1955 No. 298 (S. 29)

The Central Land Board (Provision of Information) (Scotland) Regulations, 1955

Made - - - -	*23rd February*, 1955
Laid before Parliament	*3rd March*, 1955
Coming into Operation	*4th March*, 1955

In exercise of the powers conferred on me by sections 50 and 68 of the Town and Country Planning (Scotland) Act, 1954(a), and of all other powers enabling me in that behalf, I hereby make the following regulations:—

Citation and commencement

1. These regulations may be cited as the Central Land Board (Provision of Information) (Scotland) Regulations, 1955, and shall come into operation on the fourth day of March, 1955.

Interpretation

2.—(1) The Interpretation Act, 1889(b), shall apply to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

(2) In these regulations, unless the context otherwise requires:—

"the Act" means the Town and Country Planning (Scotland) Act, 1954;

"the Board" means the Central Land Board; and

"new apportionment" means an apportionment which relates wholly or partly to any matters relating to which there has not been a previous apportionment as defined by section 69 of the Act.

Certificates under subsection (1) *of section* 50

3.—(1) An application for a certificate under subsection (1) of section 50 of the Act shall be in the form described in the First Schedule to these regulations, or a form substantially to the like effect, and shall be made by sending the application to the District Valuer of the Inland Revenue Department.

(2) A separate application shall be made in respect of each plot or area of land which is in separate occupation or separately rated at the time of the application, except where a certificate is required in respect of two or more contiguous plots or areas of land by a person entitled to an interest (including an interest in a heritable security) in such plots or areas or for the purposes of a transaction relating thereto.

(3) A certificate issued under subsection (1) of section 50 shall be in the form prescribed in the Second Schedule to these regulations or a form substantially to the like effect.

(a) 2 & 3 Eliz. 2. c. 73. (b) 52 & 53 Vict. c. 63

Certificates under subsection (2) *of section* 50

4. An application for a certificate under subsection (2) of section 50 of the Act shall be in the form prescribed in the Third Schedule to these regulations, or a form substantially to the like effect, and shall be made by sending the application to the District Valuer of the Inland Revenue Department.

Payment of fees

5.—(1) Subject to the following paragraph of this regulation the fee of five shillings payable on an application for a certificate under subsection (1) of section 50 of the Act shall be paid by attaching to the application form adhesive postage stamps to the value of five shillings.

(2) The further fee of fifteen shillings payable where an application involves a new apportionment, shall be sent to the Board before the certificate is issued, or such further fee may be paid with the fee of five shillings by sending with the application a cheque or a money or postal order for the sum of one pound payable to the Central Land Board and crossed.

Dated this 23rd day of February, 1955.

G. Lloyd-George,
One of Her Majesty's Principal Secretaries of State.

FIRST SCHEDULE

THIS APPLICATION FORM WHEN DULY COMPLETED SHOULD BE SENT BY POST OR HANDED IN TO THE DISTRICT VALUER OF THE VALUATION DISTRICT WITHIN WHICH THE LAND TO WHICH THIS APPLICATION RELATES IS SITUATED OR TO THE NEAREST DISTRICT VALUER.

CENTRAL LAND BOARD

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT, 1954

ORIGINAL UNEXPENDED BALANCE OF ESTABLISHED DEVELOPMENT VALUE

Application for a Certificate under Section 50 (1)

1. NAME(S) AND ADDRESS(ES) OF APPLICANT(S) (in block capitals)

(*a*) Surname(s) (state whether Mr., Mrs., Miss).....

Other name(s).....

(*b*) Postal address(es).....

.....

Note. In the case of a joint application the name and address of each applicant should be given, but the Board will send all communications to the first named applicant unless a written request to the contrary is made.

2. PARTICULARS OF AGENT (if any) to whom the applicant wishes any communications about this application to be sent.

NAME .....

Postal address .....

.....

Telephone Number ..... Profession .....

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3. PARTICULARS OF LAND (See note 1) to which the application relates:—

(i) Address or location and area.....

.....

.....

A plan of a size sufficient to enable the precise location and extent of the land to be identified should be provided. The boundaries *must* be clearly shown.

(ii) Nature of the applicant's present interest in the land, e.g., superior, feuar, lessee: if none state "none". (See note 2)

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(iii) Give names and addresses of any other persons holding or owning an interest in the land and the nature of their interest (see note 3).

.....

.....

Note 1. Land includes buildings.

Note 2. Only a person who holds or owns an interest in the land to which his application relates is entitled under section 50 (1) of the Act to a certificate if a new apportionment will be required before the certificate can be issued. If therefore on examination of this application it is found that a new apportionment is involved and the applicant does not hold or own an interest in the land, no certificate will be issued and he will be informed accordingly. The application fee of 5s. will not be refunded.

Note 3. Question (iii) need not be answered where the answer to question (ii) is "none".

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4. PARTICULARS OF CLAIM ESTABLISHED UNDER PART V OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT, 1947 (if known)

(i) Board's claim file number (as shown on the determination of development value) S/...../.....

(ii) Name(s) and address(es) of the person(s) who held or owned an interest in the land on 1st July, 1948.

.....

