
STATUTORY INSTRUMENTS

2009 No. 2728

TRANSPORT AND WORKS, ENGLAND
TRANSPORT ENGLAND

The Network Rail (Reading) (Land Acquisition) Order 2009

Made - - - - 7th October 2009

Coming into force 28th October 2009

**THE NETWORK RAIL (READING)
(LAND ACQUISITION) ORDER 2009**

PART 1

1. Citation and commencement
2. Interpretation

PART 2

Powers of acquisition

3. Power to acquire land
4. Application of Part 1 of the Compulsory Purchase Act 1965
5. Application of the Compulsory Purchase (Vesting Declarations) Act 1981
6. Power to acquire new rights
7. New rights only to be acquired in certain lands
8. Power to acquire subsoil or airspace only
9. Rights under or over highways

Temporary possession or use of land

10. Temporary use of land for construction of works
11. Temporary use of land for access
12. Temporary use of land for maintenance of works

Compensation

13. Disregard of certain interests and improvements
14. Set-off for enhancement in value of retained land

Status: This is the original version (as it was originally made).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

Supplementary

15. Acquisition of part of certain properties
16. Extinction or suspension of private rights of way
17. Time limit for exercise of powers of acquisition

PART 3

18. Statutory undertakers, etc.
19. Protective provisions
20. Certification of plans, etc.
21. Service of notices
22. No double recovery
23. Arbitration
Signature

SCHEDULES

SCHEDULE 1 — AUTHORISED WORKS

SCHEDULE 2 — MODIFICATION OF COMPENSATION AND COMPULSORY PURCHASE ENACTMENTS FOR CREATION OF NEW RIGHTS

Compensation enactments

1. The enactments for the time being in force with respect...
2. (1) Without prejudice to the generality of paragraph 1, the...

Application of the 1965 Act

3. (1) The 1965 Act shall have effect with the modifications...
4. For section 7 of the 1965 Act (measure of compensation)...
5. For section 8 of the 1965 Act (provisions as to...
6. The following provisions of the 1965 Act (which state the...
7. Section 11 of the 1965 Act (powers of entry) shall...
8. Section 20 of the 1965 Act (protection for interests of...
9. Section 22 of the 1965 Act (protection of acquiring authority's...

SCHEDULE 3 — LAND IN WHICH ONLY NEW RIGHTS MAY BE ACQUIRED

SCHEDULE 4 — LAND OF WHICH TEMPORARY POSSESSION MAY BE TAKEN

SCHEDULE 5 — LAND OVER WHICH TEMPORARY RIGHTS OF ACCESS MAY BE EXERCISED

SCHEDULE 6 — PROVISIONS RELATING TO STATUTORY UNDERTAKERS, ETC.

1. Sections 271 to 274 of the 1990 Act (power to...
2. In the provisions of the 1990 Act, as applied by...
3. Where any apparatus of public utility undertakers or of a...
4. Paragraph 3 shall not apply in the case of the...
5. The provisions of the 1990 Act mentioned in paragraph 1,...

6. Nothing in this Schedule shall affect the provisions of any...
7. In this Schedule—“public communications provider” has the same meaning...

SCHEDULE 7 — PROTECTIVE PROVISIONS

1. (1) For the protection of the undertakers referred to in...
2. In this Schedule—“alternative apparatus” means alternative apparatus adequate to...
3. This Schedule does not apply to apparatus in respect of...
4. Regardless of any provision in this Order or anything shown...
5. (1) If, in the exercise of the powers conferred by...
6. (1) Where, in accordance with the provisions of this Schedule,...
7. (1) Not less than 28 days before starting the execution...
8. (1) Subject to the following provisions of this paragraph, Network...
9. (1) Subject to sub-paragraphs (2) and (3), if by reason...
10. Nothing in this Schedule shall affect the provisions of any...

Explanatory Note