

## STATUTORY INSTRUMENTS

# 2020 No. 547

## The Cleve Hill Solar Park Order 2020

### PART 5

#### POWERS OF ACQUISITION

##### Application of the 1981 Act

- 20.**—(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 1 (application of Act), for subsection 2 substitute—
- “(2) This section applies to any Minister, any local or other public authority or any other body or person authorised to acquire land by means of a compulsory purchase order.”.
- (4) In section 5(2) (earliest date for execution of declaration) omit the words from “and this subsection” to the end.
- (5) Section 5A (time limit for general vesting declaration) is omitted <sup>M1</sup>.
- (6) In section 5B(1) (extension of time limit during challenge) for “section 23 (application to High Court in respect of compulsory purchase order) of the Acquisition of Land Act 1981, the three year period mentioned in section 5A” substitute “ section 118 (legal challenges relating to applications for orders granting development consent) of the 2008 Act, the five year period mentioned in article 17 (time limit for exercise of authority to acquire land compulsorily) of the Cleve Hill Solar Park Order 2020. ”.
- (7) In section 6 (notices after execution of declaration), in subsection (1)(b) for “section 15 of, or paragraph 6 of Schedule 1 to, the Acquisition of Land Act 1981” substitute “ section 134 (notice of authorisation of compulsory acquisition) of the Planning Act 2008 ”.
- (8) 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)”.
- (9) In Schedule A1 (counter-notice requiring purchase of land not in general vesting declaration), for paragraph 1(2) substitute—
- “(2) But see article 21(3) (acquisition of subsoil only) of the Cleve Hill Solar Park Order 2020, which excludes the acquisition of subsoil only from this Schedule.”.
- (10) References to the 1965 Act in the 1981 Act must be construed as references to the 1965 Act as applied by section 125 (application of compulsory acquisition provisions) of the 2008 Act (and as modified by article 22 (modification of Part 1 of the Compulsory Purchase Act 1965) to the compulsory acquisition of land under this Order.

##### Commencement Information

- II** Art. 20 in force at 19.6.2020, see [art. 1](#)

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**Changes to legislation:** There are currently no known outstanding effects for the The Cleve Hill Solar Park Order 2020, Section 20. (See end of Document for details)

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**Marginal Citations**

**M1** [Section 5A](#) to the 1981 Act was inserted by section 182(2) of the Housing and Planning Act 2016 (c.22).

**Changes to legislation:**

There are currently no known outstanding effects for the The Cleve Hill Solar Park Order 2020, Section 20.