Note. The completion of this question is optional but it will assist the Central Land Board if the information is provided.

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5. FORMAL APPLICATION (to be signed by the applicant(s) whose name(s) is/are shown in paragraph 1 above).

I/We hereby request the Central Land Board to issue to me/us a certificate in accordance with the provisions of section 50 (1) of the Town and Country Planning (Scotland) Act, 1954, and of the Central Land Board (Provision of Information) (Scotland) Regulations, 1955.

Signature(s) .....

.....

Date.....

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6. APPLICATION FEE

(i) Under section 50 (8) of the Act a fee of 5s. is payable in respect of an application.

(ii) If a new apportionment is necessary to enable the certificate to be given in respect of land to which the application relates a further fee of 15s. making £1 in all, is payable, before a certificate is issued.

(iii) Applicants who know a new apportionment will be involved may send the fee of £1 with this application in the form of a cheque or a money or a postal order, payable to the Central Land Board and crossed.

(iv) EXCEPT WHERE A FEE OF £1 IS SENT A POSTAGE STAMP OR STAMPS TO THE VALUE OF 5s. SHOULD BE ATTACHED IN THE SPACE BELOW. (If a new apportionment is found to be necessary the Board will inform the applicant and ask for the further fee of 15s.)

SECOND SCHEDULE

CENTRAL LAND BOARD

ORIGINAL UNEXPENDED BALANCE OF ESTABLISHED DEVELOPMENT VALUE.

Certificate issued under Section 50 (1) *of the Town and Country Planning (Scotland) Act,* 1954

Central Land Board's reference number .....

Date of issue of certificate .....

TO .....

.....

.....

The Central Land Board hereby certify as follows:—

*(i) the land(s) described in the schedule annexed $\frac{\text{has/have severally}}{\text{has not/have not}}$ an original unexpended balance of established development value within the meaning of section 17 of the Town and Country Planning (Scotland) Act, 1954.

†(ii) on the first day of July nineteen hundred and forty-eight the state of the land(s) described in the schedule annexed was taken by the Board, for the purposes of Part V of the Town and Country Planning (Scotland) Act, 1947, to be .....

.....

†(iii) the following is/are the amount(s) of the said original unexpended balance(s) subject to any outstanding claims under Part I or Part V of the Town and Country Planning (Scotland) Act, 1954;.....

.....

‡(iv) .....

.....

Signed .....

Authorised in that behalf by the Central Land Board.

* Delete words inapplicable.

† Delete where there is no original unexpended balance.

‡ Additional information, if any, to be inserted here.

THIRD SCHEDULE

CENTRAL LAND BOARD

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT, 1954

UNEXPENDED BALANCE OF ESTABLISHED DEVELOPMENT VALUE

Application for a Certificate under Section 50 (2)

1. NAME AND ADDRESS OF PUBLIC AUTHORITY

(*a*) Name of Public Authority.....

(*b*) Postal Address.....

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2. PARTICULARS OF LAND to which the application relates

(i) Address or location and area.....

.....

.....

A plan of a size sufficient to enable the precise location and extent of the land to be identified should be provided. The boundaries *must* be clearly shown.

(ii) Description of interest(s) being acquired.....

.....

(iii) Details of powers under which the acquisition is being effected. (It should be stated whether minerals are excluded from the acquisition.)

.....

(iv) The date on which notice to treat was served, or was deemed to have been served .....

.....

(v) Give (if known) the name(s) and address(es) of any other person(s) holding or owning an interest in the land and the nature of their interest .....

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*3. PARTICULARS OF CLAIM ESTABLISHED UNDER PART V OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT, 1947 (if known)

(i) Board's claim file number (as shown on the determination of development value) S/...../.....

(ii) Name(s) and address(es) of the person(s) who held or owned an interest in the land on 1st July, 1948.....

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.....

.....

Note. Question 3 (ii) need be answered only if the Board's claim file number is not known.

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*4. NEW DEVELOPMENT

Has any new development, within the meaning of section 16 of the Town and Country Planning (Scotland) Act, 1954, been carried out on the land since 1st July, 1948? If so, give details, including date of commencement.

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*5. PREVIOUS ACQUISITIONS

Has any interest in the land previously been compulsorily acquired by a public authority or acquired by agreement by a public authority possessing compulsory purchase powers? If the answer is "Yes", give details.....

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6. FORMAL APPLICATION

The Central Land Board are hereby requested to issue to.....
.....(name of authority) a certificate in accordance with the provisions of section 50 (2) of the Town and Country Planning (Scotland) Act, 1954, showing the unexpended balance of established development value, if any, of the land described in paragraph 2 above immediately before the service of the notice mentioned in that paragraph.

Signature .....

For and on behalf of the above Authority.

Date .....

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* The completion of these questions is optional but it will assist the Central Land Board to have the information asked for.

EXPLANATORY NOTE

(This Note is not part of these regulations, but is intended to indicate their general purport.)

Under section 50 of the Town and Country Planning (Scotland) Act, 1954, information as to whether land has an unexpended balance of established development value is to be provided by the Central Land Board on application.

These regulations prescribe the forms to be used, the manner in which applications are to be made and the method by which the fees payable under the section are to be paid.