

SCHEDULES

SCHEDULE 4

MODIFICATION OF COMPENSATION AND COMPULSORY PURCHASE ENACTMENTS FOR CREATION OF NEW RIGHTS

Compensation enactments

2.—(1) Without limitation on the scope of paragraph 1, the 1961 Act has effect subject to the following modification.

(2) For section 5A(5A) of the 1961 Act⁽¹⁾ (relevant valuation date), substitute—

“(5A) If—

- (a) the acquiring authority enters on land for the purpose of exercising a right in pursuance of a notice of entry under section 11(1) of the 1965 Act;
- (b) the acquiring authority is subsequently required by a determination under paragraph 13 of Schedule 2A to the 1965 Act (as substituted by paragraph 10 of Schedule 4 (modification of compensation and compulsory purchase enactments for creation of new rights) to the Bridgwater Tidal Barrier Order 2022) to acquire an interest in the land; and
- (c) the acquiring authority enters on and takes possession of that land, the authority is deemed for the purposes of subsection (3)(a) to have entered on that land where it entered on that land for the purpose of exercising that right.”.

(1) Section 5A was inserted by section 103 of the Planning and Compulsory Purchase Act 2004 (c. 5). Subsection (5A) was inserted by paragraph 4 of Part 2 of Schedule 17 to the Housing and Planning Act 2016 (c. 22).