



# Highways Act 1980

## 1980 CHAPTER 66

### PART XIV

#### MISCELLANEOUS AND SUPPLEMENTARY PROVISIONS

##### *Determination of disputes as to compensation*

#### **307 Disputes as to compensation which are to be determined by [F<sup>1</sup>Upper Tribunal] and related provisions.**

- (1) Any dispute arising on a claim for compensation under any provision of this Act to which this section applies shall be determined by the [F<sup>2</sup>Upper Tribunal].

The provisions of this Act to which this section applies are sections 21, 22, 28, 73, 74, 109, 110, 121(2), 126, <sup>F<sup>3</sup></sup> . . . and 292.

- (2) For the purposes of any reference to the [F<sup>2</sup>Upper Tribunal] under this section, section 4 of the <sup>M<sup>1</sup></sup>Land Compensation Act 1961 (costs) has effect with the substitution, for references to the acquiring authority, of references to the authority from whom the compensation in question is claimed.
- (3) Rules 2 to 4 of the Rules in section 5 of the said Act of 1961 (rules for valuation on a compulsory acquisition) apply to the calculation of compensation under any provision of this Act to which this section applies, in so far as it is calculated by reference to the depreciation of the value of an interest in land.
- (4) In determining the amount of compensation payable under section 109, 110 or 126 above the [F<sup>2</sup>Upper Tribunal] shall have regard to any new means of access to the premises of the claimant or, as the case may be, any new right of access to a watercourse from the premises of the claimant, provided by the highway authority from whom the compensation is claimed.
- (5) In determining the amount of compensation payable under section 73 above in respect of injurious affection, the [F<sup>2</sup>Upper Tribunal]—

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- (a) shall take into account any benefit accruing to the claimant by reason of the improvement of the street in relation to which an improvement line has been prescribed under that section, and
  - (b) may take into account and embody in [<sup>F4</sup>its] award any undertaking with regard to the exercise of the powers of a highway authority under that section in relation to the property affected which the authority have offered to give to the claimant;
- and the terms of any undertaking so embodied in the award are binding on and enforceable against the authority.
- (6) In determining the amount of compensation payable under section 74 above, the [<sup>F2</sup>Upper Tribunal] shall take into account any benefit accruing to the claimant by reason of any improvement made or about to be made to the highway in relation to which a building line has been prescribed under that section.
- (7) In determining the amount of compensation payable under section 193 or section 200(2) above, the [<sup>F2</sup>Upper Tribunal] shall take into account any benefit accruing to the claimant by reason of the widening of a street under the said section 193 or the said section 200(2), as the case may be.

#### Textual Amendments

- F1** Words in s. 307 heading substituted (1.6.2009) by [The Transfer of Tribunal Functions \(Lands Tribunal and Miscellaneous Amendments\) Order 2009 \(S.I. 2009/1307\)](#), art. 5(1)(2), **Sch. 1 para. 137(a)** (with art. 5(6), Sch. 5)
- F2** Words in s. 307(1)(2)(4)(5)(6)(7) substituted (1.6.2009) by [The Transfer of Tribunal Functions \(Lands Tribunal and Miscellaneous Amendments\) Order 2009 \(S.I. 2009/1307\)](#), art. 5(1)(2), **Sch. 1 para. 137(a)** (with art. 5(6), Sch. 5)
- F3** Words in s. 307(1) repealed (25.09.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 84(6), **Sch. 19 Pt.V** (with ss. 81(2), 84(5)); S.I. 1991/2067, art. 3.
- F4** Word in s. 307(5)(b) substituted (1.6.2009) by [The Transfer of Tribunal Functions \(Lands Tribunal and Miscellaneous Amendments\) Order 2009 \(S.I. 2009/1307\)](#), art. 5(1)(2), **Sch. 1 para. 137(b)** (with art. 5(6), Sch. 5)

#### Modifications etc. (not altering text)

- C1** S. 307 modified (28.4.2003) by [The Network Rail \(West Coast Main Line\) Order 2003 \(S.I. 2003/1075\)](#), **art. 8(11)**
- C2** S. 307 modified (16.8.2012) by [The Hinkley Point Harbour Empowerment Order 2012 \(S.I. 2012/1914\)](#), arts. 1(1), **19(11)** (with arts. 34, 35, 37, 40)
- C3** S. 307 applied (with modifications) (13.11.2012) by [The Chiltern Railways \(Bicester to Oxford Improvements\) Order 2012 \(S.I. 2012/2679\)](#), arts. 1, **16(13)** (with art. 42(2))
- C4** S. 307 modified (18.4.2018) by [The Network Rail \(Hope Valley Capacity\) Order 2018 \(S.I. 2018/446\)](#), arts. 1, **13(13)** (with arts. 24(8), 33(2))
- C5** S. 307 modified (4.6.2018) by [The Network Rail \(Kings Mill No. 1 Level Crossing\) \(Land Acquisition and Closure\) Order 2018 \(S.I. 2018/571\)](#), arts. 1, **4(7)** (with art. 4(11))
- C6** S. 307 modified (26.9.2018) by [The Network Rail \(Felixstowe Branch Line Improvements Level Crossings Closure\) Order 2018 \(S.I. 2018/937\)](#), arts. 1, **6(9)**
- C7** S. 307 modified (25.2.2020) by [The Network Rail \(East West Rail\) \(Bicester to Bedford Improvements\) Order 2020 \(S.I. 2020/114\)](#), arts. 1, **9(13)** (with art. 37(2))
- C8** S. 307 applied (with modifications) (31.12.2020) by [The Network Rail \(Cambridgeshire Level Crossing Reduction\) Order 2020 \(S.I. 2020/1485\)](#), arts. 1, **16(8)**
- C9** S. 307 modified (19.1.2021) by [The Network Rail \(Suffolk Level Crossing Reduction\) Order 2020 \(S.I. 2020/1663\)](#), arts. 1, **15(8)**

