
STATUTORY INSTRUMENTS

2018 No. 574

The Silvertown Tunnel Order 2018

PART 3

POWERS OF ACQUISITION AND POSSESSION OF LAND

Powers of acquisition

Modification of Part 1 of the 1965 Act

25.—(1) Part 1 of the 1965 Act, as applied to this Order by section 125 (application of compulsory acquisition provisions) of the 2008 Act, is modified as follows.

(2) In section 4A(1)(1) (extension of time limit during challenge) for “section 23 of the Acquisition of Land Act 1981 (application to High Court in respect of compulsory purchase order), the three year period mentioned in section 4” substitute “section 118 of the Planning Act 2008 (legal challenges relating to applications for orders granting development consent), the five year period mentioned in article 21 (time limit for exercise of powers to possess land temporarily or to acquire land compulsorily) of the Silvertown Tunnel Order 2018(2)”.

(3) In section 11A(3) (powers of entry: further notice of entry)—

- (a) in subsection (1)(a), after “land” insert “under that provision”;
- (b) in subsection (2), after “land” insert “under that provision”.

(4) In section 22(2) (expiry of time limit for exercise of compulsory purchase power not to affect acquisition of interests omitted from purchase), for “section 4 of this Act” substitute “article 21 of the Silvertown Tunnel Order 2018”.

(5) In Schedule 2A (counter-notice requiring purchase of land not in notice to treat)—

(a) for paragraphs 1(2) and 14(2) substitute—

“(2) But see article 27(4) (acquisition of subsoil, etc., only) of the Silvertown Tunnel Order 2018, which excludes the acquisition of subsoil or airspace only from this Schedule”; and

(b) after paragraph 29, end insert—

“PART 4

INTERPRETATION

30. In this Schedule, references to entering on and taking possession of land do not include doing so under article 15 (protective works to buildings), 29 (temporary use of land

(1) As inserted by section 202(1) of the Housing and Planning Act 2016 (c. 22).

(2) S.I. 2018/574.

(3) As inserted by section 186(3) of the Housing and Planning Act 2016 (c. 22).

for carrying out the authorised development) or 30 (temporary use of land for maintaining the authorised development) of the Silvertown Tunnel Order 2018.”