
STATUTORY INSTRUMENTS

2021 No. 74

**The A1 Birtley to Coal House
Development Consent Order 2021**

PART 5

POWERS OF ACQUISITION AND POSSESSION

Modification of Part 1 of the 1965 Act

28.—(1) Part 1 of the 1965 Act, as applied to this Order by section 125(1) (application of compulsory acquisition provisions) of the 2008 Act is modified as follows.

(2) In section 4A(1)(2) (extension of time limit during challenge)—

(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 Planning Act 2008 (legal challenges relating to applications for orders granting development consent)”; and

(b) for “the three year period mentioned in section 4” substitute “the five year period mentioned in article 25 (time limit for exercise of authority to acquire land compulsorily) of the A1 Birtley to Coal House Development Consent Order 2021”.

(3) In section 11A(3) (powers of entry: further notices of entry)—

(a) in subsection (1)(a), after “land” insert “under that provision”;

(b) in subsection (2), after “land” insert “under that provision”.

(4) In section 22(2) (expiry of time limit for exercise of compulsory purchase power not to affect acquisition of interests omitted from purchase), for “section 4 of this Act” substitute “article 25 (time limit for exercise of authority to acquire land compulsorily) of the A1 Birtley to Coal House Development Consent Order 2021”.

(5) In Schedule 2A (counter-notice requiring purchase of land not in notice to treat) at the end insert—

“PART 4

INTERPRETATION

30. In this Schedule, references to entering on and taking possession of land do not include doing so under articles 21 (protective work to buildings), 32 (temporary use of land for carrying out the authorised development) or 33 (temporary use of land for maintaining the authorised development) of the A1 Birtley to Coal House Development Consent Order 2021.”.

(1) Section 125 was amended by section 190 of, and paragraph 17 of Schedule 16 to, the Housing and Planning Act 2016 (c.22).

(2) Section 4A(1) was inserted by section 202(1) of the Housing and Planning Act 2016.

(3) Section 11A was inserted by section 190 of, and paragraph 17 of Schedule 16 to, the Housing and Planning Act 2016 (c. 22).

Status: *This is the original version (as it was originally made).*
