

Status: Point in time view as at 01/04/1999.

Changes to legislation: Planning and Compensation Act 1991, SCHEDULE 18 is up to date with all changes known to be in force on or before 23 June 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 18

Section 80.

COMPENSATION PROVISIONS REFERRED TO IN SECTION 80

Modifications etc. (not altering text)

- C1** Sch. 18 restricted (9.9.1991) by S.I. 1991/2067, art. 4, **Sch. 2 Pt. I para. 5**, Pt. II para. 6
Sch. 18 restricted (18.9.1991) by S.I. 1991/2092, art. 4, **Sch. 2 Pt. II para. 7**

Commencement Information

- I1** Sch. 18 partly in force: Sch. 18 partly in force (E.W.) for certain purposes at 25.9.1991, see s. 84(2)(3) and S.I. 1991/2067, **art. 3** and wholly in force (E.W.) so far as not already in force, at 2.1.1992 by S.I. 1991/2728, **art. 3**; Sch. 18 partly in force (S.) at 25.9.1991 by S.I. 1991/2092, **art. 3**; Sch. 18 Pt. I in force for certain purposes (S.) at 30.8.1995 by S.I. 1995/2045, **art. 3**

PART I

PROVISIONS THAT DO NOT PROVIDE FOR INTEREST

Modifications etc. (not altering text)

- C2** Sch. 18 Pt. I restricted (18.9.1991) by S.I. 1991/2092, art. 4, **Sch. 2 Pt. I para. 5**

Commencement Information

- I2** Sch. 18 Pt. I partly in force: Sch. 18 Pt. I partly in force (E.W.) for certain purposes at 25.9.1991, see s. 84(2)(3) and S.I. 1991/2067, **art. 3** and wholly in force (E.W.) so far as not already in force, at 2.1.1992 by S.I. 1991/2728, **art. 3**; Sch. 18 Pt. I partly in force (S.) at 25.9.1991 by S.I. 1991/2092, **art. 3**; Sch. 18 Pt. I in force (S.)(30.8.1995) for certain purposes by S.I. 1995/2045, **art. 3**

(1) Enactment	(2) Date from which interest payable
<i>Enactments extending to Great Britain</i>	
Section 10(4)(a) of the M1 Forestry Act 1967	Date of claim for compensation
Section 18(1)(a) of the M2 Reservoirs Act 1975	Date of entry on the land
Section 18(1)(b) of that Act	Date of claim for disturbance

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<p>Section 7 of the M3 Ancient Monuments and Archaeological Areas Act 1979</p>	<p>Date of the refusal, or grant subject to conditions, of scheduled monument consent</p>
<p>Section 9 of that Act</p>	<p>Date works ceased to be authorised</p>
<p>Section 46 of that Act</p>	<p>Date of entry on the land</p>
<p>[^{F1}Section 35A(4) of the Environmental Protection Act 1990</p>	<p>In the case of so much of the compensation as is payable under section 35A– (a)by virtue of paragraph (a) or (b) of regulation 4 (compensation following grant of rights) of the Waste Management Licences (Consultation and Compensation) Regulations 1999: the date of the depreciation; (b)by virtue of paragraph (c), (d) or (e) of that regulation: the date on which the loss is sustained or the damage is done; or where injurious affection is sustained: the date of the injurious affection; (c)by virtue of paragraph (6) of regulation 7 (basis on which compensation assessed) of those Regulations: the date on which the expenses become payable.]</p>
<i>Enactments extending to England and Wales</i>	
<p>Section 31(3) of the M4 Land Compensation Act 1961</p>	<p>Date of withdrawal of notice to treat</p>
<p>Section 11(3) of the M5 Compulsory Purchase Act 1965</p>	<p>Date of entry on the land</p>
<p>F2 ... F2 ... F2</p>	<p>...</p>
<p>Section 23 of the M6 Highways Act 1980</p>	<p>Date which would be the date from which interest is payable if the works were executed under Part V by a highway authority</p>
<p>Section 28(1) of that Act</p>	<p>Date of claim</p>
<p>Section 73(9) of that Act</p>	<p>Date of claim</p>
<p>Section 74(8) of that Act</p>	<p>Date of claim</p>

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Section 77(2) of that Act	In the case of damage sustained by reason of expenditure, the date on which the damage is sustained; otherwise the date of claim
Section 79(11) of that Act	In the case of loss, the date of the notice; and in the case of injurious affection, the date of claim
Section 79(12) of that Act	Date of service of the notice
Section 126(2) of that Act	Date of claim
Section 231 of that Act	In the case damage sustained by reason of expenditure, the date on which the damage is sustained; otherwise the date of claim
Section 292(1) of that Act	In the case of damage, the date of entry; in the case of disturbance, the date of claim
Section 57 of the M7 Public Health (Control of Disease) Act 1984	In the case damage sustained by reason of expenditure, the date on which the damage is sustained; otherwise the date of claim
Section 106 of the M8 Building Act 1984	In the case damage sustained by reason of expenditure, the date on which the damage is sustained; otherwise the date of claim
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Section 107(1) of the principal Act	Date of order under section 97

