



Colchester Borough Council Act 2001

2001 CHAPTER ii

7 Compensation for harbour businesses

- (1) Subject to the provisions of this section any person who—
 - (a) on the appointed day is in possession of an interest in land and has a right to use that land which is incapable of being exercised as a consequence of the operation of subsection (1) of section 3 (Closure of harbour facilities and termination of status as harbour authority) of this Act; and
 - (b) on 26 November 1999 was carrying on upon that land a business involving his use of the harbour for the shipping or unshipping of cargoes or the embarking or disembarking of passengers,shall be entitled to be paid compensation by the Council in respect of any loss suffered by him in consequence of the operation of that subsection.
- (2) Any compensation payable under subsection (1) above shall be assessed in accordance with the provisions of the 1961 Act.
- (3) Any question of disputed compensation under this section shall be referred to and determined by the Lands Tribunal and the provisions of sections 2 and 4 of the 1961 Act shall, subject to any necessary modifications, apply to any such determination.
- (4) Any dispute as to whether a person is entitled to compensation under subsection (1) above shall be determined by a single arbitrator appointed by the parties or, in default of agreement, by the President of the Law Society.