



Highways Act 1980

1980 CHAPTER 66

PART XIV

MISCELLANEOUS AND SUPPLEMENTARY PROVISIONS

Determination of disputes as to compensation

307 Disputes as to compensation which are to be determined by Lands Tribunal and related provisions

- (1) Any dispute arising on a claim for compensation under any provision of this Act to which this section applies shall be determined by the Lands Tribunal.

The provisions of this Act to which this section applies are sections 21, 22, 28, 73, 74, 109, 110, 121(2), 126, 193, 200(2) and 292.

- (2) For the purposes of any reference to the Lands Tribunal under this section, section 4 of the Land Compensation Act 1961 (costs) has effect with the substitution, for references to the acquiring authority, of references to the authority from whom the compensation in question is claimed.
- (3) Rules 2 to 4 of the Rules in section 5 of the said Act of 1961 (rules for valuation on a compulsory acquisition) apply to the calculation of compensation under any provision of this Act to which this section applies, in so far as it is calculated by reference to the depreciation of the value of an interest in land.
- (4) In determining the amount of compensation payable under section 109, 110 or 126 above the Lands Tribunal shall have regard to any new means of access to the premises of the claimant or, as the case may be, any new right of access to a watercourse from the premises of the claimant, provided by the highway authority from whom the compensation is claimed.
- (5) In determining the amount of compensation payable under section 73 above in respect of injurious affection, the Lands Tribunal—

Status: This is the original version (as it was originally enacted).

- (a) shall take into account any benefit accruing to the claimant by reason of the improvement of the street in relation to which an improvement line has been prescribed under that section, and
- (b) may take into account and embody in their award any undertaking with regard to the exercise of the powers of a highway authority under that section in relation to the property affected which the authority have offered to give to the claimant;

and the terms of any undertaking so embodied in the award are binding on and enforceable against the authority.

- (6) In determining the amount of compensation payable under section 74 above, the Lands Tribunal shall take into account any benefit accruing to the claimant by reason of any improvement made or about to be made to the highway in relation to which a building line has been prescribed under that section.
- (7) In determining the amount of compensation payable under section 193 or section 200(2) above, the Lands Tribunal shall take into account any benefit accruing to the claimant by reason of the widening of a street under the said section 193 or the said section 200(2), as the case may be.