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Section 107(1) of that Act as applied by section 108(1)	Date planning permission is refused or granted subject to conditions
Section 115 of that Act	Date damage suffered or expenses incurred
Section 144(2) of that Act	Date of direction under section 141(3)
Section 186 of that Act	Date of service of stop notice
Section 203 of that Act	Date consent required by tree preservation order is refused or granted subject to conditions
Section 204 of that Act	Date direction is given by local planning authority or Secretary of State
Section 223 of that Act	Date expenses incurred
Section 250 of that Act	Date of order under section 249(2)
Section 279(1) of that Act	Date of decision made in accordance with section 266 or of order under section 97
Section 279(2) of that Act	Date right extinguished or requirement imposed
Section 28 of M9	Date of order under section 23
Planning (Listed Buildings and Conservation Areas) Act 1990	
Section 29 of that Act	Date building preservation notice served
Section 16 of the M10	Date of order under section 14(1)
Planning (Hazardous Substances) Act 1990	
Section 19 of that Act	Date of modification or revocation of hazardous substances consent
[^{F3} Paragraph 1 of Schedule 9 to the Water Resources Act 1991	Date of entry upon or occupation or use of land
Paragraph 2(2) or (3) of that Schedule	Date of the ordinary drought order [^{F4} or the drought permit]
Paragraph 2(4) of that Schedule	Date of decision to prohibit or limit the taking of water
Paragraph 2(5) of that Schedule	Date of suspension or variation of consent to make discharges or of the attachment of conditions to such consent
Paragraph 2(1) of Schedule 21 to that Act	Date of claim
Paragraph 2(2) or (3) of that Schedule	In the case of damage sustained by reason of expenditure, the date on which the damage is sustained; otherwise the date of claim
Paragraph 4(1)(b) of that Schedule	Date loss is caused or damage done

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Paragraph 5(1) of that Schedule (including that provision as applied by paragraph 5(3) (b) of that Schedule)	Date of claim
Paragraph 2(1) of Schedule 12 to the Water Industry Act 1991	Date of claim
Paragraph 2(2) or (3) of that Schedule	In the case of damage sustained by reason of expenditure, the date on which the damage is sustained; otherwise the date of claim
Paragraph 6(1)(b) of that Schedule	Date loss is caused or damage done
Section 14 of the Land Drainage Act 1991 (including that provision as applied by section 25(4)(b))	Date of claim
Section 22 of that Act	Date of claim
Section 29(5) of that Act (including that provision as applied by sections 30(3) and 31(5))	Date of claim]
<i>Enactments extending to Scotland</i>	
Section 2 of the M11 Land Drainage (Scotland) Act 1930	Date loss is caused or damage done
Section 1 of the M12 Land Drainage (Scotland) Act 1941	Date of injury or damage
Section 4 of the M13 Land Drainage (Scotland) Act 1958	Date damage is suffered
Section 39(3) of the M14 Land Compensation (Scotland) Act 1963	Date of withdrawal of notice to treat
[^{F5} Section 76 of the Town and Country Planning (Scotland) Act 1997	Date of order under section 65
Section 77 of that Act	Date permission is refused or granted subject to conditions
Section 83 of that Act	Date damage suffered or expenses incurred
Section 95 of that Act	Date of direction under section 92(3)
Section 143 of that Act	Date of service of stop notice
Section 165 of that Act	Date consent required by tree preservation order is refused or granted subject to conditions
Section 166 of that Act	Date requirement is imposed by planning authority or Secretary of State
Section 185 of that Act	Date expenses incurred

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Section 204(1) of that Act	Date on which order takes effect
Section 232 of that Act	Date planning permission refused or granted subject to conditions
Paragraph 1 of Schedule 13 to that Act	Date order made
Section 25 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997	Date of order under section 21
Section 26 of that Act	Date building preservation notice served
Section 14 of the Planning (Hazardous Substances) (Scotland) Act 1997	Date of order revoking or modifying consent
Section 17 of that Act	Date of modification or revocation of consent]
Section 10 of the M15 Water (Scotland) Act 1980	Date damage sustained
Schedule 6 to that Act	Date source or land is affected or injury is sustained
Section 71 of the M16 Roads (Scotland) Act 1984	Date access stopped up or limited
Section 72 of that Act	Date access stopped up
Section 83(8) of that Act	As regards expenses, date expenses incurred; as regards injurious effect, date injury sustained
Section 88(2) of that Act	Date on which damage sustained
Section 106 of that Act	As regards compulsory acquisition, date on which compulsory purchase notice first published; as regards acquisition by agreement, date agreement made.
Section 116 of that Act	Date on which damage sustained
Section 121 of that Act	Date on which damage done or materials removed
Section 140 of that Act	Date of damage or disturbance

