
STATUTORY INSTRUMENTS

2018 No. 937

**The Network Rail (Felixstowe Branch Line
Improvements – Level Crossings Closure) Order 2018**

PART 3

ACQUISITION OF LAND

Powers of acquisition

Application of the 1981 Act

- 12.**—(1) The 1981 Act applies as if this Order were a compulsory purchase order.
- (2) The 1981 Act, as applied by paragraph (1), has effect with the following modifications.
- (3) In section 5 (earliest date for execution of declaration), in subsection (2), omit the words from “, and this subsection” to the end.
- (4) Omit section 5A(1) (time limit for general vesting declaration).
- (5) In section 5B(1)(2) (extension of time limit during challenge) for “section 23 of the Acquisition of Land 1981 (application to the High Court in respect of compulsory purchase order), the three year period mentioned in section 5A” substitute “section 22 of the Transport and Works Act 1992 (validity of orders under section 1 or 3), the five year period mentioned in article 18 (time limit for exercise of powers of acquisition) of the Network Rail (Felixstowe Branch Line Improvements – Level Crossings Closure) Order 2018”.
- (6) In section 6(3) (notices after execution of declaration), in subsection (1)(b), for “section 15 of, or paragraph 6 of Schedule 1 to, the Acquisition of Land Act 1981” substitute “section 14A(4) of the Transport and Works Act 1992”.
- (7) In section 7(5) (constructive notice to treat), in subsection (1)(a), omit “(as modified by section 4 of the Acquisition of Land Act 1981)”.
- (8) In Schedule A1(6) (counter-notice requiring purchase of land not in general vesting declaration), omit paragraph 1(2).
- (9) References to the 1965 Act are to be construed as references to that Act as applied to the acquisition of land under article 10 (power to acquire land).

(1) Inserted by section 182(2) of the Housing and Planning Act 2016.

(2) Inserted by section 202(2) of the Housing and Planning Act 2016.

(3) As amended by paragraph 52(2) of Schedule 2 to the Planning (Consequential Provisions) Act 1990 (c. 11) and paragraph 7 of Schedule 15 to the Housing and Planning Act 2016.

(4) Inserted by S.I. 2017/16.

(5) As amended by paragraph 3 of Schedule 18 to the Housing and Planning Act 2016.

(6) As inserted by paragraph 6 of Schedule 18 to the Housing and Planning Act 2016 (c. 22).