
STATUTORY INSTRUMENTS

1987 No. 433

The Town and Country Planning (Compensation for Restrictions on Mineral Workings) (Scotland) Regulations 1987

Assessment of compensation

6.—(1) Where mineral compensation requirements are satisfied in relation to an order made under section 42 or 49, the amount to be paid by way of compensation to a person making a claim under section 153 or 159 (both as modified by these Regulations) shall be determined as follows:—

- (a) an assessment shall be made of the amount of compensation which would be payable to him in accordance with the provisions of section 153 or section 159 (as the case may be) as modified by these Regulations; and
- (b) from that amount there shall be deducted the appropriate portion of whichever is the greater of—
 - (i) the sum of £2,500; or
 - (ii) 10 per cent of a sum calculated in accordance with paragraph (2) below:

Provided that the deduction shall not in any case exceed a sum which represents the appropriate portion of the sum of £100,000.

(2) In respect of one relevant mineral being won and worked at the date when the order took effect, the sum for the purposes of paragraph (1)(b)(ii) above shall be the product of the annual value of the right to win and work that mineral (calculated in accordance with Schedule 1) multiplied by the multiplier (arrived at in accordance with Schedule 2) and where there are two or more relevant minerals being won and worked the sums so calculated in respect of each shall be added together to give the sum for the purposes of the said paragraph.