
STATUTORY INSTRUMENTS

2022 No. 299

The Bridgwater Tidal Barrier Order 2022

PART 4

ACQUISITION AND POSSESSION OF LAND

Powers of acquisition

Application of Part 1 of the 1965 Act

33.—(1) Part 1 of the 1965 Act, in so far as not modified by or inconsistent with the provisions of this Order, applies to the acquisition of land under this Order—

- (a) as it applies to a compulsory purchase to which the Acquisition of Land Act 1981 applies, and
- (b) as if this Order were a compulsory purchase order under that Act.

(2) Part 1 of the 1965 Act, as applied by paragraph (1), has effect with the following modifications.

(3) Omit section 4(1) (which provides a time limit for compulsory purchase of land).

(4) In section 4A(1)(2) (extension of time limit during challenge)—

- (a) for “section 23 of the Acquisition of Land Act 1981 (application to the High Court in respect of compulsory purchase order)” substitute “section 22 of the Transport and Works Act 1992 (validity of orders under section 1 or 3)”; and
- (b) for “the three year period mentioned in section 4” substitute “the five year period mentioned in article 42 (time limit for exercise of powers of acquisition) of the Bridgwater Tidal Barrier Order 2022”.

(5) In section 11A(1)(a) and (2)(3) (powers of entry: further notice of entry) after “land” insert “under that provision”.

(6) In section 22(2) (expiry of time limit for exercise of compulsory purchase power not to affect acquisition of interests omitted from purchase), for “section 4 of this Act” substitute “article 42 of the Bridgwater Tidal Barrier Order 2022 (time limit for exercise of powers of acquisition)”.

(7) In Schedule 2A(4) (counter-notice requiring purchase of land not in notice to treat)—

- (a) in paragraphs 1 and 14, for sub-paragraph (2) substitute—

“(2) But see article 35 of the Bridgwater Tidal Barrier Order 2022 (power to acquire subsoil or air-space), which excludes the acquisition of subsoil only from this Schedule.”;
- (b) after Part 3 insert—

(1) Section 4 was substituted by section 182(1) of the Housing and Planning Act 2016.

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

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

(4) Schedule 2A was inserted by paragraph 3 of Part 1 to Schedule 17 of 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Status: This is the original version (as it was originally made).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.

“PART 4

INTERPRETATION

30. In this Schedule, references to entering on and taking possession of land do not include doing so under article 21 (protective works), article 37 (temporary possession of land for construction purposes) or article 38 (temporary possession of land for maintenance of works) of the Bridgwater Tidal Barrier Order 2022.”.