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STATUTORY INSTRUMENTS

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**2020 No. 1067**

The Midland Metro (Wednesbury to  
Brierley Hill Land Acquisition) Order 2020

**PART 2**

ACQUISITION AND POSSESSION OF LAND

*Supplementary*

**Extinction or suspension of rights of way**

**10.**—(1) Subject to the provisions of this article, all private rights of way over land subject to compulsory acquisition under this Order are extinguished—

- (a) as from the date of acquisition of the land by the Executive, whether compulsorily or by agreement; or
- (b) on the date of entry on the land by the Executive under section 11(1)<sup>M1</sup> (powers of entry) of the 1965 Act,

whichever is sooner.

(2) Subject to the provisions of this article, all private rights of way over land of which the Executive takes temporary possession under this Order are suspended and unenforceable for as long as the Executive remains in lawful possession of the land.

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

(4) This article does not apply in relation to any right of way to which section 271 or 272<sup>M2</sup> (extinguishment of rights of statutory undertakers, etc.) of the 1990 Act applies.

(5) Paragraphs (1) and (2) have effect subject to any agreement made (whether before or after this Order comes into force) between the Executive and the person entitled to the private right of way.

(6) Paragraph (1) has effect subject to any notice given by the Executive that that paragraph is not to apply to any right of way specified in the notice where the notice is given before whichever is the sooner of the events specified in sub-paragraphs (a) or (b) of that paragraph.

(7) Paragraph (2) has effect subject to any notice given by the Executive at any time before or after possession is taken that that paragraph is not to apply to any right of way specified in the notice or is only to apply to the right of way to the extent specified in the notice.

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**Commencement Information**

**II** [Art. 10](#) in force at 23.9.2020, see [Order](#)

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**Status:** Point in time view as at 23/09/2020.

**Changes to legislation:** There are currently no known outstanding effects for the *The Midland Metro (Wednesbury to Brierley Hill Land Acquisition) Order 2020, Section 10*. (See end of Document for details)

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**Marginal Citations**

- M1** Section 11 was amended by section 34(1) of, and Schedule 4 to, the [Acquisition of Land Act 1981](#) (c. 67), [section 14](#), of and paragraph 12(1) of Schedule 5 to, the [Church of England \(Miscellaneous Provisions\) Measures 2006 \(2006 No. 1\)](#), [sections 186\(2\)](#), [187\(2\)](#) and 188 of, and paragraph 6 of Schedule 14 and paragraph 3 of Schedule 16 to, the [Housing and Planning Act 2016](#) and [S.I. 2009/1307](#).
- M2** Section 272 was amended by paragraph 103(1) and (2) of Schedule 17 to the [Communications Act 2003](#) (c. 21).

**Status:**

Point in time view as at 23/09/2020.

**Changes to legislation:**

There are currently no known outstanding effects for the The Midland Metro (Wednesbury to Brierley Hill Land Acquisition) Order 2020, Section 10.