
STATUTORY INSTRUMENTS

2023 No. 218

The A47 Wansford to Sutton Development Consent Order 2023

PART 7

MISCELLANEOUS AND GENERAL

Set off for enhancement in value of retained land

45.—(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 development.

(2) In assessing the compensation payable to any person in respect of the acquisition from that person of any new rights over land (including the subsoil) under article 27 (compulsory acquisition of rights and imposition of restrictive covenants), the tribunal must set off against the value of the rights so acquired—

- (a) any increase in the value of the land over which the new rights are required; and
- (b) 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 development.

(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.

Commencement Information

II Art. 45 in force at 10.3.2023, see [art. 1](#)

Status:

Point in time view as at 10/03/2023.

Changes to legislation:

There are currently no known outstanding effects for the The A47 Wansford to Sutton Development Consent Order 2023, Section 45.