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STATUTORY INSTRUMENTS

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**1974 No. 406**

**The Local Authorities etc. (England)  
(Property etc.: Further Provision) Order 1974**

**Easements and rights over land**

8.—(1) Where parts of any land are in consequence of the principal order vested in two different authorities, and any easement or other right over one part is required to enable the other part to be used, the authority in whom the said other part is vested may serve notice on the authority in whom the said one part is vested specifying such easement or other right and requiring the authority in whom the said one part is vested to grant the same to them on terms specified in the notice.

(2) Any question—

- (a) whether any easement or other right is required to enable the said other part to be used; or
- (b) as to the terms on which any easement or other right shall be conferred,

shall be determined by the decision of a person agreed on by the authorities concerned or in default of agreement appointed by the Secretary of State.

(3) Paragraphs (4) and (5) of article 39 of the principal order (which make provision in relation to the decision of questions) shall apply as if the provision of this article were contained in the principal order.