
STATUTORY INSTRUMENTS

2017 No. 1150

The Network Rail (Buxton Sidings Extension) Order 2017

PART 3

ACQUISITION AND POSSESSION OF LAND

Powers of acquisition

Application of the Compulsory Purchase (Vesting Declarations) Act 1981

20.—(1) The Compulsory Purchase (Vesting Declarations) Act 1981⁽¹⁾ applies as if this Order were a compulsory purchase order.

(2) The Compulsory Purchase (Vesting Declarations) Act 1981, as applied by paragraph (1), has effect with the following modifications.

(3) In section 5 (earliest date for execution of declaration), in subsection (2), omit the words from “, and this subsection” to the end.

(4) Omit section 5A⁽²⁾ (time limit for general vesting declaration).

(5) In section 5B⁽³⁾ (extension of time limit during challenge) for “section 23 of the Acquisition of Land Act 1981 (application to High Court in respect of compulsory purchase order), the three year period mentioned in section 5A” substitute “section 22 of the Transport and Works Act 1992 (validity of orders under section 1 or 3), the three year period mentioned in article 28 (time limit for exercise of powers of acquisition) of the Network Rail (Buxton Sidings Extension) Order 2017”.

(6) In section 6⁽⁴⁾ (notices after execution of declaration), in subsection (1)(b), for “section 15 of, or paragraph 6 of Schedule 1 to, the Acquisition of Land Act 1981” substitute “section 14A of the Transport and Works Act 1992”.

(7) In section 7⁽⁵⁾ (constructive notice to treat) in subsection (1)(a), omit “(as modified by section 4 of the Acquisition of Land Act 1981)”.

(8) In Schedule A1⁽⁶⁾ (counter-notice requiring purchase of land not in general vesting declaration) for paragraph 1(2) substitute—

“(2) But see article 22(3) (power to acquire subsoil or airspace) of the Network Rail (Buxton Sidings Extension) Order 2017, which excludes the acquisition of subsoil or airspace only from this Schedule.”

(9) References to the 1965 Act are construed as references to that Act as applied to the acquisition of land under article 18 (power to acquire land) by article 19 (application of Part 1 of the 1965 Act).

(1) 1981 c. 66.

(2) Inserted by section 182(2) of the Housing and Planning Act 2016 (c. 22).

(3) As inserted by section 202(2) of the Housing and Planning Act 2016 (c. 22).

(4) As amended by paragraph 52(2) of Schedule 2 to the Planning (Consequential Provisions) Act 1990 (c. 11) and paragraph 7 of Schedule 15 to the Housing and Planning Act 2016 (c. 22).

(5) As amended by paragraph 3 of Schedule 18 to the Housing and Planning Act 2016 (c. 22).

(6) As inserted by paragraph 6 of Schedule 18 to the Housing and Planning Act 2016 (c. 22).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.
