be estimated. S

In estimating the purchase money or compensation to be paid by the promoters of the undertaking in any of the cases aforesaid regard shall be had not only to the value of the land to be purchased or taken by the promoters of the undertaking, but also to the damage, if any, to be sustained by the owner of the lands by reason of the severing of the lands taken from the other lands of such owner, or otherwise injuriously affecting such lands by the exercise of the powers of this or the special Act, or any other Act incorporated therewith.

Modifications etc. (not altering text)

- C1 S. 61 extended by [Gas Act 1965 \(c. 36\)](#), Sch. 4 paras. 5(4), **9**; applied by [New Towns \(Scotland\) Act 1968 \(c. 16\)](#), **s. 19(3)**
- C2 S. 61 applied by [Town and Country Planning \(Scotland\) Act 1972 \(c. 52, SIF 123:2\)](#), **s. 117(3)**
- C3 S. 61 modified by [Gas Act 1972 \(c.60, SIF 44:2\)](#), s. 6(5), **Sch. 2 para. 26** and by [Land Compensation \(Scotland\) Act 1973 \(c.56, SIF 28:2\)](#) s. 63(2)
- C4 S. 61 applied (27.5.1997) by 1997 c. 8, **ss. 196(4)(a), 278(2)** (with s. 201(2))
- C5 S. 61 applied (with modifications) (11.8.2004) by [Stirling-Alloa-Kinross Railway and Linked Improvements Act 2004 \(asp 10\)](#), **s. 14(7)** (with s. 33)

Changes to legislation:

There are currently no known outstanding effects for the Lands Clauses Consolidation (Scotland) Act 1845, Section 61.