

FORM 3

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1972

LAND COMPENSATION (SCOTLAND) ACT 1973

COMMUNITY LAND ACT 1975

Personal Representative'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 73(1) of the Land Compensation (Scotland) Act 1973 (hereinafter called "the Act of 1973")
HEREBY GIVE YOU NOTICE:-

1. [I am] [We are]* the personal representative(s) of a person (hereinafter called "the deceased") who at the date of [his] [her]* death was entitled to the interest set out in the First Schedule hereto in the [hereditament] [agricultural unit]* described in the Second Schedule hereto.
2. [[The] [Part of the]* [hereditament] [agricultural unit]* has been included in land falling within paragraph (d) of section 181(1) of the Town and Country Planning (Scotland) Act 1972 (hereinafter called "the Act of 1972") [as that paragraph is amended or extended by section (e) of the Act of 1973]* and was so included on the date of death of the deceased.]*

OR

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

3. Since the date of death of the deceased [1] [we]* have made reasonable endeavours to sell [his] [her]* 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) [1] [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. The deceased's interest qualified for protection under 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 [his] [her]* interest was that of owner-occupier of the hereditament within the meaning of section 192(1) of the Act of 1972.]*

OR

[[his] [her]* interest was that of resident owner-occupier of the hereditament within the meaning of section 192(3) of the Act of 1972.]*

OR

[[his] [her]* interest was that of owner-occupier of the agricultural unit within the meaning of section 192(2) of the Act of 1972.]*

5. One or more individuals are (to the exclusion of any body corporate) beneficially entitled to the deceased's interest in the [hereditament] [agricultural unit.]*

6. *6. [The] [Part of the]* agricultural unit in which the deceased was entitled to an interest 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 unaffected 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.]
7. [[I] [We]* therefore require you to purchase the deceased's interest in the [hereditament] [agricultural unit].*]*
- OR
8. [[I] [We]* therefore require you to purchase the deceased's interest in [the whole of the agricultural unit] [the whole of that part of the agricultural unit to which this notice relates].*]* (i)

Dated

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Signed

[On behalf of 1*

FIRST SCHEDULE

Particulars of deceased's interest in land, together with the names and addresses of any heritable creditors thereof and a note of any other ground burdens thereon.

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.