
STATUTORY INSTRUMENTS

2024 No. 752

The M3 Junction 9 Development Consent Order 2024

PART 5

POWERS OF ACQUISITION

Modification of Part 1 of the 1965 Act

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

(2) In section 4A(1)(1) (extension of time limit during challenge) for “section 23 of the Acquisition of Land Act 1981 (application to High Court in respect of compulsory purchase order), the three year period mentioned in section 4” substitute “section 118 of the Planning Act 2008 (legal challenges relating to applications for orders granting development consent), the five year period mentioned in article 26 (time limit for exercise of authority to acquire land compulsorily) of the M3 Junction 9 Development Consent Order 2024”.

(3) In section 11A(2) (powers of entry: further notice of entry)—

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

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

(4) In section 22(2) (interests omitted from purchase), for “section 4 of this Act” substitute “article 26 (time limit for exercise of authority to acquire land compulsorily) of the M3 Junction 9 Development Consent Order 2024”.

(5) In Schedule 2A(3) (counter-notice requiring purchase of land not in notice to treat)—

(a) for paragraphs 1(2) and 14(2) substitute—

“(2) But see article 32(3) (acquisition of subsoil or airspace only) of the M3 Junction 9 Development Consent Order 2024, which excludes the acquisition of subsoil or airspace only from this Schedule”; and

(b) after paragraph 29, insert—

“PART 4

INTERPRETATION

30. In this Schedule, references to entering on and taking possession of land do not include doing so under 34 (temporary use of land for carrying out the authorised development) or 35 (temporary use of land for maintaining the authorised development) of the M3 Junction 9 Development Consent Order 2024.”.

(1) Section 4A was inserted by section 202(1) of the Housing and Planning Act 2016 (c. 22).

(2) Section 11A was inserted by section 186(3) of the Housing and Planning Act 2016.

(3) Schedule 2A was inserted by section 199 of, and paragraph 3 of Schedule 17 to, the Housing and Planning Act 2016.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.
