

SCHEDULES

SCHEDULE 9

ACQUISITION OF RIGHTS IN LAND ETC: APPLICATION OF COMPULSORY PURCHASE LEGISLATION

Schedule 9 to High Speed Rail (London - West Midlands) Act 2017

5 In paragraph 2 of Schedule 9 to the High Speed Rail (London - West Midlands) Act 2017 (which makes provision corresponding to this Schedule), for subparagraph (8B) (inserted by paragraph 8(4) of Schedule 14 to that Act) substitute—

“(8B) In section 5A of the Land Compensation Act 1961 (relevant valuation date)—

(a) for subsection (5A) substitute—

“(5A) If—

- (a) the acquiring authority enters on land for the purpose of exercising a right or enforcing a restrictive covenant in pursuance of a notice of entry under section 11(1) of the Compulsory Purchase Act 1965,
- (b) the authority is subsequently required by a determination under paragraph 13 of Schedule 2A to that Act (as substituted by paragraph 2(8A) of Schedule 9 to the High Speed Rail (London - West Midlands) Act 2017) to acquire an interest in the land, and
- (c) the authority enters on and takes possession of that land,

the authority is deemed for the purposes of subsection (3)(a) to have entered on and taken possession of that land when it entered on it for the purpose of exercising the right or enforcing the covenant.”, and

(b) in subsection (5B), for paragraphs (a) and (b) substitute—

- “(a) a right over, or restrictive covenant affecting, land is the subject of a general vesting declaration,
- (b) by virtue of paragraph 11(2) or 16(2) of Schedule A1 to the Compulsory Purchase (Vesting Declarations) Act 1981, the declaration has effect as if it included an interest in the land, and

Changes to legislation: *There are currently no known outstanding effects for the High Speed Rail (West Midlands - Crewe) Act 2021, Cross Heading: Schedule 9 to High Speed Rail (London - West Midlands) Act 2017. (See end of Document for details)*

- (c) the vesting date for the right or covenant is different from the vesting date for the interest in the land.””

Changes to legislation:

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