
STATUTORY INSTRUMENTS

2018 No. 574

The Silvertown Tunnel Order 2018

PART 3

POWERS OF ACQUISITION AND POSSESSION OF LAND

Powers of acquisition

Compulsory acquisition of rights

22.—(1) Subject to paragraphs (2), (3) and (5), TfL may acquire such rights over the Order land or impose restrictive covenants affecting the land as may be required for any purpose for which that land may be acquired under article 19 (compulsory acquisition of land), by creating them as well as acquiring rights already in existence.

(2) In the case of the Order land specified in columns (1) and (2) of Schedule 4 (land in which only new rights etc., may be acquired) TfL's powers of compulsory acquisition are limited to the acquisition of such wayleaves, easements, new rights in the land or the imposition of restrictive covenants as TfL may require for or in connection with the authorised development.

(3) Subject to Schedule 2A(1) (counter-notice requiring purchase of land) to the 1965 Act (as substituted by paragraph 10 of Schedule 5 (modification of compensation and compulsory purchase enactments for creation of new rights), where TfL acquires a right over land or the benefit of a restrictive covenant, TfL is not required to acquire a greater interest in that land.

(4) Schedule 5 has effect for the purpose of modifying the enactments relating to compensation and the provisions of the 1965 Act in their application to the compulsory acquisition under this article of a right over land by the creation of a new right or the imposition of a restrictive covenant.

(5) TfL may not under paragraph (1) impose restrictive covenants affecting the land situated within any of the Regions mentioned in article 52.