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*Status: Point in time view as at 03/04/2006.*

*Changes to legislation: There are currently no known outstanding effects for the Postal Services Act 2000, Paragraph 8. (See end of Document for details)*

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## SCHEDULES

### SCHEDULE 5

#### ACQUISITION OF LAND

#### PART II

##### PROCEDURE, COMPENSATION ETC (ENGLAND AND WALES)

###### *New rights: specific adaptations of 1965 Act*

8 In section 8 of that Act (protection for vendor against severance of house, garden, etc.), for subsection (1) there shall be substituted—

“(1) Subject to subsections (1A) to (1C), no person shall be required to grant any right over part only—

- (a) of any house, building or manufactory, or
- (b) of a park or garden belonging to a house,

if he is willing to sell the whole of the house, building, manufactory, park or garden.

(1A) The Lands Tribunal may determine that—

- (a) in the case of a house, building or manufactory, the part over which the right is proposed to be acquired can be made subject to that right without material detriment to the house, building or manufactory, or
- (b) in the case of a park or garden, the part over which the right is proposed to be acquired can be made subject to that right without seriously affecting the amenity or convenience of the house.

(1B) If the Lands Tribunal make such a determination, the Tribunal shall award compensation in respect of any loss due to the acquisition of the right, in addition to its value; and the owner shall be required to grant to the acquiring authority that right over the part of the house, building, manufactory, park or garden.

(1C) In considering for the purposes of subsection (1A)—

- (a) the extent of any material detriment to a house, building or manufactory, or
- (b) any extent to which the amenity or convenience of a house is affected,

the Lands Tribunal shall have regard not only to the right which is to be acquired over the land, but also to any adjoining or adjacent land belonging to the same owner and subject to compulsory purchase.”

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