



# High Speed Rail (London - West Midlands) Act 2017

## 2017 CHAPTER 7

### *Compulsory acquisition of land*

#### **5 Acquisition of rights in land**

- (1) The power under section 4(1) includes power to acquire such easements or other rights over land to which the power relates as may be required for Phase One purposes, by—
  - (a) creating new easements or other rights, or
  - (b) acquiring easements or other rights already in existence.
- (2) The terms of an easement created under subsection (1)(a) may include terms imposing a restrictive covenant for the purpose of making the easement effective.
- (3) In the case of land specified in the table in Schedule 7, the power under section 4(1) also includes power to impose restrictive covenants over the land for the purposes specified in relation to the land in column (3) of the table.
- (4) In the case of land specified in the table in Schedule 8, the power under section 4(1) may be exercised only so as to acquire rights for purposes specified in relation to the land in column (3) of the table.
- (5) The Secretary of State may by order provide that section 4(1), so far as relating to compulsory acquisition by virtue of this section, is to be treated as also authorising acquisition of rights or imposition of restrictive covenants by such person as may be specified in the order.
- (6) The power to make an order under subsection (5) includes power to make an order varying or revoking any order previously made under that subsection.
- (7) Schedule 9 contains provision about the application of compulsory purchase legislation to a compulsory acquisition by virtue of this section.