



High Speed Rail (West Midlands - Crewe) Act 2021

2021 CHAPTER 2

Compulsory acquisition of land

5 Acquisition of rights and imposition of restrictive covenants

- (1) The power under section 4(1) includes power—
 - (a) to acquire such easements or other rights over land to which the power relates as may be required for Phase 2a purposes, by—
 - (i) creating new easements or other rights, or
 - (ii) acquiring easements or other rights already in existence;
 - (b) to impose such restrictive covenants over land to which the power relates as may be required for Phase 2a purposes.
- (2) In the case of land specified in the table in Schedule 8, the power under section 4(1) may be exercised only in either or both of the following ways—
 - (a) so as to acquire rights for purposes specified in relation to the land in column (3) of the table;
 - (b) so as to impose restrictive covenants for such specified purposes.
- (3) The power under section 4(1), so far as relating to compulsory acquisition by virtue of subsection (1), includes power to acquire rights or to impose restrictive covenants for the benefit of a person other than the Secretary of State.
- (4) The Secretary of State may by order provide that section 4(1), so far as relating to compulsory acquisition by virtue of subsection (1), 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.
- (5) The power to make an order under subsection (4) includes power to make an order varying or revoking any order previously made under that subsection.

Status: This is the original version (as it was originally enacted).

- (6) Schedules 9 and 10 contain provision about the application of compulsory purchase legislation to a compulsory acquisition where rights are acquired or restrictive covenants imposed.
- (7) In section 5 of the High Speed Rail (London - West Midlands) Act 2017 (which makes provision corresponding to that made by this section), after subsection (4) insert—
- “(4A) The power under section 4(1), so far as relating to compulsory acquisition by virtue of this section, includes power to acquire rights or to impose restrictive covenants for the benefit of a person other than the Secretary of State.”