

---

STATUTORY INSTRUMENTS

---

**2022 No. 1406**

**The Network Rail (Cambridge South  
Infrastructure Enhancements) Order 2022**

**PART 3**

**ACQUISITION AND POSSESSION OF LAND**

*Powers of Acquisition*

**Power to acquire new rights**

**22.**—(1) Subject to paragraph (2), Network Rail may acquire compulsorily such easements or other rights over any land which it is authorised to acquire under article 19 (power to acquire land) as may be required for any purpose for which that land may be acquired under that provision, by creating them as well as by acquiring easements or other rights already in existence.

(2) In the case of the Order land specified in column (2) of Schedule 3 (land in which only new rights etc., may be acquired) Network Rail's powers of compulsory acquisition are limited to the acquisition of such new rights as may be required for the purpose specified in relation to that land in column (3) of that Schedule.

(3) In the case of the plot shown as plot 8a on the deposited plans the power to acquire new rights under paragraph (2) extends to acquiring rights on behalf of owners of land affected by the exercise of the powers of the Order for the purpose specified in column (2) of Schedule 3 and for the purposes of granting a permissive right to the public to access the replacement land to be provided pursuant to article 36.

(4) Subject to Schedule 2A (counter-notice requiring purchase of land) to the 1965 Act (as substituted by paragraph 5(8) of Schedule 10 (modification of compensation and compulsory purchase 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.

(5) Schedule 10 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 Order of a right over land by the creation of a new right.

(6) In any case where the acquisition of new rights under paragraph (1) or (2) is required for the purpose of diverting, replacing or protecting apparatus of a statutory undertaker Network Rail may, with the consent of the Secretary of State, transfer the power to acquire such rights to the statutory undertaker in question.

(7) The exercise by a statutory undertaker of any power in accordance with a transfer under paragraph (6) is subject to the same restrictions, liabilities and obligations as would apply under this Order if that power were exercised by Network Rail.