

Status: This is the original version (as it was originally enacted).

SCHEDULES

SCHEDULE 4

ACQUISITION OF LAND WITHIN LIMITS SHOWN ON DEPOSITED PLANS

PART III

SUPPLEMENTARY PROVISIONS

Acquisition of subsoil

- 6 (1) In the case of land specified in the following table (non-pedestrian tunnels), the power conferred by section 4(1) above shall only be exercisable in relation to so much of the subsoil or under-surface of the land as lies more than 9 metres beneath the level of the surface of the land.

THE TABLE

<i>Area</i>	<i>No. on deposited plans</i>
GREATER LONDON	
London Borough of Islington	307 to 318, 320 to 330, 332, 335, 338 to 739, 798, 799 and 803 to 1042
London Borough of Hackney	1 to 183, 185 to 211 and 213 to 772
London Borough of Newham	16 to 518, 522 to 540, 542 to 549, 551 to 1207, 1209 to 1223, 1235, 1236, 1238, 1240 to 1243 and 1246 to 1252
London Borough of Redbridge	8 to 14
London Borough of Barking and Dagenham	227 to 765, 767, 769 to 786, 794 and 796
COUNTY OF ESSEX	
Borough of Thurrock	99 and 103
COUNTY OF KENT	
Borough of Tonbridge and Malling, Parish of Aylesford	51 to 140 and 144 to 183
Borough of Tonbridge and Malling, Parish of Burham	1 to 9

- (2) In the case of land specified in the following table (pedestrian tunnels and ground anchors), the power conferred by section 4(1) above shall only be exercisable in relation to so much of the subsoil or under-surface of the land as lies more than 2 metres beneath the level of the surface of the land.

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THE TABLE

<i>Area</i>	<i>No. on deposited plans</i>
GREATER LONDON	
London Borough of Camden	178
London Borough of Islington	740 to 771
COUNTY OF KENT	
Borough of Ashford, Parish of Mersham	39

- (3) In the case of any other land, the power conferred by section 4(1) above shall be exercisable as well in relation to the subsoil or under-surface only as in relation to the land as a whole.
- (4) Section 8(1) of the Compulsory Purchase Act 1965 (limitation on right to require a person to sell part only of any house, building, manufactory or park or garden belonging to a house) shall not apply where the power conferred by section 4(1) above is exercised in relation to the subsoil or under-surface of land only.
- (5) For the purposes of sub-paragraphs (1) and (2) above, the level of the surface of the land shall be taken—
- (a) in the case of any land on which a building is erected, to be the level of the surface of the ground adjoining the building, and
 - (b) in the case of a watercourse or other area of water, to be the level of the surface of the adjoining ground which is at all times above water level.