

EXPLANATORY NOTE

(This note is not part of the Order)

Part I of Schedule 18 to the Planning and Compensation Act 1991 specifies the date from which interest is payable on compensation arising under the statutory provisions mentioned, which do not themselves provide for the payment of interest.

Article 2 of this Order, which extends to England only, amends that Part of that Schedule by adding provisions relating to the payment of compensation under section 78G of the Environmental Protection Act 1990.

Compensation is payable under that section where a person has granted, or joined in granting, rights to enable the person on whom a remediation notice is served to comply with any requirements imposed by the notice. The amount of the compensation is assessed in accordance with the Contaminated Land (England) Regulations 2000.

The rate of interest payable in respect of compensation under section 78G of the Environmental Protection Act 1990 is that prescribed under section 32 (rate of interest after entry on land) of the Land Compensation Act 1961 (c. 33).

Changes to legislation:

There are currently no known outstanding effects for the The Planning and Compensation Act 1991 (Amendment of Schedule 18) (England) Order 2002.