



Land Compensation Act 1961

1961 CHAPTER 33 9 and 10 Eliz 2

PART I

DETERMINATION OF QUESTIONS OF DISPUTED COMPENSATION

Modifications etc. (not altering text)

- C1** Pt. 1 (ss. 1-4) applied (with modifications) by Agriculture (Miscellaneous Provisions) Act 1968 (c. 34), s. 13(3), Sch. 3 paras. 4, 5; applied by Channel Tunnel Act 1987 (c. 53, SIF 102), ss. 6, 35, Sch. 2 paras. 4(3), 7(3), 13(9), 14(8), 16(8), Sch. 4 para 4(5), **Sch. 5 Pt. III para. 6(2)**; applied by Dartford-Thurrock Crossing Act 1988 (c. 20, SIF 59), ss. 2(5), 3, Sch. 2 Pt. II para. 5(2), Sch. 3 paras 1(9), **2(5)**; applied (13.2.1992) by Severn Bridges Act 1992 (c. 3), ss. 2(6), 3, Sch. 2 Pt. II para. 4(2), Pt. III para. 7(7)(8), **Sch. 3 para. 1(6)**.
- Pt. 1 (ss. 1-4) applied (21.7.1994) by 1994 c. xi, **ss. 19(3)**, 20(4), 23(7), 29(3), 34(6), 41(3) (with s. 39)
- Pt. 1 (ss. 1-4) applied (21.7.1994) by 1994 c. xv, **ss. 10(2)(b)**, 22(g), 27(3), 34(7), 61(2)(3) (with s. 47)
- Pt. 1 (ss. 1-4) applied (11.11.1996) by S.I. 1996/2714, **arts. 10(4)**, 18(6), 21(5), 28(3), 29(6), 32(4), 40(4)
- Pt. 1 (ss. 1-4) applied (18.12.1996) by 1996 c. 61, s. 2, **Sch. 2 para. 8(2)(3)**
- Pt. 1 (ss. 1-4) applied (18.12.1996) by 1996 c. 61, s. 2, **Sch. 2 para. 10(8)**
- Pt. 1 (ss. 1-4) applied (18.12.1996) by 1996 c. 61, s. 3, **Sch. 3 para. 3(3)**
- Pt. 1 (ss. 1-4) applied (18.12.1996) by 1996 c. 61, s. 6, **Sch. 5 para. 1(5)(6)**
- Pt. 1 (ss. 1-4) applied (18.12.1996) by 1996 c. 61, s. 6, **Sch. 5 para. 4(7)(8)**
- Pt. 1 (ss. 1-4) applied (18.12.1996) by 1996 c.61, s. 6, **Sch. 5 para. 5(3)**
- Pt. 1 (ss. 1-4) applied (18.12.1996) by 1996 c. 61, s. **7(4)(5)**
- Pt. 1 (ss. 1-4) applied (18.12.1996) by 1996 c. 61, s. 44, **Sch. 12 Pt. II**, para. 3(6)
- Pt. 1 (ss. 1-4) applied (10.2.1997) by S.I. 1997/264, **arts. 7(4)**, 14(10), 15(5), 16(6), 20(3), 24(3)
- Pt. 1 (ss. 1-4) applied (21.5.1997) by S.I. 1997/1266, **arts. 11(5)**, 19(6), 21(5), 30(6), 33(4) (with art. 41)
- Pt. 1 (ss. 1-4) applied (27.8.1998) by S.I. 1998/1936, **art. 11(6)**, 19(6), 21(1), 32(6), 33(7), 36(4) (with art. 45)
- Pt. 1 (ss. 1-4) applied (13.1.1999) by S.I. 1998/3269, **art. 9(5)**, 16(7), 18(4), 27(3)
- Pt. 1 (ss. 1-4) applied (19.2.1999) by S.I. 1999/537, **art. 10(6)**
- Pt. 1 (ss. 1-4) applied (30.4.1999) by S.I. 1999/1306, **arts. 1**, 12(5), 14(6), 15(7), 21(3)
- Pt. 1 (ss. 1-4) applied (18.5.1999) by S.I. 1999/1664, **arts. 8(4)**, 9(6), 10(7) (with art. 18)

