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STATUTORY INSTRUMENTS

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**2015 No. 1684**

**The Network Rail (Blackthorn and  
Piddington) (Land Acquisition) Order 2015**

**PART 2**

**ACQUISITION AND POSSESSION OF LAND**

*Powers of acquisition*

**Application of the 1981 Act**

- 5.—(1) The 1981 Act applies as if this Order were a compulsory purchase order.
- (2) The 1981 Act, as applied by paragraph (1), has effect with the following modifications.
- (3) In section 3 (preliminary notices) for subsection (1) substitute—
- “(1) Before making a declaration under section 4 with respect to any land which is subject to a compulsory purchase order the acquiring authority must include the particulars specified in subsection (3) in a notice which is—
- (a) given to every person with a relevant interest in the land with respect to which the declaration is to be made (other than a mortgagee who is not in possession); and
- (b) published in a local newspaper circulating in the area in which the land is situated.”.
- (4) In that section, in subsection (2), for “(1)(b)” substitute “(1)” and after “given” insert “and published”.
- (5) In that section, for subsections (5) and (6) substitute—
- “(5) For the purposes of this section, a person has a relevant interest in land if—
- (a) that person is for the time being entitled to dispose of the fee simple of the land, whether in possession or in reversion; or
- (b) that person holds, or is entitled to the rents and profits of, the land under a lease or agreement, the unexpired term of which exceeds one month.”.
- (6) In section 5 (earliest date for execution of declaration)—
- (a) in subsection (1), after “publication” insert “in a local newspaper circulating in the area in which the land is situated”; and
- (b) omit subsection (2).
- (7) In section 7 (constructive notice to treat) in subsection (1)(a), omit the words “(as modified by section 4 of the Acquisition of Land Act 1981)”.
- (8) References to the 1965 Act in the 1981 Act are construed as references to that Act as applied to the acquisition of land under article 3 (power to acquire land).