
STATUTORY INSTRUMENTS

2017 No. 1214

The Blackpool Tramway (Blackpool
North Extension) Order 2017

PART 3

ACQUISITION AND POSSESSION OF LAND

Powers of acquisition

Powers to acquire subsoil only

30.—(1) The promoter may compulsorily acquire so much of the subsoil of the land within the permanent limits as may be required for any purpose for which that land may be acquired instead of acquiring the whole of the land.

(2) Where the promoter acquires any part of the subsoil of land under paragraph (1) the promoter is not required to acquire an interest in any other part of the land.

(3) The following do not apply in connection with the exercise of the power under paragraph (1) in relation to subsoil only—

- (a) Schedule 2A (counter-notice requiring purchase of land not in notice to treat) to the 1965 Act;
- (b) Schedule A1 (counter-notice requiring purchase of land not in general vesting declaration) to the Compulsory Purchase (Vesting Declarations) Act 1981; and
- (c) section 153(4A) (blighted land: proposed acquisition of part interest; material detriment test) of the Town and Country Planning Act 1990.

(4) Paragraphs (2) and (3) are to be disregarded where the promoter acquires a cellar, vault, arch or other construction forming part of a house, building or manufactory.