
STATUTORY INSTRUMENTS

2005 No. 2721

**The London Thames Gateway Development
Corporation (Planning Functions) Order 2005**

Transitional provision: compensation

8.—(1) Where a right to compensation arises under section 107(1), 108, or 115 of the 1990 Act or section 28 or 29 of the Listed Buildings Act in consequence of action taken in relation to land within the planning functions area by an authority which ceases by virtue of section 7 of the 1990 Act and the preceding provisions of this Order to be the local planning authority in relation to that matter, the liability to pay compensation shall lie with that authority.

(2) Where—

(a) the Secretary of State makes a determination—

(i) of an appeal against action taken by such authority as is mentioned in paragraph (1);
or

(ii) on a reference made to him by such authority; and

(b) that determination gives rise to a right to compensation,

that authority shall be liable to pay the compensation.

(3) Where the Secretary of State—

(a) makes an order under section 100(2) or 104 in respect of a matter arising before this Order comes into force which relates to land in the planning functions area; or

(b) serves a notice under section 185 of that Act in respect of such a matter,

the authority which was the local planning authority in relation to that land when the matter arose shall remain liable to pay any compensation arising from the order or notice.

(1) Section 107 was amended by paragraph 8 of Schedule 1 to, and paragraph 13 of Schedule 6 to, the Planning and Compensation Act 1991.

(2) Section 100 was amended by paragraph 5 of Schedule 1 to the Planning and Compensation Act 1991.