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- Pt. 1 (ss. 1-4) applied (20.8.1999) by S.I. 1999/2336, **arts. 8(3)**, 9(7), 17(6), 20(3)
- Pt. 1 (ss. 1-4) applied (23.8.1999) by S.I. 1999/2981, **arts. 6(5)**, 13(10), 14(5), 20(6), 21(7), 24(3), 25(2), 27
- Pt. 1 (ss. 1-4) applied (3.6.1999) by S.I. 1999/1555, **art. 7(2)**
- Pt. 1 (ss. 1-4) applied (24.12.1999) by S.I. 2000/428, **art. 8(4)**
- Pt. 1 (ss. 1-4) applied (29.3.2001) by S.I. 2001/1347, **arts. 11(6)**, 19(10), 21(5), 27(3), 28(6), 29(7), 32(3) (with **arts. 15, 37, 38(2)**)
- Pt. 1 (ss. 1-4) applied (2.3.2001) by S.I. 2001/1368, **arts. 10(3)**, 13(4)
- Pt. 1 (ss. 1-4) applied (2.3.2001) by S.I. 2001/1369, **arts. 8(3)**, 11(4)
- Pt. 1 (ss. 1-4) applied (18.7.2001) by S.I. 2001/2870, **art. 10(7)**
- Pt. 1 (ss. 1-4) applied (24.7.2001) by S.I. 2001/3627, **arts. 11(6)**, 27(6), 29(10), 32(5)(6), 40(3), 41(6), 42(7)(8), 45(4), 55(3)(4)
- Pt. 1 (ss. 1-4) applied (9.11.2001) by S.I. 2001/3682, **arts. 7(4)(5)**, 15(10), 16(5), 22(3), 26(3)(4) (with **Sch. 12 para. 2**)
- Pt. 1 (ss. 1-4) applied (30.4.2002) by S.I. 2002/1065, **arts. 7(11)**, 8(4), 14(6), 15(7), 19(3)
- Pt. 1 (ss. 1-4) applied (12.8.2002) by S.I. 2002/1943, **arts. 8(4)**, 9(7) (with **art.9(8)(9)**)
- Pt. 1 (ss. 1-4) applied (31.5.2002) by S.I. 2002/1327, **arts. 10(2)**(subject to **Sch. 2, para. 5**), 15(5), 26(4)
- Pt. 1 (ss. 1-4) applied (14.3.2002) by S.I. 2002/412, **arts. 13(5)**, 19(3), 22(2), 28(3), (with saving in **art. 38**)
- Pt. 1 (ss. 1-4) applied (31.12.2002) by S.I. 2002/3127, **art. 7(3)** (with **arts. 16, 17**)
- C2** Pt. 1 (ss. 1-4) applied (28.4.2003) by Network Rail (West Coast Main Line) Order 2003 (S.I. 2003/1075), **arts. 1, 7(4)**, 9(2), 13(8), 30(6) (with **art. 40**)
- C3** Pt. 1 (ss. 1-4) applied (4.3.2004) by The Network Rail (West Coast Main Line) Order 2004 (S.I. 2004/389), **arts. 1, 7(4)**, 8(5), 9(5), 11(2), 12(8), 20(10), 21(5), 27(3), 28(7), 31(3) (with **art. 38**)
- C4** Pt. 1 (ss. 1-4) applied (2.4.2004) by Docklands Light Railway (Woolwich Arsenal Extension) Order 2004 (S.I. 2004/757), **arts. 1, 10(6)**, 19(10), 21(5), 29(3), 30(8) (with **arts. 30(9), 31(7), 32(5), 35(4)(5), Sch. 12 para. 2**)
- C5** Pt. 1 (ss. 1-4) applied (19.11.2004) by Scarweather Sands Offshore Wind Farm Order 2004 (S.I. 2004/3054), **arts. 1, 6(6)**, 7(5), 21(5)(6) (with **art. 38**)
- C6** Pt. 1 (ss. 1-4) applied (28.1.2005) by East Midlands Parkway Station (Land Acquisition) Order 2005 (S.I. 2005/8), **arts. 1, 9(3)**
- C7** Pt. 1 (ss. 1-4) applied (11.2.2005) by Merseytram (Liverpool City Centre to Kirkby) Order 2005 (S.I. 2005/120), **arts. 1, 11(6)**, 19(8), 22(10), 25(5), 35(3), 36(6), 37(7), 40(4), 71(8) (with **arts. 65, 66**)
- C8** Pt. 1 (ss. 1-4) applied (22.3.2005) by Midland Metro (Wednesbury to Brierley Hill and Miscellaneous Amendments) Order 2005 (S.I. 2005/927), **arts. 12**, 13(6), 21(6), 23(6), 24(10), 26(5), 28(3), 33(3)(4), 34(6), 35(7), 36(8), 39(3), **Sch. 10 para. 2** (with **arts. 23(7), 24(9)(11), 34(7), 35(8), 39(4)(8), 51**)
- C9** Pt. 1 (ss. 1-4) applied (4.5.2005) by The Telford Railfreight Terminal (Donnington) Order 2005 (S.I. 2005/1163), **arts. 1, 9(5)**, 10(6), 12(8), 18(2)
- C10** Pt. 1 (ss. 1-4) applied (22.7.2005) by Midland Metro (Birmingham City Centre Extension, etc.) Order 2005 (S.I. 2005/1794), **arts. 1, 12(2)**, 20(6), 21(10), 23(5), 29(3), 30(6), 31(7), 32(7), 35(3) (with **arts. 21(11), 29(4), 30(7), 31(8), 35(4), 35(8), 47**)
- C11** Pt. 1 (ss. 1-4) applied (3.8.2005) by The Greater Manchester (Leigh Busway) Order 2005 (S.I. 2005/1918), **arts. 1, 41(4)**
- C12** Pt. 1 (ss. 1-4) applied (26.8.2005) by River Tyne (Tunnels) Order 2005 (S.I. 2005/2222), **arts. 1, 14(10)**, 16(5), 27(6), 28(7), 31(4), 32(3) (with **arts. 45(1), 48, Sch. 10 paras. 21, 29**)
- C13** Pt. 1 (ss. 1-4) applied (8.10.2005) by Leicestershire County Council (Ashby de la Zouch Canal Extension) Order 2005 (S.I. 2005/2786), **arts. 1, 15(4)(5)**, 19(6)(7), 22
- C14** Pt. 1 (ss. 1-4) applied (25.11.2005) by Docklands Light Railway (Capacity Enhancement) Order 2005 (S.I. 2005/3105), **arts. 1, 12(7)**, 20(10), 22(5), 29, 30(6), 31(7), 34(4), 38(4) (with **arts. 3(5), 15(3)**)
- C15** Pt. 1 (ss. 1-4) applied (11.1.2006) by The Cambridgeshire Guided Busway Order 2005 (S.I. 2005/3523), **arts. 1, 10(4)**, 19(5), 27(3), 28(6), 29(7), 32(4), 43(3) (with **arts. 19(6), 28(7), 52**)
- C16** Pt. 1 (ss. 1-4) applied (3.7.2006) by Port of Blyth (Battleship Wharf Railway) Order 2006 (S.I. 2006/1518), **arts. 1, 9(4)**

