
STATUTORY INSTRUMENTS

2020 No. 528

The M42 Junction 6 Development Consent Order 2020

PART 5

POWERS OF ACQUISITION AND POSSESSION OF LAND

Modification of Part 1 of the 1965 Act

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

(2) In section 4A(1)(2) (extension of time limit during challenge) for “section 23 of the Acquisition of Land Act 1981 (application to the High Court in respect of compulsory purchase order), the three year period mentioned in section 4” substitute “section 118(3) (legal challenges relating to applications for orders granting development consent) of the Planning Act 2008, the five year period mentioned in article 26 (time limit for exercise of authority to acquire land compulsorily) of the M42 Junction 6 Development Consent Order 2020”.

(3) In section 11A(4) (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 26 (time limit for exercise of authority to acquire land compulsorily) of the M42 Junction 6 Development Consent Order 2020”.

(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 31(3) (acquisition of subsoil or airspace only) of the M42 Junction 6 Development Consent Order 2020, which excludes the acquisition of subsoil or airspace only from this Schedule.”; and

(b) after paragraph 29, insert—

“PART 4

INTERPRETATION

30. In this Schedule, references to entering on and taking possession of land do not include doing so under articles 22 (protective work to buildings), 33 (temporary use of land

(1) Section 125 was amended by section 190 of, and paragraph 17 of Schedule 16 to, the Housing and Planning Act 2016 (c. 22).
(2) Section 4A(1) was inserted by section 202(1) of the Housing and Planning Act 2016.
(3) Section 118 was amended by paragraphs 1 and 59 of Schedule 13, and Part 20 of Schedule 25, to the Localism Act 2011 (c. 20) and section 92(4) of the Criminal Justice and Courts Act 2015 (c. 2).
(4) Section 11A was inserted by section 186(3) of the Housing and Planning Act 2016.

Changes to legislation: There are currently no known outstanding effects for the The M42 Junction 6 Development Consent Order 2020, Section 29. (See end of Document for details)

for carrying out the authorised development) or 34 (temporary use of land for maintaining the authorised development) of the M42 Junction 6 Development Consent Order 2020.”.

Commencement Information

II Art. 29 in force at 11.6.2020, see [art. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the The M42 Junction 6 Development Consent Order 2020, Section 29.