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STATUTORY INSTRUMENTS

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**2022 No. 922**

**The Manston Airport Development Consent Order 2022**

**PART 5**

**POWERS OF ACQUISITION AND POSSESSION**

**Time limit for exercise of authority to acquire land compulsorily**

**21.**—(1) After the start date—

- (a) no notice to treat is to be served under Part 1 of the 1965 Act; and
- (b) no declaration is to be executed under section 4(1) (execution of declaration) of the 1981 Act as applied by article 26 (application of the 1981 Act).

(2) The authority conferred by article 29 (temporary use of land for carrying out the authorised development) ceases at the end of the period referred to in paragraph (1), except that nothing in this paragraph prevents the undertaker remaining in possession of land after the end of that period, if the land was entered and possession was taken before the end of that period.

(3) For the purposes of this article “the start date” means [F1 the end of the period of one calendar year beginning on the day after the later of:

- (a) the period for legal challenge in section 118(2) (legal challenges relating to applications for orders granting development consent) of the 2008 Act expires; or
- (b) the final determination of any legal challenge under section 118 of the 2008 Act.

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**Textual Amendments**

**F1** Words in art. 21(3) substituted (23.9.2023) by [The Manston Airport Development Consent \(Amendment\) Order 2023 \(S.I. 2023/1038\)](#), arts. 1, 2(3)

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**Commencement Information**

**II** Art. 21 in force at 8.9.2022, see [art. 1](#)

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(1) Section 4 was amended by sections 184, 185 and 199(2) of, and paragraphs 1 and 2 of Schedule 18 to, the Housing and Planning Act 2016 (c. 22).

(2) Section 118 was amended by section 128(2) of, and paragraph 59 of Schedule 13 and Part 20 of Schedule 25, to the Localism Act 2011 (c. 20) and section 92(4) of the Criminal Justice and Courts Act 2015 (c. 2).

**Changes to legislation:**

There are currently no known outstanding effects for the The Manston Airport Development Consent Order 2022, Section 21.