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- C17** Pt. 1 (ss. 1-4) applied (14.9.2006) by [The Borough of Poole \(Poole Harbour Opening Bridges\) Order 2006 \(S.I. 2006/2310\)](#), arts. 1, **5(6), 8(4)**, 15(10), 16(5), 23(6), 24(7), 27, 28(2) (with arts. 23(7), 24(8), 28(3), 40, Sch. 7 para. 12)
- C18** Pt. 1 (ss. 1-4) applied (22.11.2006) by [Docklands Light Railway \(Stratford International Extension\) Order 2006 \(S.I. 2006/2905\)](#), arts. 1, **10(6)**, 11(6), 16(10), 18(5), 26(3), 27(6), 28(7), 31(4), 34(4) (with arts. 27(7), 28(8), 31(5), 43)
- C19** Pt. 1 (ss. 1-4) applied (13.12.2006) by [Luton Dunstable Translink Order 2006 \(S.I. 2006/3118\)](#), arts. 1, **9(6), 10(7), 16(10), 17(5), 23(3), 24(6)**, 27(3), 33(3)
- C20** Pt. 1 (ss. 1-4) applied (13.12.2006) by [The Network Rail \(Thameslink 2000\) Order 2006 \(S.I. 2006/3117\)](#), arts. 1, **15(8)**, 16(8), 22(10), 23(5), 28(3), 29(6), 32(3) (with arts. 34, 35(2))
- C21** Pt. 1 (ss. 1-4) applied (19.3.2007) by [Ouseburn Barrage Order 2007 \(S.I. 2007/608\)](#), arts. 1, **6(3)(4), 7(4)(5), 28(7), 31(4)** (with arts. 46-48, Sch. 5 para. 2, Sch. 6 para. 23)
- C22** Pt. 1 (ss. 1-4) applied (23.8.2007) by [Docklands Light Railway \(Capacity Enhancement and 2012 Games Preparation\) Order 2007 \(S.I. 2007/2297\)](#), arts. 1, **9(6), 10(6), 14(5), 16(10), 18(5), 25(3), 26(6), 27(7), 30(4), 32(4)** (with arts. 3(6), 12(3))
- C23** Pt. 1 (ss. 1-4) applied (28.9.2007) by [London Gateway Logistics and Commercial Centre Order 2007 \(S.I. 2007/2657\)](#), arts. 1, **12(3)** (with arts. 19, 28, Sch. 3 para. 13(2))
- C24** Pt. 1 (ss. 1-4) applied (17.12.2007) by [Felixstowe Dock and Railway Company \(Land Acquisition\) Order 2007 \(S.I. 2007/3345\)](#), arts. 1(1), **7(2)**
- C25** Pt. 1 (ss. 1-4) applied (16.5.2008) by [London Gateway Port Harbour Empowerment Order 2008 \(S.I. 2008/1261\)](#), arts. 1, **22(5), 32(2)** (with arts. 41(1), 45, 54(2), 55, 56, 57, 58(6))
- C26** Pt. 1 (ss. 1-4) applied (21.5.2008) by [Teesport \(Land Acquisition\) Order 2008 \(S.I. 2008/1238\)](#), arts. 1(1), **6(6)**, 8(4)
- C27** Pt. 1 (ss. 1-4) applied (22.7.2008) by [Crossrail Act 2008 \(c. 18\)](#), s. **8(8)**, Sch. 2 paras. 7(2), 9(8), 10(6), Sch. 3 para. 3(3), Sch. 5 paras. 1(5), 3(3), 4(7), 5(4)
- C28** Pt. 1 (ss. 1-4) applied (14.10.2008) by [Felixstowe Branch Line and Ipswich Yard Improvement Order 2008 \(S.I. 2008/2512\)](#), arts. 1, **8(6)**, 10(6), 17(6), 18(3), 20(10), 21(5), 26, 27(6), 28(7), 32(4), 35(3) (with arts. 21(6), 32(5), 36(3))
- C29** Pt. 1 (ss. 1-4) applied (29.12.2008) by [Network Rail \(Thameslink\) \(Land Acquisition\) Order 2008 \(S.I. 2008/3163\)](#), arts. 1, **12(3)**
- C30** Pt. 1 (ss. 1-4) applied (9.6.2009) by [Nottingham Express Transit System Order 2009 \(S.I. 2009/1300\)](#), arts. 1, **11(6)**, 12(6), 20(5), 22(10), 25(5), 35(3)(5), 36(6), 37(7), 41(4), 51(3), 76(8) (with arts. 25(6), 37(8), 41(5), 45(2), 51(3), Sch. 13 para. 14(2), Sch. 14 para. 19, Sch. 16)
- C31** Pt. 1 (ss. 1-4) applied (18.9.2009) by [London Underground \(Victoria Station Upgrade\) Order 2009 \(S.I. 2009/2364\)](#), arts. 1, 8(3), 9(8), 14(10), 16(5), 23(3), 24(6), 25(7), 29(4), 35(7)
- C32** Pt. 1 (ss. 1-4) applied (28.10.2009) by [Network Rail \(Reading\) \(Land Acquisition\) Order 2009 \(S.I. 2009/2728\)](#), arts. 1, **9(3), 10(6), 11(3)**, 12(7), 16(4)
- C33** Pt. 1 (ss. 1-4) applied (20.7.2010) by [The Network Rail \(Nuneaton North Chord\) Order 2010 \(S.I. 2010/1721\)](#), arts. 1, **20(7), 24(3), 27(3)**
- C34** Pt. 1 (ss. 1-4) applied (27.8.2010) by [The Llangollen and Corwen Railway Order 2010 \(S.I. 2010/2136\)](#), arts. 1(1), **8(5), 12(3)**
- C35** Pt. 1 (ss. 1-4) applied (1.2.2011) by [The River Mersey \(Mersey Gateway Bridge\) Order 2011 \(S.I. 2011/41\)](#), arts. 1, **8(6), 9(6)**, 15(10), 16(5), 17(4), 25(3), 28(6), 29(7), 33(4), 48(3) (with art. 51, Sch. 10 paras. 68, 85)
- C36** Pt. 1 (ss. 1-4) applied (21.4.2011) by [The Network Rail \(Hitchin \(Cambridge Junction\)\) Order 2011 \(S.I. 2011/1072\)](#), arts. 1, **9(4), 10(6)**, 15(5), 23(3), 24(7), 25(7), 29(4), 32(3)
- C37** Pt. 1 (ss. 1-4) applied (7.8.2012) by [The Ipswich Barrier Order 2012 \(S.I. 2012/1867\)](#), arts. 1, **6(8)**, 7(5), 27(6), 28(7), 32(4) (with arts. 46-48, Sch. 8 para. 18)
- C38** Pt. 1 (ss. 1-4) applied (12.8.2012) by [The Hinkley Point \(Temporary Jetty\) \(Land Acquisition\) Order 2012 \(S.I. 2012/1924\)](#), arts. 1, **9(3)**
- C39** Pt. 1 (ss. 1-4) applied (16.8.2012) by [The Hinkley Point Harbour Empowerment Order 2012 \(S.I. 2012/1914\)](#), arts. 1(1), **19(5)**, 20(3) (with arts. 34, 35, 37, 40)

