
STATUTORY INSTRUMENTS

2016 No. 863

The M4 Motorway (Junctions 3 to 12) (Smart Motorway) Development Consent Order 2016

PART 5

POWERS OF ACQUISITION

Statutory undertakers

30.—(1) Subject to the provisions of article 22(3) (compulsory acquisition of rights), Schedule 9 (protection of interests) and paragraph (2), the undertaker may—

- (a) acquire compulsorily, or acquire new rights over, any Order land belonging to statutory undertakers;
- (b) extinguish the rights of, remove or reposition the apparatus belonging to statutory undertakers over or within the Order land.

(2) Paragraph (1)(b) has no effect in relation to apparatus in respect of which the following provisions apply—

- (a) Part 3 (street works in England and Wales) of the 1991 Act; and
- (b) article 31 (apparatus and rights of statutory undertakers in stopped up streets).