Acquisition of Land Act 1981

1981 CHAPTER 67

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An Act to consolidate the Acquisition of Land (Authorisation Procedure) Act 1946 and related enactments.

[30th October 1981]

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Notes

1 Act applied with (modifications) by Housing Act 1985 (c.68), s.578 Act applied by Housing Associations Act 1985 (c.69), s.88(3)(a) Act applied by Airports Act 1986 (c.31), s.59(1)(a) Act extended by Airports Act 1986 (c.31), s.58, Sch. 2 para. 1(1) Act applied by Gas Act 1986 (c.44), s.9(3), Sch. 3 Pt. II para. 4 Act extended by Gas Act 1986 (c.44), s.67(1)(3), Sch. 7 para. 2(1)(xiii), Sch. 8 para. 33 Act modified by Gas Act 1986 (c.44), s. 67(1)(3), Sch. 7 para. 2(10)(d) Act applied by Norfolk and Suffolk Broads Act 1988 (c.4), ss. 2(6), 23(2), 27(2), Sch. 3 para. 44(4) Act applied (with modifications) by Education Reform Act 1988 (c.40), ss. 190(6), 201(6) Act applied (with modifications) by Housing Act 1988 (c.50), ss. 77(4), 78(1), Sch. 10 Pt. I para. 1 Act applied by Water Act 1989 (c.15), s.151(4) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act extended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(2)(xxvii) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act modified by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(10)(ix) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act amended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(11)(v) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act applied (with modifications) by Electricity Act 1989 (c.29), ss. 10(1)(2), 112(3), Sch. 3 Pt. II para. 5, Sch. 17 para. 35(1) Act amended by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 2(2)(9)(g), Sch. 17 paras. 33, 35(1) Act modified by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 3(2)(h), Sch. 17 paras. 33, 35(1) Act applied by Town and Country Planning Act 1990 (c.8), ss.226(7), 228(7), 254(2) Act applied by Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9), ss. 47(2), 61(2) Act applied (with modifications) by National Health Service and Community Care Act 1990 (c.19), s.1(2), Sch. 1 Pt. I para. 26(2)(3)

Extent

Preamble: England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

PART I

GENERAL

Law In Force

1.— Application of Act.

(1) In this Act "compulsory purchase" means a compulsory purchase of land, being—

(a) a compulsory purchase to which this Act applies by virtue of any other enactment, whether or not passed or made before this Act, or

(b) a compulsory purchase under an enactment specified in subsection (2) below.

(2) The enactments referred to in subsection (1)(b) above are—

section 2 of the Metropolitan Police Act 1886,

section 1(3) of the Military Lands Act 1892,

sections 25(1) and 39(1) of the Small Holdings and Allotments Act 1908,

section 5(1) of the Development and Road Improvements Funds Act 1909 as it applies to acquisition by local authorities (as defined in section 7(1) of this Act) or the Secretary of State,

[…][1]

[section 530(1) of the Education Act 1996 **]** [2] **[…]**[1]

[…][3] .

(3) In this section "enactment" includes any statutory instrument.

Notes

1 Words repealed by Statute Law (Repeals) Act 2004 c. 14 Sch.1(3) para.1 (July 22, 2004)

2 Words substituted by Education Act 1996 c. 56 Sch.37(I) para.50 (November 1, 1996)

3 Words repealed by Water Act 1989 (c.15), s. 190, Sch. 27 Pt. I (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58)

Commencement

Pt I s. 1: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Pt I s. 1(1)-(3): England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

Compulsory purchase

Law In Force

2.— Procedure for authorisation.

(1) The authorisation of a compulsory purchase shall be conferred by an order (in this Act called a "compulsory purchase order").

[(2) A compulsory purchase order authorising a compulsory purchase by an authority other than a Minister is to be—

(a) made by that authority,

(b) submitted to the confirming authority, and

(c) confirmed in accordance with Part 2 of this Act.