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- C40** Pt. 1 (ss. 1-4) applied (26.9.2012) by [The Network Rail \(Ipswich Chord\) Order 2012 \(S.I. 2012/2284\)](#), arts. 1, **11(7)**, 13(10), 15(5), 19(5), 23(6)(7), 27(3) (with arts. 23(7), 26(2))
- C41** Pt. 1 (ss. 1-4) applied (6.11.2012) by [The Network Rail \(North Doncaster Chord\) Order 2012 \(S.I. 2012/2635\)](#), arts. 1, **13(4)**, 15(6), 19(4), 21(5), 25(5), 29(4)(5), 30(6), 36(3) (with art. 35(2))
- C42** Pt. 1 (ss. 1-4) applied (13.11.2012) by [The Chiltern Railways \(Bicester to Oxford Improvements\) Order 2012 \(S.I. 2012/2679\)](#), arts. 1, **9(6)**, 10(6), 15(4), 17(3), 20(10), 21(5), 28(3), 29(6), 30(7), 35(4), 40(3) (with art. 42(2))
- C43** Pt. 1 (ss. 1-4) applied (28.3.2013) by [The Network Rail \(Seaham Level Crossing\) Order 2013 \(S.I. 2013/533\)](#), arts. 1, **3(4)**, 8(6), 12(3)
- C44** Pt. 1 (ss. 1-4) applied (9.4.2013) by [The Hinkley Point C \(Nuclear Generating Station\) Order 2013 \(S.I. 2013/648\)](#), arts. 1, **15(8)**, **17(5)**, 22(10), 23(5), 28(4), 32(4), 33(6), 34(7), 41(3), 42(4) (with arts. 28(5), 33(7)(11), 34(8), 48, 68, 79)
- C45** Pt. 1 (ss. 1-4) applied (15.6.2013) by [The Galloper Wind Farm Order 2013 \(S.I. 2013/1203\)](#), arts. 1, **15(5)**, 19(5), 22(4), 23(7), 24(7) (with arts. 11, 12)
- C46** Pt. 1 (ss. 1-4) applied (15.8.2013) by [The North Blyth Biomass Power Station Order 2013 \(S.I. 2013/1873\)](#), arts. 1, **12(5)**, **13(3)**, **16(4)**, **17(3)** (with arts. 17(4), 30)
- C47** Pt. 1 (ss. 1-4) applied (22.8.2013) by [The Leeds Railway Station \(Southern Entrance\) Order 2013 \(S.I. 2013/1933\)](#), arts. 1, **8(3)**, **9(5)**, **14(10)**, 15(5), 16(4), 26(3), 27(7), 28(7), 32(4), 35(3)
- C48** Pt. 1 (ss. 1-4) applied (6.11.2013) by [The Transport for Greater Manchester \(Light Rapid Transit System\) \(Second City Crossing\) Order 2013 \(S.I. 2013/2587\)](#), arts. 1, **13(6)**, **19(7)**, 21(10), 23(5), 31(3), 32(6), 33(7), 37(4) (with arts. 31(5), 32(7), 33(8), 38(2), 42, 43)
- C49** Pt. 1 (ss. 1-4) applied (20.11.2013) by [The M1 Junction 10a \(Grade Separation\) Order 2013 \(S.I. 2013/2808\)](#), arts. 1, **17(5)**, **25(6)**, 30(3), 31(4)
- C50** Pt. 1 (ss. 1-4) applied (21.11.2013) by [The Network Rail \(Redditch Branch Enhancement\) Order 2013 \(S.I. 2013/2809\)](#), arts. 1, **14(5)**, 18(5), 24(7), 28(3) (with arts. 24(8), 27(2), 39, Sch. 10 para. 4)
- C51** Pt. 1 (ss. 1-4) applied (with modifications) (21.11.2013) by [The Network Rail \(Redditch Branch Enhancement\) Order 2013 \(S.I. 2013/2809\)](#), arts. 1, **23(6)** (with arts. 16(2), 23(7), 27(2), 39, Sch. 10 para. 4)
- C52** Pt. 1 (ss. 1-4) applied (9.1.2014) by [The Ashton Vale to Temple Meads and Bristol City Centre Rapid Transit Order 2013 \(S.I. 2013/3244\)](#), arts. 1, **10(7)**, 11(6), 16(5), 18(10), 20(5), 27(3), 28(7), 29(7), 33(4), 41(3) (with arts. 57, 58, Sch. 9 para. 2, Sch. 11 para. 19)
- C53** Pt. 1 (ss. 1-4) applied (9.1.2014) by [The National Grid \(King's Lynn B Power Station Connection\) Order 2013 \(S.I. 2013/3200\)](#), arts. 1, **16(10)**, 17(5), 18(4), 24(4), 25(7), 26(7), 30(3) (with arts. 16(9), 20(2), 24(5), 25(8), 26(8))
- C54** Pt. 1 (ss. 1-4) applied (11.3.2014) by [The Crossrail \(Paddington Station Bakerloo Line Connection\) Order 2014 \(S.I. 2014/310\)](#), arts. 1, **7(10)**, 13(6)
- C55** Pt. 1 (ss. 1-4) applied (21.4.2014) by [The Network Rail \(Norton Bridge Area Improvements\) Order 2014 \(S.I. 2014/909\)](#), arts. 1, **11(4)**, 13(5), 17(4), 19(5), 23(5), 27(5)(6), 28(6), 29(6), 30(7), 35(3) (with art. 34(2))
- C56** Pt. 1 (ss. 1-4) applied (7.5.2014) by [The National Grid \(North London Reinforcement Project\) Order 2014 \(S.I. 2014/1052\)](#), arts. 1, **12(4)**, **14(6)**, **18(10)**, **19(5)**, **20(7)(b)**, 26(5), 30(4), 31(6), 32(7), 37(3) (with art. 35)
- C57** Pt. 1 (ss. 1-4) applied (7.7.2014) by [The East Anglia ONE Offshore Wind Farm Order 2014 \(S.I. 2014/1599\)](#), arts. 1, **10(5)**, 18(4), 22(4), 23(6), 24(7), 32(3) (with arts. 23(7), 37, 38, Sch. 9 para. 19)
- C58** Pt. 1 (ss. 1-4) applied (24.7.2014) by [The Daventry International Rail Freight Interchange Alteration Order 2014 \(S.I. 2014/1796\)](#), arts. 1, **18(5)**, **22(4)**, 26(3) (with arts. 22(5), 24(2), 26(4)(5), Sch. 6 para. 3)
- C59** Pt. 1 (ss. 1-4) applied (29.7.2014) by [The Felixstowe Branch Line \(Land Acquisition\) Order 2014 \(S.I. 2014/1821\)](#), arts. 1, **7(3)**, **8(6)**, **9(7)**
- C60** Pt. 1 (ss. 1-4) applied (6.8.2014) by [The Rampion Offshore Wind Farm Order 2014 \(S.I. 2014/1873\)](#), arts. 1, **16(4)**, **21(6)**, 26(4), 30(4), 31(6), 32(7), 37(3), 38(4) (with arts. 7(6), 12, 13, 26(5), 30(5), 31(7), 32(8), Sch. 12 Pt. 1 para. 19, Pt. 2 para. 6, Pt. 3 para. 5, Pt. 4 para. 4, Pt. 5 para. 4)

