



Housing Act 1957

1957 CHAPTER 56

PART III

CLEARANCE AND RE-DEVELOPMENT

General provisions as to land affected by provisions of Part III

64 Extinguishment of rights of way, easements, etc.

- (1) A local authority may, with the approval of the Minister, by order extinguish any public right of way over any land purchased by them under this Part of this Act, but an order made by an authority under this subsection shall be published in the prescribed manner, and if any objection thereto is made to the Minister before the expiration of six weeks from the publication thereof, the Minister shall not approve the order until he has caused a public local inquiry to be held into the matter.
- (2) Where a local authority have resolved to purchase under this Part of this Act land over which a public right of way exists, it shall be lawful under the foregoing subsection for the authority to make and the Minister to approve, in advance of the purchase, an order extinguishing that right as from the date on which the buildings on the land are vacated, or at the expiration of such period after that date as may be specified in the order, or as the Minister in approving the order may direct.
- (3) Upon the completion by a local authority of the purchase by them of any land under this Part of this Act, all private rights of way and all rights of laying down, erecting, continuing, or maintaining any apparatus on, under or over that land and all other rights or easements in or relating to that land shall be extinguished and any such apparatus shall vest in the local authority, and any person who suffers loss by the extinguishment or vesting of any such right or apparatus as aforesaid shall be entitled to be paid by the local authority compensation to be determined under and in accordance with the Acquisition of Land (Assessment of Compensation) Act, 1919:

Provided that this subsection shall not apply to any right vested in statutory undertakers of laying down, erecting, continuing or maintaining any apparatus, or to any apparatus belonging to statutory undertakers, and shall have effect as respects other matters

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subject to any agreement which may be made between the local authority and the person in or to whom the right or apparatus in question is vested or belongs.