



Glasgow Airport Rail Link Act 2007

2007 asp 1

PART 2

LAND

Powers of acquisition

13 Acquisition of subsoil or airspace or rights

- (1) In exercise of the powers conferred by section 12 the authorised undertaker may, as regards any land authorised to be acquired under that section, acquire compulsorily—
 - (a) so much of the subsoil of or airspace over the land; or
 - (b) such servitudes or other rights over the land,as may be required for any purpose for which that land may be acquired under that section.
- (2) Servitudes and other rights may be acquired under subsection (1) by creating them as well as by acquiring servitudes and other rights already in existence.
- (3) Section 90 of the 1845 Lands Act and paragraph 20 of Schedule 15 to the 1997 Act (which provide in certain circumstances for the owner of the land to require the purchase of the whole rather than part of that property) shall not apply to any compulsory acquisition under this section or under section 14.
- (4) Subject to subsections (5) and (6), the Lands Clauses Acts, as incorporated with this Act, shall have effect with the modifications necessary to make them apply to the compulsory acquisition of new rights under this section or under section 14 as they apply to the compulsory acquisition of land.
- (5) As so having effect, references in the Lands Clauses Acts to land shall be treated as, or as including, references to new rights or to the land over which new rights are to be exercisable.
- (6) Section 61 of the 1845 Lands Act (estimation of purchase money and compensation) shall apply to the compulsory acquisition of a right under this section or section 14 as if for the words from “value” to “undertaking” there were substituted the words “extent

Status: This is the original version (as it was originally enacted).

(if any) to which the value of the land in or over which the right is to be acquired is depreciated by the acquisition of the right”.