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- C61** Pt. 1 (ss. 1-4) applied (19.8.2014) by [The Network Rail \(Huyton\) Order 2014 \(S.I. 2014/2027\)](#), arts. 1, **8(2)**, 14(10), 21(6), 22(7), 26(5), 30(3) (with arts. 21(7), 22(8), 26(6), 31(2))
- C62** Pt. 1 (ss. 1-4) applied (18.9.2014) by [The A556 \(Knutsford to Bowdon Improvement\) Development Consent Order 2014 \(S.I. 2014/2269\)](#), arts. 1, **11(6)**, 12(5), 16(10), 17(5), 21(5), 25(4), 26(6), 30(3) (with arts. 21(6), 28)
Pt. 1 applied (24.9.2014) by [The Thames Water Utilities Limited \(Thames Tideway Tunnel\) Order 2014 \(S.I. 2014/2384\)](#), arts. 1, 13(5), 15(5), 20(10), 21(10), 22(7), 25(3), 26(4), 27(7), 28(3), 29(4), 35(7), 36(7)
- C63** Pt. 1 applied (24.9.2014) by [The Thames Water Utilities Limited \(Thames Tideway Tunnel\) Order 2014 \(S.I. 2014/2384\)](#), arts. 1, 13(5), 15(5), 20(10), 21(10), 22(7), 25(3), 26(4), 27(7), 28(3), 29(4), 35(7), 36(7)
- C64** Pt. 1 (ss. 1-4) applied (2.10.2014) by [The North Killingholme \(Generating Station\) Order 2014 \(S.I. 2014/2434\)](#), arts. 1, **10(6)**, 15(5), 16(3), 18(4), 20(4), 24(4), 25(6), 26(7), 31(3), 32(10) (with arts. 5, 6, 13, 16(4), 32(9), Sch. 8 Pt. 1 para. 6, Pt. 3 paras. 4(3), 6, 17, Pt. 5 para. 9)
- C65** Pt. 1 (ss. 1-4) excluded (2.10.2014) by [The Clocaenog Forest Wind Farm Order 2014 \(S.I. 2014/2441\)](#), arts. 1, **28(3)** (with art. 33)
- C66** Pt. 1 (ss. 1-4) applied (2.10.2014) by [The Clocaenog Forest Wind Farm Order 2014 \(S.I. 2014/2441\)](#), arts. 1, **11(3)**, 14(5), 19(5), 24(3) (with art. 33)
- C67** Pt. 1 (ss. 1-4) applied (21.10.2014) by [The Central Bedfordshire Council \(Woodside Link Houghton Regis\) Development Consent Order 2014 \(S.I. 2014/2637\)](#), arts. 1, 12(6), 13(6), 17(10), 18(6), 22(5), 26(4), 27(6), 28(7), 33(3)
- C68** Pt. 1 (ss. 1-4) applied (23.10.2014) by [The South Hook Combined Heat and Power Plant Order 2014 \(S.I. 2014/2846\)](#), arts. 1, **11(5)**
- C69** Pt. 1 (ss. 1-4) applied (15.12.2014) by [The London Underground \(Northern Line Extension\) Order 2014 \(S.I. 2014/3102\)](#), arts. 1, **10(6)**, 13(3), 18(10), 20(5), 21(3), 29(3), 30(8), 31(8), 35(4) (with arts. 18(9), 29(5), 30(9), 31(9), 35(5), Sch. 8 para. 45)
- C70** Pt. 1 (ss. 1-4) applied (31.12.2014) by [The Hornsea One Offshore Wind Farm Order 2014 \(S.I. 2014/3331\)](#), arts. 1, 8(6), 13(5), 16(6), 18(4), 22(4)(5), 23(7), 24(7), 27(5), 28(4) (with arts. 37, 38)

