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STATUTORY INSTRUMENTS

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**2022 No. 299**

**The Bridgwater Tidal Barrier Order 2022**

**PART 4**

**ACQUISITION AND POSSESSION OF LAND**

*Compensation*

**Set-off for enhancement in value of retained land**

**40.**—(1) In assessing the compensation payable to any person in respect of the acquisition from that person under this Order of any land (including the subsoil) the tribunal must set-off against the value of the land so acquired any increase in value of any contiguous or adjacent land belonging to that person in the same capacity which will accrue to that person by reason of the construction of the authorised works.

(2) In assessing the compensation payable to any person in respect of the acquisition from that person under this Order of any new rights over land (including the subsoil or airspace) or the imposition of any restrictive covenants under article 31 (power to acquire rights in land), the tribunal must set-off against the value of the rights so acquired any increase in the value of—

- (a) the land over which the new rights are required or the restrictive covenants imposed; and
- (b) any contiguous or adjacent land belonging to that person in the same capacity,

which will accrue to that person by reason of the construction of the authorised works.

(3) The 1961 Act has effect, subject to paragraphs (1) and (2), as if this Order were a local enactment for the purposes of that Act.