

FORM 2

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1972

LAND COMPENSATION (SCOTLAND) ACT 1973

COMMUNITY LAND ACT 1975

Heritable Creditor's Blight Notice

To The Secretary of State for Transport (a)

At c/o High Speed Two (HS2) Limited, Land and Property Team, Two Snowhill, Snow Hill Queensway, Birmingham, B4 6GA (b)

[I] [We]* (c)

in terms of section 190(1) of the Town and Country Planning (Scotland) Act 1972 (hereinafter called "the Act of 1972") HEREBY GIVE YOU NOTICE:-

1. [I am] [We are]* entitled as heritable creditor(s) (by virtue of a power which has become exercisable) to sell the interest (hereinafter called "the said interest") set out in the First Schedule hereto in the [hereditament] [agricultural unit]* described in the Second Schedule hereto, giving immediate vacant possession of the land.

2. [[The] [Part of the]* [hereditament] [agricultural unit]* has been included in land falling within paragraph (d) of section 181(1) of the Act of 1972 [as that paragraph is amended or extended by section (e) of the Land Compensation (Scotland) Act 1973 (hereinafter called "the Act of 1973"))]*.]*

OR

[[The] [Part of the]* [hereditament] [agricultural unit]* has been included in the land falling within section 181(1) of the Act of 1972 by virtue of section (e) of the Community Land Act 1975.]*]

3. [I] [We]* have made reasonable endeavours to sell the said interest and in consequence of the fact that [the] [part of the]* [hereditament] [agricultural unit]* was or was likely to be comprised in land in one of the descriptions set out in section 181(1) of the Act of 1972 (as amended) [I] [we]* have been unable to sell that interest except at a price substantially lower than that for which it might reasonably have been expected to sell if no part of the [hereditament] [agricultural unit]* were, or were likely to be, comprised in such land. Particulars of those endeavours are set out [below] [in the letter accompanying this notice]*.(f)
4. [I am] [We are]* entitled to take advantage of the provisions of sections 181 to 196 of the Act of 1972 because (g)

EITHER

[the annual value of the hereditament does not exceed the limit of annual value prescribed by order under section 181(4)(a) of the Act of 1972 and the person entitled (otherwise than as heritable creditor) to the said interest either is an owner-occupier of the hereditament within the meaning of section 192(1) of the Act of 1972 or was such an owner-occupier on an earlier date not more than six months before the service of this notice, on which earlier date, namely 19 , the particulars in paragraph 2 above were correct in relation to the hereditament.(h)]*

OR

[the person entitled (otherwise than as heritable creditor) to the said interest either is a resident owner-occupier of the hereditament within the meaning of section 192(3) of the Act of 1972 or was such a resident owner-occupier on an earlier date not more than six months before the service of this notice, on which earlier date, namely 19 , the particulars in paragraph 2 above were correct in relation to the hereditament.(h)]*

OR

[the person entitled (otherwise than as heritable creditor) to the said interest either is an owner-occupier of the agricultural unit within the meaning of section 192(2) of the Act of 1972 or was such an owner-occupier on an earlier date, not more than six months before the service of this notice, on which earlier date, namely 19 , the particulars in paragraph 2 above were correct in relation to the agricultural unit.(h)]*

5. *[5. [The] [Part of the]* agricultural unit in which the said interest is held contains land which does not fall within any of the descriptions set out in section 181(1) of the Act of 1972 (as amended) as well as land which does so and that area which is un-affected is not reasonably capable of being farmed, either by itself or in conjunction with other relevant land (within the meaning of section 74(2) of the Act of 1973), as a separate agricultural unit.]
6. [[I] [We]* therefore require you to purchase the said interest in the [hereditament] [agricultural unit]*.]*

OR

[[I] [We]* therefore require you to purchase the said interest in [the whole of the agricultural unit] [the whole of that part of the agricultural unit to which this notice relates]*.]* (i)

Dated

19

Signed

[On behalf of

]*

FIRST SCHEDULE

Particulars of interest in land together with the names and addresses of any other known heritable creditors and a note of any ground burdens thereon known to the claimant.

SECOND SCHEDULE

Particulars of the [hereditament] [agricultural unit].(j)*

*Delete where inappropriate.

NOTES TO FORMS 1, 2 AND 3

- (a) Insert name of authority to be served.
- (b) Insert address of authority.
- (c) Insert full name(s) and address(es) of person(s) serving this notice.
- (d) Insert letter of the paragraph of the subsection which is applicable.
- (e) Insert (if appropriate) number of the section (and sub-section) of the Act of 1973 and/or the Community Land Act 1975 which is applicable.
- (f) Particulars of the steps taken to sell the land should be given here or in an accompanying letter, and should include dates, price asked and any offers received.
- (g) The claimant should choose which paragraph is to form part of the notice and delete the others.
- (h) Within the paragraph chosen, underline those words after "either" which are appropriate to the case.
- (i) The second alternative paragraph applies only to agricultural units coming within the description set out in the preceding paragraph of the notice (where appropriate). The claimant should choose which alternative is to form part of the notice and delete the other.
- (j) A plan should be attached to identify the land, if this is necessary.