

SCHEDULES

SCHEDULE 4

Modification of compensation and compulsory purchase enactments for creation of new rights

Modification of the Land Compensation Act 1973

2.—(1) Without prejudice to the generality of paragraph 1, the Land Compensation Act 1973⁽¹⁾ is to have effect subject to the modifications set out in sub-paragraph (2).

(2) In section 44(1) (compensation for injurious affection), as it applies to compensation for injurious affection under section 7 of the 1965 Act as substituted by paragraph 4—

- (a) for the words “land is acquired or taken from” there are to be substituted the words “a right over land is purchased from or imposed on”; and
- (b) for the words “acquired or taken from him” there are to be substituted the words “over which the right is exercisable.

(3) In section 58(1) (determination of material detriment where part of house etc. proposed for compulsory acquisition), as it applies to determinations under section 8 of the 1965 Act as substituted by paragraph 5—

- (a) for the word “part” in paragraphs (a) and (b) there are substituted the words “a right over or restrictive covenant affecting land consisting”;
- (b) for the word “severance” there is substituted the words “right or restrictive covenant over or affecting the whole of the house, building or manufactory or of the house and the park or garden”;
- (c) for the words “part proposed” there are substituted the words “right or restrictive covenant proposed”; and
- (d) for the words “part is” there are substituted the words “right or restrictive covenant is”.

(1) 1973 c. 26.