
STATUTORY INSTRUMENTS

2013 No. 1873

The North Blyth Biomass Power Station Order 2013

Compulsory acquisition of rights

16.—(1) The undertaker may only acquire compulsorily the existing rights and create and acquire compulsorily the new rights described in plots 2 to 15 of the book of reference and shown coloured blue on the land plan.

(2) As from the date on which a compulsory acquisition notice is served or the date on which any new right is vested in the undertaker, whichever is the later, the land over which any new rights is acquired shall be discharged from all rights, trusts and incidents to which it was previously subject so far as their continuance would be inconsistent with the exercise of that new right.

(3) Subject to section 8 of the 1965 Act, as substituted by article 20 (acquisition of part of certain properties), where the undertaker acquires an existing right over land under paragraph (1), the undertaker shall not be required to acquire a greater interest in that land.

(4) Any person who suffers loss as a result of the extinguishment or suspension of any private right of way under this article shall be entitled to compensation to be determined, in case of dispute, under Part 1 of the 1961 Act.