



Channel Tunnel Rail Link Act 1996

1996 CHAPTER 61

PART III

MISCELLANEOUS AND GENERAL

48 Power to acquire land by reference to combined effect of works

- (1) The Secretary of State may acquire by agreement land the enjoyment of which is, or will in his opinion be, seriously affected by the combined effect of—
 - (a) the carrying out of works for the construction of any of the rail link works or the use of any of those works, and
 - (b) the carrying out of works for the construction of any of the A2 and M2 improvement works or the use of any of those works,if the interest of the vendor is a qualifying interest.
- (2) Subsection (1) above shall not apply in relation to land which may be acquired, by reference to the A2 and M2 improvement works, under section 246(2) or (2A) of the Highways Act 1980.
- (3) Subsection (1) above shall not apply in relation to an interest which is the subject of a claim for compensation under Part I of the Land Compensation Act 1973 (compensation for depreciation caused by use of public works).
- (4) The power conferred by subsection (1) above—
 - (a) so far as exercisable by reference to the carrying out of works for the construction of any work, shall only be exercisable if the acquisition is begun before the work's opening date, and
 - (b) so far as exercisable by reference to the use of any work, shall only be exercisable if the acquisition is begun before the end of one year after the work's opening date.
- (5) For the purposes of subsection (4) above—
 - (a) the acquisition of any land shall be treated as begun when the agreement for its acquisition is made, and

Status: This is the original version (as it was originally enacted).

- (b) a work's opening date is—
- (i) in the case of a work consisting of a highway, the date on which it is first opened to public traffic, and
 - (ii) in the case of any other work, the date on which it is first used after completion.

(6) In this section—

“qualifying interest” has the meaning given in section 149(2) of the Town and Country Planning Act 1990, taking references to the relevant date as references to the date on which the purchase agreement is made; and

“rail link works” means the scheduled works, so far as relating to the rail link.