



Compulsory Purchase Act 1965

1965 CHAPTER 56

PART I

COMPULSORY PURCHASE UNDER ACQUISITION OF LAND ACT OF 1946

Further provision as to compensation for injurious affection

10 Further provision as to compensation for injurious affection.

- (1) If any person claims compensation in respect of any land, or any interest in land, which has been taken for or injuriously affected by the execution of the works, and for which the acquiring authority have not made satisfaction under the provisions of this Act, or of the special Act, any dispute arising in relation to the compensation shall be referred to and determined by the [^{F1}Upper Tribunal].
- (2) This section shall be construed as affording in all cases a right to compensation for injurious affection to land which is the same as the right which section 68 of the ^{M1}Lands Clauses Consolidation Act 1845 has been construed as affording in cases where the amount claimed exceeds fifty pounds.
- (3) Where this Part of this Act applies by virtue of [^{F2}Part IX of the Town and Country Planning Act 1990] references in this section to the acquiring authority shall be construed in accordance with [^{F3}section 245(4)(b) of that Act].

Textual Amendments

- F1** Words in s. 10(1) substituted (1.6.2009) by [The Transfer of Tribunal Functions \(Lands Tribunal and Miscellaneous Amendments\) Order 2009 \(S.I. 2009/1307\)](#), art. 1, **Sch. 1 para. 63** (with Sch. 5)
- F2** Words substituted by [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123:1, 2\)](#), s. 4, **Sch. 2 para. 13(2)(a)**
- F3** Words substituted by [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123:1, 2\)](#), s. 4, **Sch. 2 para. 13(2)(b)**

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Modifications etc. (not altering text)

- C1** Pt. 1 excluded (7.8.2015) by [The Preesall Underground Gas Storage Facility Order 2015 \(S.I. 2015/1561\)](#), arts. 1, **31(1)(a)** (with art. 44)
- C2** S. 10 applied by [Local Government Act 1972 \(c. 70, SIF 81:1\)](#), **ss. 122(4)**, 126(6), 273(1)
- C3** S. 10 amended by [Land Compensation Act 1973 \(c. 26, SIF 28:1\)](#), **s. 63(1)**
- C4** S. 10 applied by [Development of Rural Wales Act 1976 \(c. 75, SIF 64\)](#), s. 5(1), **Sch. 3 para. 35(3)**
 S. 10 applied (10.11.1993) by [Leasehold Reform, Housing and Urban Development Act 1993 \(c. 28\)](#), s. 169, **Sch. 20 para. 5(4)(7)(8)**; S.I. 1993/2762, **art. 3**.
- C5** S. 10 extended by [Housing Act 1988 \(c. 50, SIF 61\)](#), s. 78(2)(a), **Sch. 10 Pt. 11 para. 5(4)**
- C6** S. 10 extended by [Town and Country Planning Act 1990 \(c. 8, SIF 123:1\)](#), **s. 237(4)(a)**
- C7** S. 10 modified by [Town and Country Planning Act 1990 \(c. 8, SIF 123:1\)](#), **s. 229(4)**
- C8** S. 10 applied by [Post Office \(Subway\) Act 1966 \(c. 25\)](#), **s. 2(2)**
- C9** S. 10 applied (with modifications) (18.12.1996) by [Channel Tunnel Rail Link Act 1996 \(c. 61\)](#), **ss. 36, 51(6)(a)**
- C10** S. 10 applied (1.12.2008) by [Housing and Regeneration Act 2008 \(c. 17\)](#), s. 325(1), **Sch. 3 para. 2(1)**; S.I. 2008/3068, **art. 2(1)(f)** (with arts. 6arts. 6-13)
- C11** S. 10 applied (7.8.2015) by [The Preesall Underground Gas Storage Facility Order 2015 \(S.I. 2015/1561\)](#), arts. 1, **21(5)(a)** (with art. 44)
- C12** S. 10(1) modified (19.2.1999) by S.I. 1999/537, **art. 8**
 S. 10(1) modified (22.3.2001) by S.I. 2001/1451, **art. 11**
 S. 10(1) modified (12.8.2002) by S.I. 2002/1943, **art. 5**
- C13** S. 10(1) modified (22.7.2008) by [Crossrail Act 2008 \(c. 18\)](#), **s. 45**
- C14** S. 10(2) saved (9.5.1991) by [Heathrow Express Railway Act 1991 \(c. vii\)](#), **s. 17(1)(f)**; and saved (22.10.1991) by [Greater Manchester \(Light Rapid Transit System\) Act 1991 \(c. xvi\)](#), **s. 14(3)(e)**; and saved (26.7.1991) by S.I. 1991/1760, **art. 6(3)(e)**.
- C15** S. 10(2) excluded (23.8.1999) by S.I. 1999/2981, **arts. 20(7)**, 21(8)
- C16** S. 10(2) applied (30.3.2006) by [London Olympic Games and Paralympic Games Act 2006 \(c. 12\)](#), **ss. 4(5)(b)**, 40(1)(b) (with s. 4(6)(b))
- C17** S. 10(2) applied (1.3.2010) by [Planning Act 2008 \(c. 29\)](#), **ss. 152(5)**, 241(8) (with s. 226); S.I. 2010/101, **art. 3(h)** (with art. 6)
 S. 10(2) applied (24.9.2014) by [The Thames Water Utilities Limited \(Thames Tideway Tunnel\) Order 2014 \(S.I. 2014/2384\)](#), **arts. 1**, 33(4)

Marginal Citations

- M1** 1845 c. 18.

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