
Status: Point in time view as at 01/02/1991.

Changes to legislation: Local Government, Planning and Land Act 1980, Cross Heading: Notice for same purposes as paragraph 12 but given by statutory undertakers to Authority is up to date with all changes known to be in force on or before 07 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 20

LAND AUTHORITY FOR WALES: ACQUISITION OF LAND

PART III

SUPPLEMENTAL PROVISIONS

Notice for same purposes as paragraph 12 but given by statutory undertakers to Authority

- 14 (1) Subject to the provisions of this paragraph, where any land has been acquired by the Authority under section 104 above and—
- (a) there is on, under or over the land apparatus vested in or belonging to statutory undertakers; and
 - (b) the undertakers claim that development to be carried out on the land is such as to require, on technical or other grounds connected with the carrying on of their undertaking, the removal or re-siting of the apparatus affected by the development,
- the undertakers may serve on the Authority a notice claiming the right to enter on the land and carry out such works for the removal or re-siting of the apparatus or any part of it as may be specified in the notice.
- (2) Where, after the land has been acquired as mentioned in sub-paragraph (1) above, development of the land is begun to be carried out, no notice under this paragraph shall be served later than 21 days after the beginning of the development.
 - (3) Where a notice is served under this paragraph, the Authority may, before the end of the period of 28 days from the date of service, serve on the statutory undertakers a counter-notice stating that it objects to all or any of the provisions of the notice and specifying the grounds of its objection.
 - (4) If no counter-notice is served under sub-paragraph (3) above, the statutory undertakers shall, after the end of the said period of 28 days, have the rights claimed in their notice.
 - (5) If a counter-notice is served under sub-paragraph (3) above, the statutory undertakers who served the notice under this paragraph may either withdraw it or may apply to the Secretary of State and the appropriate Minister for an order under this paragraph conferring on the undertakers the rights claimed in the notice or such modified rights as the Secretary of State and the appropriate Minister think it expedient to confer on them.
 - (6) Where by virtue of this paragraph or an order of Ministers made under it, statutory undertakers have the right to execute works for the removal or re-siting

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of apparatus, they may arrange with the Authority for the works to be carried out by the Authority, under the superintendence of the undertakers, instead of by the undertakers themselves.

- (7) Where works are carried out for the removal or re-siting of statutory undertakers' apparatus, being works which the undertakers have the right to carry out by virtue of this paragraph or an order of Ministers made under it, the undertakers shall be entitled to compensation from the Authority.
- (8) [^{F1}sections 280 and 282 of the 1990 Act] (measure of compensation for statutory undertakers) shall apply to compensation under sub-paragraph (7) above as they apply to compensation under [^{F1}section 279(4) of the 1990 Act]

Textual Amendments

- F1** Words substituted by [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123:1, 2\)](#), s. 4, [Sch. 2 para. 44\(9\)\(b\)](#)

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