

SCHEDULE 5

Environmental permits

PART 2

Compensation in relation to conditions affecting certain interests in land

Interest payable on compensation

27.—(1) Compensation payable under this Part carries interest at the rate for the time being prescribed under section 32 of the Land Compensation Act 1961 from the date specified in sub-paragraph (2) to payment.

(2) The date is—

- (a) in the case of compensation payable under paragraph 22(a) or 22(b), the date of depreciation;
- (b) in the case of compensation payable under paragraph 22(c), 22(d) or 22(e), the date on which the loss is sustained, the damage is done, or the injurious affection occurs, as the case may be;
- (c) in the case of compensation payable under paragraph 25(6), the date on which the expenses become payable.

(3) If it appears to a person that he may become liable to pay to another compensation under this Schedule or interest under this paragraph he may, if the other person requests him in writing to do so, make one or more payments on account of such compensation or interest.

(4) If, after a payment has been made by a person under sub-paragraph (3)—

- (a) it is agreed or determined that he is not liable to pay compensation or interest; or
- (b) by reason of any agreement or determination, a payment under that sub-paragraph is shown to be excessive,

the payment or excess, as the case may be, is recoverable by that person.