

SCHEDULE 2

Article 3

Compensation for compulsory acquisition: consequential amendments

Amendment of the Land Compensation Act 1961 (c. 33)

1.—(1) The Land Compensation Act 1961 is amended as follows.

(2) In section 29(1)(1) (interpretation of Part IV) in paragraph (d) of the definition of “additional development” for “sections 14 to 16” substitute “sections 14 and 15”.

(3) The amendment made by sub-paragraph (2) does not apply—

- (a) in the case of an acquisition authorised by a compulsory purchase order if the order was made or confirmed by a Minister, or confirmed by another authority, before 6th April 2012,
- (b) in the case of an acquisition authorised by any other order if the order, so far as it authorises the acquisition became effective before 6th April 2012, or
- (c) in the case of an authorisation authorised by a special enactment if the special enactment was enacted before 6th April 2012.

(4) In sub-paragraph (3)(a) “compulsory purchase order” has the same meaning as in the Acquisition of Land Act 1981(2).

(5) In sub-paragraph (3)(c) “special enactment” means—

- (a) a local or private Act which authorises the compulsory acquisition of land specifically identified in that Act, or
- (b) a provision which—
 - (i) is contained in an Act other than a local or private Act, and
 - (ii) authorises the compulsory acquisition of land specifically identified in that Act.

Amendment of the Local Government Act 1972 (c. 70)

2.—(1) The Local Government Act 1972 is amended as follows.

(2) In paragraph 55 of Schedule 16(3) (functions under, and amendment and modifications of, enactments relating to town and country planning)—

- (a) in sub-paragraph (1)(a)—
 - (i) for “class” substitute “description”, and
 - (ii) for “classes” substitute “descriptions”;
- (b) in each of sub-paragraphs (4) and (5) for “class” substitute “description”; and
- (c) in sub-paragraph (6) for “specifies” substitute “identifies”.

(3) The amendment made by sub-paragraph (2) does not apply—

- (a) in the case of an acquisition authorised by a compulsory purchase order if the order was made or confirmed by a Minister, or confirmed by another authority, before 6th April 2012,
- (b) in the case of an acquisition authorised by any other order, if the order so far as it authorises the acquisition became effective before 6th April 2012, or

(1) Section 29 was repealed, with savings, by sections 86 and 101 of, and Schedule 17 to, the Land Commission Act 1967 (c. 1). It was revived, and reinserted, in relation to certain acquisitions, by section 66 of, and Schedule 14 to, the Planning and Compensation Act 1991 (c. 34). There are other amendments to section 29 but none are relevant to this Order.

(2) 1981 c. 67 (see section 7).

(3) There are amendments to paragraph 55 of Schedule 16 but none are relevant to this Order.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (c) in the case of an authorisation authorised by a special enactment if the special enactment was enacted before 6th April 2012.
- (4) In sub-paragraph (3)(a) “compulsory purchase order” has the same meaning as in the Acquisition of Land Act 1981.
- (5) In sub-paragraph (3)(c) “special enactment” means—
 - (a) a local or private Act which authorises the compulsory acquisition of land specifically identified in that Act, or
 - (b) a provision which –
 - (i) is contained in an Act other than a local or private Act, and
 - (ii) authorises the compulsory acquisition of land specifically identified in that Act.

Amendment of the Highways Act 1980 (c. 66)

- 3.—(1) The Highways Act 1980 is amended as follows.
- (2) In section 262(4)(4) (assumptions to be made in assessing compensation on certain compulsory acquisitions of land for service stations etc and lorry areas for special roads) in the definition of “relevant planning permission” for “section 15 or 16” substitute “section 15”.
- (3) The amendment made by sub-paragraph (2) does not apply in a case where section 16 of the Land Compensation Act 1961 applies (or would apply if it were relevant to the case).

(4) There are amendments to section 262 but none are relevant to this Order.