
STATUTORY INSTRUMENTS

1999 No. 537

**The Channel Tunnel Rail Link
(Boarley Lane Diversion) Order 1999**

PART I

PRELIMINARY

Citation and commencement

1. This Order may be cited as the Channel Tunnel Rail Link (Boarley Lane Diversion) Order 1999 and shall come into force on 19th February 1999.

Interpretation

- 2.—(1)** In this Order, unless the context otherwise requires—
- “the 1965 Act” means the Compulsory Purchase Act 1965⁽¹⁾;
 - “authorised works” means the scheduled work and any other works authorised by this Order;
 - “the book of reference” means the book of reference certified by the Secretary of State as the book of reference for the purposes of this Order;
 - “deemed planning permission” means a planning permission which is deemed by a direction under section 90(2A) of the Town and Country Planning Act 1990⁽²⁾ to be granted in relation to any authorised works;
 - “the deposited plan” means the plan certified by the Secretary of State as the deposited plan for the purposes of this Order;
 - “the deposited sections” means the sections certified by the Secretary of State as the deposited sections for the purposes of this Order;
 - “Eurostar” means Eurostar (U.K.) Limited;
 - “highway” has the same meaning as in the Highways Act 1980⁽³⁾;
 - “the limit of deviation” means the limit of deviation which is shown on the deposited plan (being the limit of deviation for the scheduled work);
 - “the limits of land to be acquired or used” means the limits of land to be acquired or used which are shown on the deposited plan (being limits designating certain land outside the limit of deviation which may be acquired or used under this Order);
 - “maintain” includes inspect, repair, adjust, alter, remove, reconstruct and replace and “maintenance” shall be construed accordingly;
 - “the Order limits” means any of the limits of land to be acquired or used or the limit of deviation;

⁽¹⁾ 1965 c. 56.

⁽²⁾ 1990 c. 8. Subsection (2A) was inserted by section 16(1) of the Transport and Works Act 1992.

⁽³⁾ 1980 c. 66.

Status: This is the original version (as it was originally made).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

“owner”, in relation to land, means a person, other than a mortgagee not in possession, who is for the time being entitled to dispose of the fee simple of land (whether in possession or reversion) and includes a person holding, or entitled to the rents and profits of, the land under a lease or tenancy having an unexpired term exceeding 3 years;

“the principal Act” means the Channel Tunnel Rail Link Act 1996(4);

“the scheduled work” means the work specified in Schedule 1 to this Order.

(2) Unless the context otherwise requires, other expressions used in this Order and in the principal Act have the same meaning as in that Act.

(3) References in this Order to rights over land include references to rights to do, or to place and maintain, anything in or on land or in the air-space over its surface.

(4) All directions, distances, lengths and points stated in any description of works, powers or lands shall be construed as if the words “or thereabouts” were inserted after each such direction, distance, length and point.

(5) References in this Order to points identified by letters shall be construed as references to the points so marked on the deposited plan.

(4) 1996 c. 61.