
STATUTORY INSTRUMENTS

2016 No. 49

The National Grid (Hinkley Point
C Connection Project) Order 2016

PART 5

POWERS OF ACQUISITION

Compulsory acquisition of rights

22.—(1) Subject to the provisions of this article, the undertaker may acquire compulsorily the rights, and impose the restrictions, over the Order land, described in the Book of Reference, by creating them as well as by acquiring rights and the benefits of restrictions already in existence.

(2) This article is subject to article 19 (compulsory acquisition of land), article 29 (temporary use of land by National Grid) and article 30 (temporary use of land by WPD).

(3) Subject to section 8 of the 1965 Act (provisions as to divided land) as substituted by paragraph 5 of Schedule 10 (modification of compensation and compulsory purchase enactments for creation of new rights), where the undertaker acquires a right over land or imposes a restriction under paragraph (1), the undertaker is not required to acquire a greater interest in that land.

(4) Schedule 10 has effect for the purpose of modifying the enactments relating to compensation and the provisions of the 1965 Act in their application in relation to the compulsory acquisition under this article of a right over land by the creation of a new right or imposes a restriction.

(5) In any case where the acquisition of rights or the imposition of a restriction under paragraph (1) is required for the purpose of diverting, replacing or protecting apparatus of a statutory undertaker, the undertaker may, with the consent of the Secretary of State, transfer the power to acquire such rights or impose such restrictions to the statutory undertaker in question.

(6) The exercise by a statutory undertaker of any power in accordance with a transfer under paragraph (5) is subject to the same restrictions, liabilities and obligations as would apply under this Order if that power were exercised by the undertaker.

Changes to legislation:

There are currently no known outstanding effects for the The National Grid (Hinkley Point C Connection Project) Order 2016, Section 22.