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STATUTORY INSTRUMENTS

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**1999 No. 537**

**The Channel Tunnel Rail Link  
(Boarley Lane Diversion) Order 1999**

**PART III**

**ACQUISITION OF LAND**

**Acquisition of new rights**

7.—(1) The power conferred by article 5 above shall include, in relation to any land to which the power relates, power to create and acquire such easements or other rights over land as may be required as mentioned in that provision instead of acquiring the land itself.

(2) Part I of the 1965 Act as applied to the acquisition of land under article 5 above, and the enactments relating to compensation for the compulsory purchase of land, shall apply to a compulsory acquisition by virtue of paragraph (1) above—

- (a) with the modifications specified in Schedule 2 to this Order, and
- (b) with such other modifications as may be necessary.

(3) In relation to land to which this paragraph applies, article 5 above, so far as relating to acquisition by virtue of paragraph (1) above, shall be treated as also authorising acquisition by a statutory utility in any case where the Secretary of State gives his consent in writing to that acquisition.

(4) Paragraph (3) above applies to land within the Order limits which is or will be required for use in relocating any apparatus which it is expedient to divert or replace in consequence of the carrying out of the authorised works; and in that paragraph “statutory utility” means a licence holder within the meaning of Part I of the Electricity Act 1989<sup>(1)</sup>, a public gas transporter within the meaning of Part I of the Gas Act 1986<sup>(2)</sup>, a water undertaker within the meaning of the Water Industry Act 1991<sup>(3)</sup>, a sewerage undertaker within Part II of that Act and any local authority which is a relevant authority for the purposes of section 97 of that Act.

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(1) 1989 c. 29.  
(2) 1986 c. 44.  
(3) 1991 c. 56.