

## SCHEDULES

### SCHEDULE 11

#### Modification of compensation and compulsory purchase enactments for creation of new rights and imposition of restrictive covenants

##### **Compensation enactments**

**2.**—(1) Without limitation on the scope of paragraph 1, the 1961 Act has effect subject to the modifications set out in sub-paragraph (2).

(2) For section 5A(5A)(1) (relevant valuation date) of the 1961 Act substitute—

“(5A) If—

- (a) the acquiring authority enters on land for the purpose of exercising a right in pursuance of a notice of entry under section 11(1) of the 1965 Act (as modified by paragraph 5(5) of Schedule 11 to the Portishead Branch Line (MetroWest Phase 1) Order 2022 (“the 2022 Order”));
- (b) the acquiring authority is subsequently required by a determination under paragraph 12 of Schedule 2A to the 1965 (as substituted by paragraph 5(8) of Schedule 11 to the 2022 Order) to acquire an interest in the land; and
- (c) the acquiring authority enters on and takes possession of that land,

the authority is deemed for the purposes of subsection (3)(a) to have entered on that land where it entered on that land for the purpose of exercising that right.”.

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(1) Sub-section (5A) was inserted by paragraph 4(2) of Schedule 17 to the Housing and Planning Act 2016 (c. 22).