

YR ATODLENNI

ATODLEN 3

ADDASU DEDDFIADAU PRYNU GORFODOL A IAWNDAL I GREU HAWLIAU NEWYDD

Deddfiadau iawndal

Addasu Deddf 1965

5. Yn lle adran 8 o Ddeddf 1965 (sy'n ymwneud ag achosion pan nad oes modd gorfodi gwerthwr i werthu rhan yn unig o adeilad neu o ardd), rhodder yr hyn a ganlyn—

“8.—(1) Where in consequence of the service on a person under section 5 of this Act of a notice to treat in respect of a right over land consisting of a house, building or manufactory or of a park or garden belonging to a house (“the relevant land”)—

- (a) a question of disputed compensation in respect of the purchase of the right would apart from this section fall to be determined by the Lands Tribunal (“the Tribunal”); and
- (b) before the Tribunal has determined that question the person satisfies the Tribunal that [he] has an interest which [he] is able and willing to sell in the whole of the relevant land and, where that land consists of—
 - (i) a house, building or manufactory, that the right cannot be purchased without material detriment to that land; or
 - (ii) such a park or garden, that the right cannot be purchased without seriously affecting the amenity or convenience of the house to which that land belongs,

the Scarweather Sands Offshore Wind Farm Order 2004 (“the Order”) [shall], in relation to that person, cease to authorise the purchase of the right and be deemed to authorise the purchase of that person’s interest in the whole of the relevant land including, where the land consists of such a park or garden, the house to which it belongs, and the notice shall be deemed to have been served in respect of that interest on such date as the Tribunal directs.

(2) Any question as to the extent of the land in which the Order is deemed to authorise the purchase of an interest by virtue of subsection (1) of this section shall be determined by the tribunal.

(3) Where, in consequence of a determination of the Tribunal that it is satisfied as mentioned in subsection (1) of this section the Order is deemed by virtue of that subsection to authorise the purchase of an interest in land, the acquiring authority may, at any time within the period of six weeks beginning with the date of the determination, withdraw the notice to treat in consequence of which the determination was made; but nothing in this subsection prejudices any other power of the authority to withdraw the notice.”.