
STATUTORY INSTRUMENTS

2019 No. 1268

The Abergelli Power Gas Fired Generating Station Order 2019

PART 5

POWERS OF ACQUISITION

Compulsory acquisition of rights etc.

22.—(1) Subject to paragraph (2), the undertaker may acquire such rights over the Order land or impose restrictive covenants affecting the land as may be required for any purpose for which that land may be acquired under [^{F1}article 18] (compulsory acquisition of land), by creating them as well as acquiring rights already in existence.

(2) In respect of such parts of the Order land that are edged in red and shaded blue on the land plans the undertaker may acquire compulsorily the existing rights over land and create and acquire compulsorily the new rights and impose the restrictions described in the book of reference and shown on the land plans.

(3) Subject to section 8 of the 1965 Act (provisions as to divided land) and Schedule 2A (counter-notice requiring purchase of land) (as substituted by paragraph 9 of Schedule 8 (modification of compensation and compulsory purchase enactments for the creation of new rights and imposition of new restrictions)), where the undertaker creates or acquires a right over land or imposes a restriction under paragraph (1) or (2), the undertaker is not to be required to acquire a greater interest in that land.

(4) Schedule 8 is to have effect for the purpose of modifying the enactments relating to compensation and the provisions of the 1965 Act in their application in relation to the compulsory acquisition under this article of a right over land by the creation of a new right or the imposition of a restriction.

(5) In any case where the acquisition of new rights or the imposition of a restriction under paragraph (1) or (2) is required for the purposes of diverting, replacing or protecting the apparatus of a statutory undertaker, the undertaker may, with the consent of the Secretary of State, transfer the power to create and acquire such rights or impose such restrictions to the statutory undertaker in question.

(6) The exercise by a statutory undertaker of any power in accordance with a transfer under paragraph (5) is subject to the same restrictions, liabilities and obligations as would apply under this Order if that power were exercised by the undertaker.

(7) Subject to the modifications set out in Schedule 8 the enactments for the time being in force with respect to compensation for the compulsory purchase of land are to apply in the case of a compulsory acquisition under this Order in respect of a right by the creation of a new right or imposition of a restriction as they apply to the compulsory purchase of land and interests in land.

Textual Amendments

- F1** Words in art. 22 substituted (10.1.2020) by [The Abergelli Gas Fired Generating Station \(Correction\) Order 2020 \(S.I. 2020/22\)](#), art. 1(2), [Sch.](#)

Status: Point in time view as at 10/01/2020.

Changes to legislation: There are currently no known outstanding effects for the The Abergelli Power Gas Fired Generating Station Order 2019, Section 22. (See end of Document for details)

Commencement Information

II Art. 22 in force at 10.10.2019, see [art. 1](#)

Status:

Point in time view as at 10/01/2020.

Changes to legislation:

There are currently no known outstanding effects for the The Abergelli Power Gas Fired Generating Station Order 2019, Section 22.