

17 December 2014



Your ref:  
Our ref: L/1/3/15C

Dear Consultee

### **DISCUSSION PAPER ON COMPULSORY PURCHASE (DISCUSSION PAPER No 159)**

I now enclose a copy of the above mentioned Discussion Paper on Compulsory Purchase which has been published today. This paper is also available on our website, together with a news release and further details.

The Discussion Paper examines the current statute law on compulsory purchase, suggests that it is antiquated, outdated and unfit for purpose, and proposes that it should be replaced with a comprehensive modern statute. It sets out a large number of questions and proposals on particular aspects of the procedure, and on how compensation is assessed, with a view to bringing the law up to date.

Consultation is critical in all our law reform projects to ensure that the final recommendations contained in our report would, if implemented, result in law which is just, principled, responsive and easy to understand. We would therefore be grateful to receive your views on any or all of the proposals in this Discussion Paper; they will be fully considered and analysed in the course of reaching our final conclusions. Even if you agree with our proposals but do not wish to make any further comments, a brief note to that effect would also be most helpful as an indication that our proposals are on the right lines.

Where possible, we would prefer the electronic submission of comments. For example, you can use the downloadable electronic response form for this Discussion Paper on our website at <http://www.scotlawcom.gov.uk/publications/discussion-papers-and-consultative-memoranda/2010-present/>. The MS Word form has a questionnaire format which allows you to comment - briefly or at length - on any of the paper's proposals which interest you. The form can be downloaded and emailed to us at [info@scotlawcom.gsi.gov.uk](mailto:info@scotlawcom.gsi.gov.uk), as can comments composed in other electronic formats. Alternatively, you may prefer to send your comments on the Discussion Paper by using the general comments form to be found on the website Contact page (<http://www.scotlawcom.gov.uk/contact-us>). We would be very grateful to receive your response to our consultation as soon as you can provide it, preferably well in advance of **19 June 2015**, when the consultation period ends.

**Please note** that information about this Discussion Paper, including copies of responses, may be made available in terms of the Freedom of Information (Scotland) Act 2002. Any confidential response will be dealt with in accordance with the 2002 Act. We may also attribute comments and publish a list of respondents' names.



Finally, should you wish to offer any comments on the way in which we conduct our consultation exercises, we would be pleased to hear from you.

Yours faithfully

MALCOLM MCMILLAN  
Chief Executive