

**Changes to legislation:** There are currently no known outstanding effects for the Opencast Coal Act 1958,  
Cross Heading: Restricted lettings, and easements and similar rights. (See end of Document for details)

## SCHEDULES

### SIXTH SCHEDULE

#### APPLICATION OF COMPENSATION PROVISIONS TO SPECIAL CASES

##### *Restricted lettings, and easements and similar rights*

- 20 This paragraph applies to the following rights, that is to say,—
- (a) any right conferred by a letting of land, or a licence to occupy land, in pursuance of an agreement [<sup>F1</sup>falling within section 2(3)(a) of the 1986 Act];
  - (b) any easement or similar right over land.

#### Textual Amendments

- F1** Words substituted by [Agricultural Holdings Act 1986 \(c. 5, SIF 2:3\)](#), s. 100, [Sch. 14 para. 32\(2\)](#)

- 21 For the purposes of the following provisions of this Act, that is to say, subsections (2) and (3) of section seventeen, subsection (2) of section twenty-one, subsection (1) of section twenty-nine, and the provisions of subsection (3) of section seventeen as applied by subsection (2) of section twenty-nine, any right to which the last preceding paragraph applies shall be disregarded; and, in relation to any land which is subject to any such right, those provisions shall apply as if that right had not been conferred, reserved or otherwise acquired, as the case may be.

<sup>F2</sup>22 .....

#### Textual Amendments

- F2** [Sch. 6 para. 22](#) repealed (31.10.1994) by [1994 c. 21, s. 67, Sch. 11 Pt. III](#) (with s. 40(7)); [S.I. 1994/2552, art. 2, Sch. 1 Appendix](#)

- 23 Where the whole or part of the land comprised in a compulsory rights order is subject to any such right as is mentioned in sub-paragraph (a) of paragraph 20 of this Schedule, and in any year in which that right subsists, being any such year as is mentioned in subsection (2) of section thirty-one of this Act, the exercise of that right is prevented or injuriously affected by reason of the order or of anything done in the exercise of rights conferred by the order, the said subsection (2) shall have effect in relation to that right as if it were an easement to which that section applies.
- 24 Any agreement for the letting of land or the grant of a licence in respect of land, where, before the agreement was entered into, the letting or grant was approved [<sup>F3</sup>under section 2 of the Act of 1986 or of the Act of 1948 (each of]which relates to the effect of certain lettings and licenses to occupy agricultural land, but excepts lettings and licenses approved [<sup>F4</sup>under that section from the operation of that section)]shall be treated for the purposes of section seventeen of this Act as

---

*Changes to legislation: There are currently no known outstanding effects for the Opencast Coal Act 1958,  
 Cross Heading: Restricted lettings, and easements and similar rights. (See end of Document for details)*

---

conferring a right to occupy the land to which the agreement relates, if apart from this paragraph it would not be treated as conferring such a right.

**Textual Amendments**

- F3** Words substituted by [Agricultural Holdings Act 1986 \(c. 5, SIF 2:3\)](#), ss. 99, 100, Sch. 13 para. 3, **Sch. 14 para. 32(3)(a)**
- F4** Words substituted by [Agricultural Holdings Act 1986 \(c. 5, SIF 2:3\)](#), ss. 99, 100, Sch. 13 para. 3, **Sch. 14 para. 32(3)(b)**

- 25 Where the whole or part of a holding to which section seventeen of this Act applies consists of land occupied under a letting or licence approved [<sup>F5</sup>under section 2 of the Act of 1986 or]of the Act of 1948, and—
- (a) by the agreement under which the land was let or the licence granted a right to use the land for specified purposes was reserved to the person letting the land or granting the licence, as the case may be;
  - (b) the exercise of that right is prevented or injuriously affected by reason of the compulsory rights order or of anything done in the exercise of rights conferred by the order; and
  - (c) that right does not constitute an easement or similar right,
- subsection (2) of section thirty-one of this Act shall have effect in relation to that right as if it were an easement to which that section applies.

**Textual Amendments**

- F5** Words substituted by [Agricultural Holdings Act 1986 \(c. 5, SIF 2:3\)](#), ss. 99, 100, Sch. 13 para. 3, **Sch. 14 para. 32(4)**

**Changes to legislation:**

There are currently no known outstanding effects for the Opencast Coal Act 1958, Cross  
Heading: Restricted lettings, and easements and similar rights.