Textual Amendments

- F1** Entry in Sch. 18 Pt. I inserted (1.4.1999) by S.I. 1999/648, **art. 2(2)(a)**
- F2** Entries in Sch. 18 Pt. I repealed (E.W.)(01.12.1991) by [Water Consolidation \(Consequential Provisions\) Act 1991 \(c. 60, SIF 130\)](#), ss. 2, 4(2), **Sch. 3, Pt. I** (with Sch. 2 paras. 12, 14(1), 15).
- F3** Entries in Sch. 18 Pt. I inserted (E.W.)(01.12.1991) by [Water Consolidation \(Consequential Provisions\) Act 1991 \(c. 60, SIF 130\)](#), ss. 2, 4(2), **Sch. 1 para. 58**.
- F4** Words in Sch. 18 Pt. I inserted (1.4.1996) by S.I. 1996/593, reg. 3, **Sch. 2 para. 7**
- F5** Entries substituted (27.5.1997) for the entries relating to the 1972 Act by [1997 c. 11, ss. 4, 6\(2\)](#), **Sch. 2 para. 49(2)** (with s. 5, Sch. 3)

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Marginal Citations

M1	1967 c. 10
M2	1975 c. 23
M3	1979 c. 46
M4	1961 c. 33
M5	1965 c. 56
M6	1980 c. 66
M7	1984 c. 22
M8	1984 c. 55
M9	1990 c. 9
M10	1990 c. 10
M11	1930 c. 20
M12	1941 c. 13
M13	1958 c. 24
M14	1963 c. 51
M15	1980 c. 45
M16	1984 c. 54

PART II

PROVISIONS THAT PROVIDE FOR INTEREST

Commencement Information

I3 Sch. 18 Pt. II partly in force; Sch. 18 Pt. II in force (E.W.) for certain purposes at 25.9.1991, see s. 84(2) (3) and S.I. 1991/2067, art. 3 and wholly in force (E.W.) so far as not already in force, at 2.1.1992 by S.I. 1991/2728, art. 3; Sch. 18 Pt. II in force (S.) for certain purposes at 25.9.1991 by S.I. 1991/2092, art. 3

Enactments extending to England and Wales

Section 23 of the ^{M17}Land Compensation Act 1961 (permission for additional development granted after acquisition).

Marginal Citations

M17 1961 c. 33.

The following provisions of the ^{M18}Compulsory Purchase Act 1965—
section 5 (notice to treat ceasing to have effect), and
section 11(1) (entry on land under compulsory purchase powers).

Marginal Citations

M18 1965 c. 56.

The following provisions of the ^{M19}Land Compensation Act 1973—

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section 18 (claims under Part I of that Act),

section 36(6) (farm loss payment),

section 37(6) (disturbance payments), and

section 63(1) (injurious affection payments under section 10 of the Compulsory Purchase Act 1965).

Marginal Citations

M19 1973 c. 26.

[^{F6}Rule 32 of the Lands Tribunal Rules 1996 ^{M20}] (awards with interest by Lands Tribunal).

Textual Amendments

F6 Words in *Sch. 18 Pt. II* substituted (1.4.1999) by *S.I. 1999/648, art. 2(3)*

Marginal Citations

M20 *S.I. 1996/1022*, amended by *S.I. 1997/1965* and 1998/2.

Enactments extending to Scotland

Sections 84 to 86 of the ^{M21}Lands Clauses Consolidation (Scotland) Act 1845.

Marginal Citations

M21 1845 c. 19.

Paragraph 3 of Schedule 2 to the ^{M22}Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947.

Marginal Citations

M22 1947 c. 42.

Section 31 (compensation where planning decision made after acquisition) of the ^{M23}Land Compensation (Scotland) Act 1963.

Marginal Citations

M23 1963 c. 51.

The following provisions of the ^{M24}Land Compensation (Scotland) Act 1973—

section 16 (interest on compensation),

section 33(6) (supplementary provisions about farm loss payments),

section 34(5) (disturbance payments for people without compensatable interests),

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section 59 (interest on compensation for injurious affection where no land taken).

Marginal Citations

M24 [1973 c. 56.](#)

Section 78 of this Act.

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