



# Forth Crossing Act 2011

## 2011 asp 2

### PART 6

#### COMPENSATION

#### **51 Compensation: servitudes and other rights**

- (1) In assessing the compensation payable in respect of the acquisition or extinguishment of any servitude or other right in pursuance of this Act, account is to be taken of any new servitude or real burden created by Ministers for purposes connected with the Forth Crossing works.
- (2) Any person entitled to enforce a personal real burden immediately before it is extinguished in pursuance of this Act is entitled to compensation from Ministers for any loss arising as a result of the extinguishment.
- (3) Any dispute about—
  - (a) a person's entitlement to such compensation, or
  - (b) the amount of such compensation,

is to be determined by the Lands Tribunal in accordance with the 1963 Act as if it were a question of disputed compensation for the compulsory acquisition of land (and sections 8, 9, 11 and 12 of the 1963 Act accordingly have effect in relation to such a dispute so far as applicable and subject to any necessary modifications).