

## NORTH LANARKSHIRE COUNCIL

### WARNING

If in doubt about the effect of this Notice on your property, consult the Acquiring Authority or a Solicitor.

Information on the rights to compensation payable and on any time limits may be obtained from the Acquiring Authority.

### THE HOUSING (SCOTLAND) ACT 1987

### THE ACQUISITION OF LAND (AUTHORISATION PROCEDURE) (SCOTLAND) ACT 1947

### THE NORTH LANARKSHIRE COUNCIL (BLOCKS C, D AND E MILLCROFT ROAD, CUMBERNAULD) COMPULSORY PURCHASE ORDER 2023

- (1) Notice is hereby given that the Scottish Ministers, in exercise of the powers conferred by Sections 9 and 10 of the Housing (Scotland) Act 1987 has confirmed The North Lanarkshire Council (Blocks C, D and E Millcroft Road, Cumbernauld) Compulsory Purchase Order 2023 submitted by the North Lanarkshire Council (hereinafter referred to as "the acquiring authority").
- (2) The Order as confirmed provides for the purchase for the purpose of providing housing accommodation of the land described in the Schedule hereto.
- (3) A copy of the Order as confirmed and of the map referred to therein have been deposited at the North Lanarkshire Council First Stop Shop, Bron Chambers, Bron Way, North Carbrain Road, Cumbernauld, G67 1DZ and may be seen there without payment of fee between the hours of 9.00 am and 4.00 pm (excluding 1.00 pm to 2.00 pm) on business days and have also been deposited online at <https://www.northlanarkshire.gov.uk/regeneration-and-investment/investing-housing/milcroft-road-cumbernauld-compulsory-purchase-order> and may be seen there without payment of fee and at all times.
- (4) The Order as confirmed becomes operative on 12<sup>th</sup> March 2025 being the date on which this notice is first published; but a person aggrieved by the Order may, in accordance with the provisions of Paragraph 15 of the First Schedule to the Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947, as extended by Section 60 of the Land Compensation (Scotland) Act 1973, by application to the Court of Session within six weeks from that date, question its validity on the grounds (i) that the authorisation granted by the Order is not empowered to be granted or (ii) that the applicant's interests have been substantially prejudiced by failure to comply with any statutory requirement relating to the Order.
- (5)
  - (a) The acquiring authority may acquire the land to which this notice relates by making a General Vesting Declaration under Section 195 of the Town and Country Planning (Scotland) Act 1997 (hereinafter referred to as "the Planning Act"). Such a declaration shall not be executed before the end of the period of two months beginning with the date of the first publication of this notice except with the consent of every occupier of the land affected.

(b) The effect of the making of such a declaration is to vest the land in the acquiring authority at the end of such period as may be specified in the declaration but which will be not less than twenty eight days from the date on which the service of notices required by Paragraph 4 of Schedule 15 to the Planning Act is completed. These notices shall specify the land and state the effect of the declaration and shall be served on every occupier of any of the land specified in the declaration (other than land in which there subsists a short tenancy or a long tenancy which is about to expire as hereinafter defined) and on every other person who has given information to the acquiring authority with respect to any of the land to which this notice relates in pursuance of the invitation published and included in this notice.

(c) The effect of a General Vesting Declaration is as follows:-

At the end of the aforesaid period specified in the declaration the land specified in the declaration, together with the right to enter upon and take possession of it, shall vest in the acquiring authority and on being registered in the Land Register of Scotland the declaration shall have the same effect as a conveyance registered in accordance with Section 80 of the Lands Clauses Consolidation (Scotland) Act 1845. Also on the date of vesting, the Acts providing for compensation shall apply as if, on the date on which the declaration was made, a notice to treat had been served on every person on whom, under Section 17 of the said Act of 1845, the acquiring authority could have served such a notice (other than any person entitled to an interest in the land in respect of which such a notice had actually been served before the date of vesting and any person entitled to a short tenancy or a long tenancy which is about to expire).

(d) Where any land specified in the declaration is land in which there subsists a short tenancy or a long tenancy which is about to expire the right of entry shall not be exercisable in respect of that land unless, after serving notice to treat in respect of that tenancy, the acquiring authority has served on every occupier of any land in which the tenancy subsists a notice stating that, at the end of such period as is specified in the notice (not being less than fourteen days) from the date on which the notice is served, they intend to enter upon and take possession of such land as is specified in the notice, and that period has expired. The vesting of the land in the acquiring authority shall be subject to the tenancy until that period expires or the tenancy comes to an end whichever first occurs.