]1

(3) A compulsory purchase order authorising a compulsory purchase by a Minister shall be made by the Minister in accordance with Schedule 1 to this Act.

Notes

1 Substituted by Housing and Planning Act 2016 c. 22 Pt 7 s.181(3) (April 6, 2018: substitution has effect except in relation to a compulsory purchase order for which the confirming authority is the Welsh Ministers subject to transitional provisions specified in SI 2018/251 reg.5; April 6, 2019 otherwise)

Commencement

Pt I s. 2: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Pt I s. 2(1)-(2), (3): England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

Pt I s. 2(2)(a)-(2)(c): England, Wales

Law In Force

[2A Tunnels etc

(1) A compulsory purchase order may provide that in the following provisions, a reference to land (however expressed) does not include specified land that is at least 9 metres or more below the surface.

(2) The provisions mentioned in subsection (1) are—

(a) Schedule 2A of the Compulsory Purchase Act 1965 (objection to division of land),

(b) any substituted version of that Schedule that applies by virtue of provision made by or under any Act, and

(c) Schedule A1 to the Compulsory Purchase (Vesting Declarations) Act 1981 (objection to division of land).

]1

Notes

1 Added by Housing and Planning Act 2016 c. 22 Sch.17(2) para.9 (February 3, 2017)

Extent

Pt I s. 2A(1)-(2)(c): England, Wales

Law In Force

3. Minerals.

Schedule 2 to this Act (exception of minerals from purchases etc.) shall have effect.

1 2

Notes

[1] Act applied with (modifications) by Housing Act 1985 (c.68), s.578 Act applied by Housing Associations Act 1985 (c.69), s.88(3)(a) Act applied by Airports Act 1986 (c.31), s.59(1)(a) Act extended by Airports Act 1986 (c.31), s.58, Sch. 2 para. 1(1) Act applied by Gas Act 1986 (c.44), s.9(3), Sch. 3 Pt. II para. 4 Act extended by Gas Act 1986 (c.44), s.67(1)(3), Sch. 7 para. 2(1)(xiii), Sch. 8 para. 33 Act modified by Gas Act 1986 (c.44), s. 67(1)(3), Sch. 7 para. 2(10)(d) Act applied by Norfolk and Suffolk Broads Act 1988 (c.4), ss. 2(6), 23(2), 27(2), Sch. 3 para. 44(4) Act applied (with modifications) by Education Reform Act 1988 (c.40), ss. 190(6), 201(6) Act applied (with modifications) by Housing Act 1988 (c.50), ss. 77(4), 78(1), Sch. 10 Pt. I para. 1 Act applied by Water Act 1989 (c.15), s.151(4) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act extended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(2)(xxvii) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act modified by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(10)(ix) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act amended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(11)(v) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act applied (with modifications) by Electricity Act 1989 (c.29), ss. 10(1)(2), 112(3), Sch. 3 Pt. II para. 5, Sch. 17 para. 35(1) Act amended by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 2(2)(9)(g), Sch. 17 paras. 33, 35(1) Act modified by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 3(2)(h), Sch. 17 paras. 33, 35(1) Act applied by Town and Country Planning Act 1990 (c.8), ss.226(7), 228(7), 254(2) Act applied by Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9), ss. 47(2), 61(2) Act applied (with modifications) by National Health Service and Community Care Act 1990 (c.19), s.1(2), Sch. 1 Pt. I para. 26(2)(3)

[2] S. 4 ~applied by ~ applied by Dartford-Thurrock Crossing Act 1988 (c.20), ss.2(2), 19, Sch. 2 Pt. II para. 6

Commencement

Pt I s. 3: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Pt I s. 3: England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

Law In Force

4.— Assessment of compensation.

(1) In relation to a compulsory purchase the Land Compensation Act 1961 shall have effect subject to the provisions of this section.

