



High Speed Rail (London - West Midlands) Act 2017

2017 CHAPTER 7

The Crown

57 Application of powers to Crown land

- (1) The powers conferred on the nominated undertaker under this Act may be exercised in relation to Crown land with the consent of the Crown authority.
- (2) The power conferred under section 54 (rights of entry for further high speed rail works) may be exercised in relation to Crown land with the consent of the Crown authority.
- (3) The Crown authority may give consent under this section—
 - (a) subject to conditions, and
 - (b) notwithstanding anything in any lease or other grant granted by or to that authority.
- (4) In this Act, “Crown land” means land in which there is—
 - (a) an interest belonging to a government department or held in trust for Her Majesty for the purposes of a government department,
 - (b) an interest belonging to an office-holder in the Scottish Administration or held in trust for Her Majesty for the purposes of the Scottish Administration by such an office-holder,
 - (c) an interest belonging to Her Majesty in right of the Crown, or
 - (d) an interest belonging to Her Majesty in right of the Duchy of Lancaster.
- (5) In this Act, “Crown authority”, in relation to any Crown land, means—
 - (a) in a subsection (4)(a) case, the government department in question;
 - (b) in a subsection (4)(b) case, the Scottish Ministers;
 - (c) in a subsection (4)(c) case—
 - (i) if the land forms part of the Crown Estate, the Crown Estate Commissioners, and

Status: This is the original version (as it was originally enacted).

- (ii) in any other case, the government department having management of the land;
 - (d) in a subsection (4)(d) case, the Chancellor of the Duchy of Lancaster.
- (6) If for the purposes of this section a question arises as to which authority is the Crown authority for any land—
 - (a) the question is to be decided by the Treasury, and
 - (b) the Treasury's decision is final.
- (7) In subsection (4)(b) “office-holder in the Scottish Administration” has the meaning given by section 126(7) of the Scotland Act 1998.