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- C10** S. 307 modified (11.2.2021) by High Speed Rail (West Midlands - Crewe) Act 2021 (c. 2), s. 64(1), **Sch. 4 para. 5(5)**
- C11** S. 307 applied (with modifications) (30.6.2022) by The Network Rail (Essex and Others Level Crossing Reduction) Order 2022 (S.I. 2022/651), arts. 1, **15(8)**
- C12** S. 307 modified (1.8.2022) by The Northumberland Line Order 2022 (S.I. 2022/820), arts. 1, **10(4)** (with Sch. 10 paras. 21, 43)
- C13** S. 307(1)-(3) extended by Cycle Tracks Act 1984 (c. 38, SIF 59), s. **5(3)**
- C14** S. 307(3) modified (8.12.2017) by The Network Rail (Closure of Abbots Ripton Level Crossing) Order 2017 (S.I. 2017/1074), arts. 1, **6(4)**

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**Marginal Citations**

- M1** 1961 c. 33.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 79(15)(aa) inserted by [2023 asc 3 Sch. 13 para. 54\(b\)](#)
- s. 90B(1A) inserted by [2015 c. 20 Sch. 10 para. 15\(3\)](#)
- s. 90C(2)(2A) substituted for s. 90C(2) by [2015 c. 20 Sch. 10 para. 16\(3\)](#)
- s. 90FA inserted by [2015 c. 20 Sch. 10 para. 20](#)
- s. 118ZA(5)(a) words inserted by [2015 c. 20 s. 25\(3\)](#)
- s. 120(3ZA) inserted by [2000 c. 37 Sch. 6 para. 13\(6\)](#)
- s. 121E(1A)(1B) inserted by [2015 c. 20 s. 23\(5\)](#)
- s. 146(6) inserted by [2015 c. 20 s. 24\(6\)\(d\)](#)
- s. 147(1A) inserted by [2015 c. 20 s. 24\(3\)](#)
- s. 147(5A) inserted by [2015 c. 20 s. 24\(5\)](#)
- s. 203(2)(b)(ia) inserted by [S.I. 2023/908 reg. 6\(2\)\(b\)](#)
- s. 219(1)(a)(i)(ii) inserted by [S.I. 2023/908 reg. 6\(3\)](#)
- s. 220(1A) inserted by [S.I. 2023/908 reg. 6\(4\)\(b\)](#)
- s. 223(1A) inserted by [S.I. 2023/908 reg. 6\(5\)\(b\)](#)
- s. 223(5A) inserted by [S.I. 2023/908 reg. 6\(5\)\(d\)](#)
- s. 223(5B)-(6) s. 223(6) renumbered as s. 223(5B)(6) by [S.I. 2023/908 reg. 6\(5\)\(e\)](#)
- s. 322(5)(ab) inserted by [2004 c. 18 s. 64\(2\)](#)
- s. 325(2B) inserted by [2015 c. 20 Sch. 10 para. 21](#)
- Sch. 6 para. 1(3ZA) inserted by [2015 c. 20 Sch. 7 para. 8\(2\)\(b\)](#)
- Sch. 6 para. 2(2ZA)-(2ZE) inserted by [2015 c. 20 Sch. 7 para. 8\(3\)](#)
- Sch. 6 para. 2(4) inserted by [2015 c. 20 Sch. 7 para. 8\(4\)](#)
- Sch. 6 para. 2(5)(6) inserted by [2015 c. 20 Sch. 7 para. 8\(5\)](#)
- Sch. 6 para. 2ZZA inserted by [2015 c. 20 Sch. 7 para. 8\(6\)](#)
- Sch. 6 para. 4A(2) inserted by [2015 c. 20 Sch. 7 para. 8\(7\)\(c\)](#)
- Sch. 6 para. 5(ba) inserted by [2015 c. 20 Sch. 7 para. 8\(8\)](#)
- Sch. 6 para. 4A(1) words renumbered as Sch. 6 para. 4A(1) by [2015 c. 20 Sch. 7 para. 8\(7\)\(a\)](#)
- Sch. 6 para. 4A(1) words substituted by [2015 c. 20 Sch. 7 para. 8\(7\)\(b\)](#)
- Sch. 6 Pt. 1 para. 2B(4) inserted by [2015 c. 20 s. 25\(6\)](#)