1 ^[F1]Upper Tribunal to assess] compensation in respect of land compulsorily acquired.

Where by or under any statute (whether passed before or after the passing of this Act) land is authorised to be acquired compulsorily, any question of disputed compensation and, where any part of the land to be acquired is subject to a lease which comprises land not acquired, any question as to the apportionment of the rent payable under the lease, shall be referred to the ^[F2]Upper Tribunal] and shall be determined by the Tribunal in accordance with the following provisions of this Act.

Textual Amendments

- F1** Words in s. 1 heading substituted (1.6.2009) by [The Transfer of Tribunal Functions \(Lands Tribunal and Miscellaneous Amendments\) Order 2009 \(S.I. 2009/1307\)](#), art. 1, **Sch. 1 para. 37(a)** (with Sch. 5)
- F2** Words in s. 1 substituted (1.6.2009) by [The Transfer of Tribunal Functions \(Lands Tribunal and Miscellaneous Amendments\) Order 2009 \(S.I. 2009/1307\)](#), art. 1, **Sch. 1 para. 37(b)** (with Sch. 5)

^{F3}2 Procedures on references under s. 1.

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Textual Amendments

F3 S. 2 omitted (1.6.2009) by virtue of [The Transfer of Tribunal Functions \(Lands Tribunal and Miscellaneous Amendments\) Order 2009 \(S.I. 2009/1307\)](#), art. 1, **Sch. 1 para. 38** (with Sch. 5)

F43 Consolidation of proceedings on claims in respect of several interests in the same land.

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Textual Amendments

F4 S. 3 omitted (1.6.2009) by virtue of [The Transfer of Tribunal Functions \(Lands Tribunal and Miscellaneous Amendments\) Order 2009 \(S.I. 2009/1307\)](#), art. 1, **Sch. 1 para. 38** (with Sch. 5)

4 Costs.

[^{F5}(A1) In any proceedings on a question referred to the Upper Tribunal under section 1 of this Act—

- (a) the following subsections apply in addition to section 29 of the Tribunals, Courts and Enforcement Act 2007 (costs or expenses) and provisions in Tribunal Procedure Rules relating to costs; and
- (b) to the extent that the following subsections conflict with that section or those provisions, that section or those provisions do not apply.]

