



# Housing and Planning Act 2016

## 2016 CHAPTER 22

### PART 7

#### COMPULSORY PURCHASE ETC

##### *Power to override easements and other rights*

#### **204 Compensation for overridden easements etc**

- (1) A person is liable to pay compensation for any interference with a relevant right or interest or breach of a restriction that is authorised by section 203.
- (2) The compensation is to be calculated on the same basis as compensation payable under sections 7 and 10 of the Compulsory Purchase Act 1965.
- (3) Where a person other than a specified or qualifying authority is liable to pay compensation under this section but has not paid—
  - (a) the liability is enforceable against the authority, but
  - (b) the authority may recover from that person any amount it pays out.
- (4) The specified or qualifying authority against which a liability is enforceable by virtue of subsection (3)(a) is the specified or qualifying authority in which the land to which the compensation relates was vested, or by which the land was acquired or appropriated, as mentioned in section 203.
- (5) Any dispute about compensation payable under this section may be referred to and determined by the Upper Tribunal.