(e) Paragraph 38 of Schedule 15 to the Planning Act defines "short tenancy" and "long tenancy which is about to expire" as follows:-

"Short tenancy" means a tenancy for a year or from year to year or any lesser interest and "long tenancy which is about to expire", in relation to a General Vesting Declaration, means a tenancy granted for an interest greater than a short tenancy, but having at the date of the declaration a period still to run which is not more than the specified period (that is to say, such period longer than one year as may be specified in the declaration in relation to the land in which the tenancy subsists).

In determining what period a tenancy still has to run at the date of a General Vesting Declaration it shall be assumed-

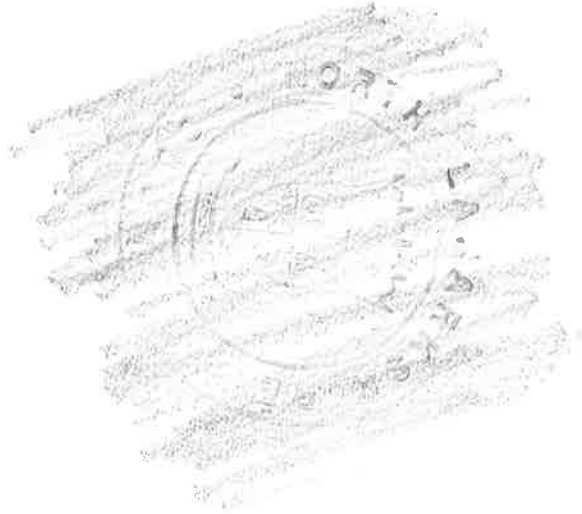
- (A) that the tenant will exercise any option to renew the tenancy and will not exercise any option to terminate the tenancy then or thereafter available to the tenant; and
- (B) that the landlord will exercise any option to terminate the tenancy then or thereafter available to the tenant.

- (f) Persons entitled to claim compensation in respect of any interest in the land in respect of which a notice to treat has not been given are invited to give information with respect to their name and address and the land and their interest therein on the prescribed form (Form 9) a copy of which is sent with this notice.

**Dated : 25th February 2025**

*Fiona Ekinli*

**Fiona Ekinli  
Proper Officer  
North Lanarkshire Council  
Civic Centre  
Windmillhill Street  
Motherwell  
ML1 1AB**



**This is the Schedule referred to in the foregoing Notice dated 25th February 2025 by North Lanarkshire Council relative to The North Lanarkshire Council (Blocks C, D and E Millcroft Road, Cumbernauld) Compulsory Purchase Order 2023.**

## **SCHEDULE**

ALL and WHOLE the plots of ground situated at Millcroft Road, Cumbernauld, shown delineated in red, partly shaded pink and partly shaded yellow and marked Plots 1, 2 and 3 on the four plans annexed to the said Order and including the dwellinghouses, lock-up garages, store and walkways within the said Blocks C, D and E listed as follows:-

Block C Millcroft Road, Cumbernauld

Dwellinghouses Numbers 1, 3, 5, 7, 9, 11, 13, 15, 17A, 17B, 17C, 17D, 21, 23, 25, 27, 29, 31, 33, 35, 37, 39, 41, 43, 45, 47, 49A, 49B, 49C, 49D, 53, 55, 57, 59, 61, 63, 65, 67, 69, 71, 73, 75, 77, 79, 81, 83, 85A, 85B, 85C, 89, 91, 93, 95, 97, 99, 101 and 103

Lock-up garages Block C Millcroft Road, Cumbernauld numbers 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 22, and 23 and store number 21

Block D Millcroft Road, Cumbernauld

Dwellinghouses Numbers 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, 34, 36, 38, 40, 42, 44, 46, 48, 50, 52, 54, 56, 58, 60, 62, 64, 66, 68, 70, 72 and 74

Block E Millcroft Road, Cumbernauld

Dwellinghouses Numbers 76, 78, 80, 82, 84, 86, 88, 90, 92, 94, 96, 98, 100, 102, 104, 106, 108, 110, 112, 114, 116, 118, 120, 122, 124, 126, 128, 130, 132, 134, 136, 138, 140, 142, 144, 146, 148, 150, 152, 154, 156, 158, 160, 162, 164, 166, 168, 170, 172, 174, 176, 178, 180, 182, 184, 186, 188, 190, 192A, 192B, 192C, 192D, 194A, 194B, 196A, 196B, 198A, 198B, 198C, 200A, 200B, 202A, 202B, 204A and 204B

Lock-up garages Blocks D and E Millcroft Road, Cumbernauld numbers 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36 and 37

Elevated walkway extending between Blocks C and D Millcroft Road, Cumbernauld

*Fiona Ekin*

