

if they think fit, subject to the provisions of those Acts and of the Order let or join in letting any land specified in the Order to the Local Authority for any term not exceeding thirty-five years, and the provisions of those Acts with respect to rents, feu duties, or ground annuals, so far as the same are applicable in this behalf, shall extend and apply to such leases.

*Notice to Treat.*

X.—Where the Local Authority require to take on lease compulsorily any land specified in the Order, they shall give notice to that effect to the owner of the land and to any existing tenant thereof, or to such of the said parties as shall, after diligent inquiry, be known to the Authority, and by such notice shall demand from such parties the particulars of their right or interest in such land, in so far as such particulars are required in order to ascertain the owner thereof, and the interests of existing tenants (if any); and any such notice shall state the particulars of the land required to be taken on lease, and the term for which the Authority are authorised to take the same on lease, and that the Authority are willing to treat for the leasing thereof. The Authority shall in every such notice state a date consistent with the terms of the Order on which they require that the tenancy of the Authority shall commence.

*Leasing of Land subject to existing tenancy.*

XI.—On receipt of the particulars of the interest of an existing tenant, the Authority shall within twenty-one days give notice to the tenant, stating whether the Authority desire to extinguish such interest or to take the land on lease subject thereto, and if the Authority fail to give such notice they shall be deemed to desire to extinguish such interest. Any interest of an existing tenant which is extinguished under the powers conferred by the Order shall be extinguished upon and by reason of the commencement of the tenancy of the Authority.

*Compensation to existing tenants.*

XII.—(1) An existing tenant whose interest in the land is extinguished upon and by reason of the commencement of the tenancy of the Authority shall be entitled to recover from the Authority compensation for the value of his interest in the land and for any just allowance which ought to be made to him by an incoming tenant, and for any loss or injury which the existing tenant may sustain, including any loss or injury caused to him in his tenancy by reason of the severance of the land to be taken on lease from other land held by him.

(2) If any person claim compensation in respect of any unexpired term or interest under any existing lease of lands specified in the Order, the Authority may require such person to produce the lease in respect of which such claim is made, or sufficient evidence thereof, and if, after demand made in writing by the Authority, such lease or such evidence thereof be not proceeded within twenty-one days, the party so claiming compensation shall be considered as a tenant holding only from year to year, and be entitled to compensation accordingly.

*Determination of Rent, etc., failing agreement.*

XIII.—If the Authority cannot after diligent inquiry ascertain the owner or existing tenant

of any land specified in the Order, or if for twenty-one days after the giving of such notice to treat to the owner or existing tenant, as is required by these Regulations, he fail to state the particulars demanded by the notice, or fail to treat with the Authority in respect of his right or interest in the land, or if the owner or the existing tenant do not agree with the Authority as to any matter which under subsection (2) of Section twenty-six of the Local Government (Scotland) Act, 1894, is to be determined by a sole arbiter as therein provided, the Authority may require that the matter shall be determined in manner provided by the Acquisition of Land (Assessment of Compensation) Act, 1919, subject in other respects to the provisions of the said Section twenty-six of the Local Government (Scotland) Act, 1894.

*Determination of Rent, etc., where Owner or Tenant is under disability.*

XIV.—(1) If the owner of any land specified in the Order is unable, except under powers conferred by these Regulations, to lease the land for the term and on the conditions for and on which the Authority are authorised to take the land on lease, the rent to be paid by the Authority shall be determined, as in default of agreement, in manner provided by the preceding Regulation.

(2) If an existing tenant is unable, except under powers conferred by these Regulations, to dispose of the interest created by the lease under which he holds and to give a complete discharge for the compensation in respect of such interest, the amount payable by the Authority to the existing tenant or any person claiming through him in respect of such interest or in respect of improvements executed on the land or otherwise, and, where part only of the building is taken on lease, the rent to be paid for the remainder of the holding shall be determined, as in default of agreement, in manner provided by the preceding Regulation.

*Damage by severance.*

XV.—In determining the rent to be paid for land authorised to be compulsorily taken on lease, regard shall be had not only to the value of the land to be taken, but also to the damage (if any) to be sustained by the owner of the land by reason of its severance from other land of the same owner, or by reason of such other land being otherwise injuriously affected by the exercise of the powers conferred by the Order.

*Execution of Lease.*

XVI.—(1) As soon as the amount of the rent to be paid by the Authority for the land proposed to be taken on lease, and the amount of any other compensation to be paid by the Authority to any person entitled thereto in respect of such land or any interest therein or in respect of improvements executed on the land or otherwise, have been determined; so far as the same can be determined before the tenancy of the Authority commences, the owner shall on the application of the Authority execute a lease of the land in accordance with the Order and any award made thereunder, subject only to the interest of any existing tenant which the Authority have given notice that they do not desire to extinguish, and to any reservation or servitude, subject to which the land is to be leased, and if the owner refuses