
STATUTORY INSTRUMENTS

2017 No. 1202

The M20 Junction 10a Development Consent Order 2017

PART 5

POWERS OF ACQUISITION

Modification of Part 1 of the 1965 Act

27.—(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 23 (time limit for exercise of authority to acquire land compulsory) of the M20 Junction 10a Development Consent Order 2017”.

(3) In section 11A(2) (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 23 of the M20 Junction 10a Development Consent Order 2017”.

(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 29(3) (acquisition of subsoil or airspace only) of the M20 junction 10a Development Consent Order 2017, 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 19 (protective works to buildings), 31 (temporary use of land for carrying out the authorised development) or 32 (temporary use of land for maintaining the authorised development) of the M20 Junction 10a Development Consent Order 2017.”.

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

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

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The M20 Junction 10a Development Consent Order 2017. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

Commencement Information

II Art. 27 in force at 22.12.2017, see [art. 1](#)

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Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. 2 para. 3(2)(ea) inserted by [S.I. 2019/1271 art. 2\(2\)\(b\)](#)
- Sch. 2 para. 3(6) inserted by [S.I. 2019/1271 art. 2\(3\)](#)