(1) Where either—

- (a) the acquiring authority have made an unconditional offer in writing of any sum as compensation to any claimant and the sum awarded by the [^{F6}Upper Tribunal] to that claimant does not exceed the sum offered; or
- (b) the [^{F6}Upper Tribunal] is satisfied that a claimant has failed to deliver to the acquiring authority, in time to enable them to make a proper offer, a notice in writing of the amount claimed by him, containing the particulars mentioned in subsection (2) of this section;

the [^{F6}Upper Tribunal] shall, unless for special reasons it thinks proper not to do so, order the claimant to bear his own costs and to pay the costs of the acquiring authority so far as they were incurred after the offer was made or, as the case may be, after the time when in the opinion of the [^{F6}Upper Tribunal] the notice should have been delivered.

(2) The notice mentioned in subsection (1) of this section must state the exact nature of the interest in respect of which compensation is claimed, and give details of the compensation claimed, distinguishing the amounts under separate heads and showing how the amount claimed under each head is calculated.

(3) Where a claimant has delivered a notice as required by paragraph (b) of subsection (1) of this section and has made an unconditional offer in writing to accept any sum as compensation, then, if the sum awarded to him by the [^{F7}Upper Tribunal] is equal to or exceeds that sum, the [^{F7}Upper Tribunal] shall, unless for special reasons it thinks proper not to do so, order the acquiring authority to bear their own costs and pay the costs of the claimant so far as they were incurred after his offer was made.

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- (4) The [^{F8}Upper Tribunal] may in any case disallow the cost of counsel.
- (5) Where the [^{F9}Upper Tribunal] orders the claimant to pay the costs, or any part of the costs, of the acquiring authority, the acquiring authority may deduct the amount so payable by the claimant from the amount of the compensation payable to him.
- ^{F10}(6)

Textual Amendments

- F5** S. 4(A1) inserted (1.6.2009) by [The Transfer of Tribunal Functions \(Lands Tribunal and Miscellaneous Amendments\) Order 2009 \(S.I. 2009/1307\)](#), art. 1, **Sch. 1 para. 39(a)** (with Sch. 5)
- F6** Words in s. 4(1) substituted (1.6.2009) by [The Transfer of Tribunal Functions \(Lands Tribunal and Miscellaneous Amendments\) Order 2009 \(S.I. 2009/1307\)](#), art. 1, **Sch. 1 para. 39(b)** (with Sch. 5)
- F7** Words in s. 4(3) substituted (1.6.2009) by [The Transfer of Tribunal Functions \(Lands Tribunal and Miscellaneous Amendments\) Order 2009 \(S.I. 2009/1307\)](#), art. 1, **Sch. 1 para. 39(b)** (with Sch. 5)
- F8** Words in s. 4(4) substituted (1.6.2009) by [The Transfer of Tribunal Functions \(Lands Tribunal and Miscellaneous Amendments\) Order 2009 \(S.I. 2009/1307\)](#), art. 1, **Sch. 1 para. 39(b)** (with Sch. 5)
- F9** Words in s. 4(5) substituted (1.6.2009) by [The Transfer of Tribunal Functions \(Lands Tribunal and Miscellaneous Amendments\) Order 2009 \(S.I. 2009/1307\)](#), art. 1, **Sch. 1 para. 39(b)** (with Sch. 5)
- F10** S. 4(6) omitted (1.6.2009) by virtue of [The Transfer of Tribunal Functions \(Lands Tribunal and Miscellaneous Amendments\) Order 2009 \(S.I. 2009/1307\)](#), art. 1, **Sch. 1 para. 39(c)** (with Sch. 5)

Modifications etc. (not altering text)

