
STATUTORY INSTRUMENTS

2022 No. 651

The Network Rail (Essex and Others
Level Crossing Reduction) Order 2022

PART 3

ACQUISITION AND POSSESSION OF LAND

Powers of acquisition

Power to acquire new rights

20.—(1) Network Rail may acquire compulsorily such rights of access or other easements specified in column (2) of Schedule 3 (land in which private rights of access may be acquired) to the extent specified in column (1) of that Schedule as may be required for the benefit of the land specified in column (2) of that Schedule by creating them as well as by acquiring rights of access or other easements already in existence.

(2) Network Rail may acquire compulsorily such easements or other rights over the land specified in column (2) of Schedule 5 (land in which only new rights etc., may be acquired) as may be required for the purposes specified in column (3) of that Schedule, by creating them as well as by acquiring easements or other rights already in existence.

(3) Subject to Schedule 2A (counter-notice requiring purchase of land not in notice to treat) to the 1965 Act (as substituted by paragraph 5(8) of Schedule 12 (modification of compensation and compulsory purchasing enactments for creation of new rights) where Network Rail acquires a right over land under paragraphs (1) or (2), Network Rail is not required to acquire a greater interest in that land.

(4) Schedule 12 has 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.