1971 No. 128 (S.13)

NEW TOWNS

The New Towns Compulsory Purchase (Contemporaneous Procedure) (Scotland) Regulations 1971

Made - - -	19*th January* 1971
Laid before Parliament	29*th January* 1971
Coming into Operation	1*st February* 1971

In exercise of the powers conferred upon me by paragraph 6 of Schedule 3 to the New Towns (Scotland) Act 1968(**a**) (hereinafter referred to as "the Act"), and of all other powers enabling me in that behalf, I hereby make the following regulations :—

1.—(1) These regulations may be cited as the New Towns Compulsory Purchase (Contemporaneous Procedure) (Scotland) Regulations 1971 and shall come into operation on 1st February 1971.

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

(3) The New Towns Compulsory Purchase (Contemporaneous Procedure) (Scotland) Regulations 1947(**c**) are hereby revoked.

2. Where the Secretary of State has published in accordance with Schedule 1 to the Act a draft of an order which he proposes to make under section 1 of the Act designating an area as the site of a new town (hereinafter called "the designation order") and the designation order has not been made, a development corporation (acting under an order made in terms of section 5(1) of the Act) or a local highway authority may, pending the making of the designation order, take such proceedings under paragraphs 1, 2 and 4 of Schedule 3 to the Act, as are required to be taken by that authority in respect of the making of a Compulsory Purchase Order in respect of land in the said area.

3. Any proceedings taken by a development corporation or a local highway authority by virtue of the powers of regulation 2 of these regulations shall, for the purposes of Part I and Part III of Schedule 3 to the Act, be deemed to be proceedings taken after the date on which the Secretary of State makes the designation order.

4. Where, in respect of any new town (in this regulation referred to as "the new town") the Secretary of State has published in accordance with Schedule 1 to the Act a draft of an order which he proposes to make under sections 1 and 46 of the Act varying the designation order which designated the site of the new town so as to include therein an additional area of land (in this regulation referred to as "the additional area") and the said varying order has not yet been made, a development corporation or a local highway authority may, pending the making of the varying order, take such proceedings under para-

(**a**) 1968 c. 16. (**b**) 1889 c. 63.
(**c**) S. R. & O. 1947/2243 (Rev. XXII p. 978: 1947 I, p. 2124).

graphs 1, 2 and 4 of Schedule 3 to the Act, as are required to be taken in respect of the making of a Compulsory Purchase Order in respect of land in the additional area.

5. Any proceedings taken by a development corporation or a local highway authority by virtue of the powers in regulation 4 of these regulations shall, for the purposes of Part I and Part III of Schedule 3 to the Act, be deemed to be proceedings taken after the date on which the Secretary of State makes the relevant varying order.

Gordon Campbell,
One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh.
19th January 1971.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations take account of the passing of the New Towns (Scotland) Act 1968 and supersede the New Towns Compulsory Purchase (Contemporaneous Procedure) (Scotland) Regulations 1947.

Regulations 2 and 3 provide that certain preliminary steps in the procedure for the compulsory purchase of land within the designated area of a new town may be taken by a development corporation or a local highway authority before the area has been designated formally but after the draft of such an order has been published, in accordance with the provisions of the New Towns (Scotland) Act 1968.

Regulations 4 and 5 provide that certain preliminary steps in the procedure for the compulsory purchase of land in an area proposed to be added to the site of a new town may be taken by a development corporation or a local highway authority, before the area has actually been added by an order under sections 1 and 46 of the New Towns (Scotland) Act 1968, but after the draft of such an order has been published in accordance with the provisions of the New Towns (Scotland) Act 1968.