

## SCHEDULE 6

### COMPENSATION IN RELATION TO OFF-SITE CONDITIONS

7.—(1) Compensation payable under this Schedule in respect of an interest which is subject to a mortgage shall be paid to the mortgagee or, if there is more than one mortgagee, to the first mortgagee and shall, in either case, be applied by him as if it were proceeds of sale.

(2) Amounts of compensation determined under this Schedule shall be payable—

- (a) where the operator and the grantor or mortgagee agree that a single payment is to be made on a specified date, on that date;
- (b) where the operator and the grantor or mortgagee agree that payment is to be made in instalments at different dates, on the date agreed as regards each instalment;
- (c) in any other case, subject to any direction of the Lands Tribunal or the court, as soon as reasonably practicable after the amount of the compensation has been finally determined.

(3) Any question of the application of paragraph 6(3) or of disputed compensation shall be referred to and determined by the Lands Tribunal.

(4) In relation to the determination of any such question, sections 2 and 4 of the Land Compensation Act 1961 (procedure on reference to the Lands Tribunal and costs) shall apply as if—

- (a) the reference in section 2(1) of that Act to section 1 of that Act were a reference to subparagraph (3) of this paragraph, and
- (b) references in section 4 of that Act to the acquiring authority were references to the operator.