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STATUTORY INSTRUMENTS

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**2021 No. 1414**

**The Norfolk Boreas Offshore Wind Farm Order 2021**

**PART 5**

**Powers of Acquisition**

**Application of the 1981 Act**

- 22.**—(1) The 1981 Act applies as if this Order were a compulsory purchase order.
- (2) The 1981 Act, as so applied, has effect with the following modifications.
- (3) In section 1 (application of act), for subsection 2, substitute—
- “(2) This section applies to any Minister, any local or other public authority or any other body or person authorised to acquire land by means of a compulsory purchase order.”.
- (4) Section 5 (earliest date for execution of declaration) is omitted.
- (5) Section 5A (time limit for general vesting declaration) is omitted<sup>(1)</sup>.
- (6) In section 5B (extension of time limit during challenge)<sup>(2)</sup>—
- (a) for “section 23 of the Acquisition of Land Act 1981 (application to High Court in respect of compulsory purchase order)” substitute “section 118 of the 2008 Act (legal challenges relating to applications for orders granting development consent)”; and
- (b) for “the three year period mentioned in section 5A” substitute “the five year period mentioned in article 19 (time limit for exercise of authority to acquire land compulsorily) of the Norfolk Boreas Offshore Wind Farm Order 2021”.
- (7) In section 6 (notices after execution of declaration), in subsection (1)(b) for “section 15 of, or paragraph 5 of Schedule 1 to, the Acquisition of Land Act 1981” substitute “section 134 (notice of authorisation of compulsory acquisition) of the Planning Act 2008”.
- (8) In section 7 (constructive notice to treat), in subsection (1)(a), the words “(as modified by section 4 of the Acquisition of Land Act 1981)” are omitted.
- (9) In Schedule A1 (counter-notice requiring purchase of land not in general vesting declaration)<sup>(3)</sup>, for paragraph 1(2) substitute—
- “But see article 24(3) (acquisition of subsoil and airspace only) of the Norfolk Boreas Offshore Wind Farm Order 2021, which excludes the acquisition of subsoil and airspace only from this Schedule.”.
- (10) References to the 1965 Act in the 1981 Act must be construed as references to the 1965 Act as applied by section 125 of the 2008 Act (as modified by article 23 (application of Part 1 of the 1965 Act) to the compulsory acquisition of land under this Order.

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<sup>(1)</sup> Section 5A was inserted by section 182(2) of the Housing and Planning Act 2016 c. 22

<sup>(2)</sup> Inserted by section 202(2) of the Housing and Planning Act 2016 c. 22.

<sup>(3)</sup> Inserted by paragraph 6 of Schedule 18 to the Housing and Planning Act 2016 c. 22.