

SCHEDULES

SCHEDULE 3

POWERS OF ASSOCIATED BRITISH PORTS

Compulsory purchase of land

- 19 (1) Subject to sub-paragraph (2), the Secretary of State may authorise Associated British Ports to purchase compulsorily any land in Great Britain which it requires for the purposes of its business ; and the Acquisition of Land (Authorisation Procedure) Act 1946 shall apply as if Associated British Ports were a local authority within the meaning of that Act and as if this Act had been in force immediately before the commencement of that Act.
- (2) This paragraph does not authorise Associated British Ports to purchase compulsorily—
- (a) land required for the purposes of a business carried on by a subsidiary of Associated British Ports other than a wholly-owned subsidiary;
 - (b) land required for the purposes of a business or activity carried on by virtue of paragraph 3(2), 4, 9 or 10;
 - (c) land required for the purpose of providing facilities for the storage of goods other than goods which have been or are to be loaded or unloaded in or carried through one of Associated British Ports' harbours ; or
 - (d) land which Associated British Ports has power to acquire by agreement under paragraph 6(3) or 18(3).
- (3) Subject to sub-paragraph (4), the power of purchasing land compulsorily in this paragraph includes power to acquire an easement or other right over land by the creation of a new right
- (4) Sub-paragraph (3) does not apply to an easement or other right over any land which forms part of a common, open space or fuel or field garden allotment within the meaning of the Acquisition of Land (Authorisation Procedure) Act 1946.
- (5) In the application of this paragraph to Scotland—
- (a) for any reference to the Acquisition of Land (Authorisation Procedure) Act 1946 there is substituted a reference to the Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947;
 - (b) for any reference to an easement there is substituted a reference to a servitude; and
 - (c) the reference in sub-paragraph (4) to a fuel or field garden allotment is omitted.