
STATUTORY INSTRUMENTS

2006 No. 3471

**The Network Rail (West Coast
Main Line) (Stowe Hill) Order 2006**

Powers of acquisition

Power to acquire land

3. Network Rail may acquire compulsorily plot 11a for the purposes of using, maintaining or gaining access to the pressure relief shaft and may use the land so acquired for those purposes.

Application of Part 1 of Compulsory Purchase Act 1965

4.—(1) Part 1 of the 1965 Act, in so far as not modified by or inconsistent with the provisions of this Order, shall apply to the acquisition of land under this Order—

- (a) as it applies to a compulsory purchase to which the Acquisition of Land Act 1981(1) applies; and
 - (b) as if this Order were a compulsory purchase order under that Act.
- (2) Part 1 of the 1965 Act, as so applied, shall have effect as if—
- (a) section 4 (which provides a time limit for compulsory purchase of land) and paragraph 3(3) of Schedule 3 (which makes provision as to the giving of bonds) were omitted; and
 - (b) in section 11(1) (which confers power to enter on and to take possession of land subject to a notice to treat on giving not less than 14 days' notice) for the reference to 14 days' notice there were substituted—
 - (i) in a case where the notice to treat relates only to the acquisition of an easement or other right over the land, a reference to notice of one month; or
 - (ii) in any other case, a reference to notice of 3 months.

Power to acquire new rights

5.—(1) Network Rail may compulsorily acquire a right of way on foot only over plot 11b for the purpose of gaining access to plot 11a.

(2) Subject to section 8 of the 1965 Act (as substituted by paragraph 5 of Schedule 9 to the 2003 Order, as applied by article 10 (application of provisions of Network Rail (West Coast Main Line) Order 2003)), where Network Rail acquires a right over plot 11b under paragraph (1) it shall not be required to acquire a greater interest in it.

(3) Schedule 9 to the 2003 Order, as applied by article 10, shall have 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 plot 11b by the creation of a new right.

Status: This is the original version (as it was originally made).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