



Crossrail Act 2008

2008 CHAPTER 18

Land

8 Extinguishment of private rights of way

- (1) This section applies to land within the limits of deviation for the scheduled works or within the limits of land to be acquired or used which is held by the Secretary of State as being required for or in connection with the works authorised by this Act.
- (2) All private rights of way over land to which this section applies shall be extinguished—
 - (a) in the case of land held immediately before the coming into force of this Act, on the coming into force of this Act, and
 - (b) in the case of land acquired after the coming into force of this Act, at the appropriate time.
- (3) Subsection (2) does not apply to—
 - (a) a right of way over land which, were it held otherwise than by the Secretary of State, would not be capable of being acquired under section 6(1), or
 - (b) a right of way to which section 271 or 272 of the Town and Country Planning Act 1990 (c. 8) (extinguishment of rights of statutory undertakers etc.) applies.
- (4) Subsection (2)(b) does not apply to a right of way that is excepted from the application of that provision by direction of the Secretary of State given before the appropriate time.
- (5) Subject to subsection (6), the references in subsections (2)(b) and (4) to the appropriate time are to the time of acquisition.
- (6) Where land—
 - (a) is acquired compulsorily, and
 - (b) is land in respect of which the power conferred by section 11(1) of the Compulsory Purchase Act 1965 (c. 56) (power of entry following notice to treat) is exercised,the references to the appropriate time are to the time of entry under that provision.

Status: This is the original version (as it was originally enacted).

- (7) Any person who suffers loss by the extinguishment of any right of way under this section shall be entitled to be compensated by the nominated undertaker.
- (8) Any dispute as to a person's entitlement to compensation under this section, or as to the amount of such compensation, shall be determined under and in accordance with Part 1 of the Land Compensation Act 1961 (c. 33).