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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 1

#### PRELIMINARY

#### Citation <sup>F1</sup>...

1. This Order may be cited as the Midland Metro (Wednesbury to Brierley Hill Land Acquisition) Order 2020.

#### Textual Amendments

**F1** Words in art. 1 heading omitted (15.12.2020) by virtue of [The Midland Metro \(Wednesbury to Brierley Hill Land Acquisition\) \(Amendment\) Order 2020 \(S.I. 2020/1548\)](#), arts. 1, **3(2)**

#### Commencement Information

**I1** [Art. 1](#) in force at 23.9.2020, see [Order](#)

#### Interpretation

2.—(1) In this Order—

“the 1961 Act” means the Land Compensation Act 1961 <sup>M1</sup>;

“the 1965 Act” means the Compulsory Purchase Act 1965 <sup>M2</sup>;

“the 1980 Act” means the Highways Act 1980 <sup>M3</sup>;

“the 1981 Act” means the Compulsory Purchase (Vesting Declarations) Act 1981 <sup>M4</sup>;

“the 1990 Act” means the Town and Country Planning Act 1990 <sup>M5</sup>;

“the 2005 Order” means the Midland Metro (Wednesbury to Brierley Hill and Miscellaneous Amendments) Order 2005 <sup>M6</sup>

“address” includes any number or address used for the purposes of electronic transmission;

“the authorised works” means the works authorised by the 2005 Order;

“the book of reference” means the book of reference certified by the Secretary of State as the book of reference for the purposes of this Order;

“building” includes any structure or erection or any part of a building, structure or erection;

“the Canal and River Trust” means the private company limited by guarantee of that name (company number 07807276) whose registered office is at First Floor, North Station House, 500 Elder Gate, Milton Keynes, MK9 1BB;

*Status: Point in time view as at 15/12/2020.*

*Changes to legislation: There are currently no known outstanding effects for the The Midland Metro (Wednesbury to Brierley Hill Land Acquisition) Order 2020, PART 1. (See end of Document for details)*

[<sup>F2</sup>“electronic transmission” means a communication transmitted—

- (a) by means of an electronic communications network; or
- (b) by other means but while in electronic form,

and in this definition “electronic communications network” has the same meaning as in section 32(1) (meaning of electronic communications networks and services) of the Communications Act 2003;.]

“the Executive” means West Midlands Combined Authority established under article 3 (establishment) of the West Midlands Combined Authority Order 2016 <sup>M7</sup>;

“highway” and “highway authority” have the same meaning as in the 1980 Act;

“the land plans” means the plans certified by the Secretary of State as the land plans for the purposes of this Order;

“maintain” includes inspect, repair, adjust, alter, remove, reconstruct and replace and “maintenance” is to be construed accordingly;

“Network Rail” means Network Rail Infrastructure Limited (company number 02904587) whose registered office is at 1 Eversholt Street, London NW1 2DN and any associated company of Network Rail Infrastructure Limited which holds property for railway purposes, and for the purpose of this definition “associated company” means any company which is (within the meaning of section 256 (associated bodies corporate) of the Companies Act 2006 <sup>M8</sup> the holding company of Network Rail Infrastructure Limited, a subsidiary of Network Rail Infrastructure Limited or another subsidiary of the holding company of Network Rail Infrastructure Limited;

“the Order limits” mean the limits so described on the land plans;

“owner” in relation to land has the same meaning as in section 7 (interpretation) of the 1981 Act <sup>M9</sup>;

“statutory undertaker” means—

- (c) any person who is a statutory undertaker for any of the purposes of the 1990 Act; and
- (d) any public communications provider within the meaning of section 151(1) of the Communications Act 2003 <sup>M10</sup>; and

“the tribunal” means the Lands Chamber of the Upper Tribunal.

(2) References in this Order to rights over land include references to rights to do, or to place and maintain, anything in, on or under land or in the air-space over its surface.

(3) All directions, distances, areas, lengths and points stated in any powers or lands are approximate.

#### Textual Amendments

**F2** Words in [art. 2](#) substituted (15.12.2020) by [The Midland Metro \(Wednesbury to Brierley Hill Land Acquisition\) \(Amendment\) Order 2020 \(S.I. 2020/1548\)](#), arts. 1, **3(3)**

#### Commencement Information

**I2** [Art. 2](#) in force at 23.9.2020, see [Order](#)

#### Marginal Citations

**M1** 1961 c. 33.

**M2** 1965 c. 56.

**M3** 1980 c. 66.

- M4** 1981 c. 66.
- M5** 1990 c. 8.
- M6** S.I 2005/927.
- M7** S.I. 2016/653.
- M8** 2006 c. 46.
- M9** 1981 c. 67. The definition of “owner” was amended by paragraph 9 of Schedule 15 to the [Planning and Compensation Act 1991 \(c. 34\)](#). There are other amendments to section 7 which are not relevant to this Order.
- M10** 2003 c. 21.

**Status:**

Point in time view as at 15/12/2020.

**Changes to legislation:**

There are currently no known outstanding effects for the The Midland Metro (Wednesbury to Brierley Hill Land Acquisition) Order 2020, PART 1.