- C71** S. 4 applied (with modifications) by Acts listed in [Chronological Table of the Statutes](#), [Local Government, Planning and Land Act 1980 \(c. 65\)](#), **s. 167(9)**, [National Heritage Act 1983 \(c. 47, SIF 3, 78\)](#), **s. 36(10)** and [Mineral Workings Act 1985 \(c. 12, SIF 86\)](#), **ss. 7(13)**, 8(11); applied by [Electricity Act 1989 \(c. 29, SIF 44:1\)](#), **ss. 10(1)**, 112(3), [Sch. 4 paras. 7\(4\)](#), 11(3), **Sch. 17 para. 35(1)**; applied (with modifications) by [Water Act 1989 \(c. 15, SIF 130\)](#), **ss. 153(1)**, 155, [Sch. 19 paras. 6\(4\)\(7\)](#), 11, **Sch. 20 para. 8(6)**, (with **ss. 58(7)**, 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), [Sch. 26 paras. 3\(1\)\(2\)](#), 17, 40(4), 57(6), 58)
- C72** S. 4 applied (with modifications) (1.12.1991) by the [Water Industry Act 1991 \(c. 56, SIF 130\)](#), **ss. 167**, 180, 223(2), [Sch. 11 para. 8\(6\)](#), **Sch. 12 para. 3(1)** (with **ss. 82(3)**, 186(1), 222(1), [Sch. 14 para. 6](#))
S. 4 applied (with modifications) (1.12.1991) by the [Water Resources Act 1991 \(c. 57, SIF 130\)](#), **ss. 61 (5)**, 62(5), 168(3), 177, 225(2), [Sch. 7 para. 5](#), [Sch. 19 para. 8\(6\)](#), [Sch. 21 para. 3\(1\)](#) (with **ss. 16(6)**, 179, 222(3), [Sch. 22 para. 1](#), [Sch. 23 para. 6](#))
S. 4 applied (with modifications) (30.10.1994) by [S.I. 1994/2716](#), **art. 92(4)**
S. 4 applied (with modifications) (30.10.1994) by [S.I. 1994/2716](#), **reg. 96(3)**
S. 4 applied (1.6.1997) by [S.I. 1997/1160](#), **reg. 14(6)**
S. 4 applied (with modifications) (1.10.1998) by 1975 c. 70, **Sch. 4 Pt. 1V**, para. 15(4) (as inserted by 1998 c.38, s. 127, **Sch. 13 para. 3** (with **ss. 139(2)**, 143(2)); [S.I. 1998/2244](#), **art. 4**)
S. 4 applied (with modifications) (1.4.1999) by [S.I. 1999/481](#), **reg. 8(4)**
S. 4 applied (with modifications) (29.4.1999) by [S.I. 1999/1006](#), **reg. 7**, **Sch. para. 6**
S. 4 applied (with modifications) (26.3.2001) by 2000 c. 26, s. 95, **Sch. 6 para. 5(2)**; [S.I. 2000/2957](#), **art. 2(3)**, **Sch. 3**
S. 4 applied (with modifications) (1.4.2000) by [S.I. 2000/227](#), **reg. 6**, **Sch. 2 para. 6(4)**
S. 4 applied (with modifications) (W.) (1.7.2001) by [S.I. 2001/2197](#), **reg. 6**, **Sch. 2 para. 6(4)**
S. 2 applied (22.3.2001) by 2001 c. ii, **s. 7(3)**
- C73** S. 4 applied (with modifications) (W.) (10.12.2006) by [The Contaminated Land \(Wales\) Regulations 2006 \(S.I. 2006/2989\)](#), **reg. 1(1)**, **Sch. 2 para. 6(4)**

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- C74** S. 4 applied (with modifications) (26.11.2008 for specified purposes, 1.3.2010 in so far as not already in force) by Planning Act 2008 (c. 29), **ss. 165(6)**, 241(1), 241(8) (with s. 226); S.I. 2010/101, art. 3(j) (with art. 6)
- C75** S. 4 applied (with modifications) (E.) (1.3.2009) by Environmental Damage (Prevention and Remediation) Regulations 2009 (S.I. 2009/153), reg. 1(1), **Sch. 6 para. 7(2)**
- C76** S. 4 applied (with modifications) (1.4.2010) by The Conservation of Habitats and Species Regulations 2010 (S.I. 2010/490), regs. 1(2), **28(8)(b)** (with reg. 125)
- C77** S. 4 modified (1.4.2010) by The Conservation of Habitats and Species Regulations 2010 (S.I. 2010/490), regs. 1(2), **32(3)** (with reg. 125)
- C78** S. 4 applied (with modifications) (6.4.2010) by The Environmental Permitting (England and Wales) Regulations 2010 (S.I. 2010/675), reg. 1(1)(b), **Sch. 5 para. 7** (with reg. 1(2), Sch. 4)
- C79** S. 4 applied (with modifications) (1.10.2011) by The Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011 (S.I. 2011/2055), regs. 1, **61(5)**
- C80** S. 4 applied (with modifications) (E.) (6.4.2012) by The Town and Country Planning (Tree Preservation)(England) Regulations 2012 (S.I. 2012/605), regs. 1(1), **24(9)** (with reg. 24(10))
- C81** S. 4 modified by S.I. 2006/1380, Sch. 2 para. 6(4) (as substituted (6.4.2012) by The Contaminated Land (England) (Amendment) Regulations 2012 (S.I. 2012/263), regs. 1, **2(4)**)
- C82** S. 4 applied (with modifications) by S.I. 2006/2989, Sch 2 para. 6(4) (as substituted (W.) (6.4.2012) by The Contaminated Land (Wales) (Amendment) Regulations 2012 (No. 283), regs. 1(1), **2(4)(c)**)
- C83** S. 4(1)(a) applied (with modifications) by 1985 c. 68, s. 584B(6) (as substituted (6.4.2006 for E., 16.6.2006 for W.) by Housing Act 2004 (c. 34), s. 270(4)(5)(f), **Sch. 15 para. 31**; S.I. 2006/1060, art. 2(1)(d) (with Sch.)); S.I. 2006/1535, art. 2(b) (with Sch.))
- C84** S. 4(4)-(6) applied (with modifications) by 1985 c. 68, s. 584B(6) (as substituted (6.4.2006 for E., 16.6.2006 for W.) by Housing Act 2004 (c. 34), s. 270(4)(5)(f), **Sch. 15 para. 31**; S.I. 2006/1060, art. 2(1)(d) (with Sch.)); S.I. 2006/1535, art. 2(b) (with Sch.))

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