(2) The **[** Upper Tribunal **]** [1] shall not take into account any interest in land, or any enhancement of the value of any interest in land, by reason of any building erected, work done or improvement or alteration made, whether on the land purchased or on any other land with which the claimant is, or was at the time of the erection, doing or making of the building, works, improvement or alteration, directly or indirectly concerned, if the **[** Upper Tribunal **]** [1] is satisfied that the creation of the interest, the erection of the building, the doing of the work, the making of the improvement or the alteration, as the case may be, was not reasonably necessary and was undertaken with a view to obtaining compensation or increased compensation.

Notes

[1] Words substituted by Transfer of Tribunal Functions (Lands Tribunal and Miscellaneous Amendments) Order 2009/1307 Sch.1 para.150 (June 1, 2009)

Commencement

Pt I s. 4: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Pt I s. 4(1)-(2): England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

Supplemental

Law In Force

5.— Local inquiries.

(1) For the purposes of the execution of his powers and duties under this Act, a Minister may cause to be held such public local inquiries as are directed by this Act and such other public local inquiries as he may think fit.

(2) Subsections (2) and (3) of section 250 of the Local Government Act 1972 (giving of evidence on inquiries) shall apply to a public local inquiry held in pursuance of this Act.

(3) In relation to—

(a) a proposed acquisition of land by an authority other than a Minister, or

(b) the proposed extinction under Part VI of this Act of a right of way over land acquired or proposed to be acquired by an authority other than a Minister,

subsections (4) and (5) of the said section 250 (defraying of costs of inquiries) shall apply to a public local inquiry held in pursuance of this Act.

[(4) In relation to each of the matters mentioned in paragraphs (a) and (b) of subsection (3), section 250(5) of the Local Government Act 1972 also applies—

(a) where arrangements are made for a public local inquiry to be held in England in pursuance of this Act but the inquiry does not take place;

(b) to the costs of a party to a public local inquiry held in England in pursuance of this Act who does not attend the inquiry.

] [1]

Notes

[1] Added by Growth and Infrastructure Act 2013 c. 27 s.3 (June 25, 2013: insertion has effect subject to transitional and saving provisions specified in SI 2013/1488 art.8(1))

Commencement

Pt I s. 5: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Pt I s. 5(1)-(3)(b): England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

Pt I s. 5(4)-(4)(b): England, Wales

Law In Force

[5A Power to require information

(1) This section applies to information about land in relation to which an acquiring authority is entitled to exercise a power of compulsory purchase.

(2) The acquiring authority may serve a notice on a person mentioned in subsection (4) requiring him to give to the authority in writing the following information–

(a) the name and address of any person he believes to be an owner, lessee, tenant (whatever the tenancy period) or occupier of the land;

(b) the name and address of any person he believes to have an interest in the land.

(3) The power in subsection (2) is exercisable for the purpose of enabling the acquiring authority to acquire the land.

(4) The persons are–

(a) the occupier of the land;

(b) any person who has an interest in the land either as freeholder, mortgagee or lessee;

(c) any person who directly or indirectly receives rent for the land;

(d) any person who, in pursuance of an agreement between himself and a person interested in the land, is authorised to manage the land or to arrange for the letting of it.

(5) The notice must specify the period within which the information must be given to the acquiring authority (being a period of not less than 14 days beginning with the day on which the notice is served).

(6) The notice must also specify or describe–

(a) the land,

(b) the compulsory purchase power, and

(c) the enactment which confers the power.

(7) The notice must be in writing.

(8) Section 6(4) does not apply to notices to be served under this section.
] [1]

Notes

[1] Added by Planning and Compulsory Purchase Act 2004 c. 5 Pt 8 s.105(2) (October 31, 2004)

Extent

Pt I s. 5A(1)-(8): England, Wales

Law In Force

[5B Offences relating to information

(1) A person commits an offence if he fails without reasonable excuse to comply with a notice served on him under section 5A.

(2) A person commits an offence if, in response to a notice served on him under section 5A–

(a) he gives information which is false in a material particular, and

(b) when he does so, he knows or ought reasonably to know that the information is false.

(3) If an offence under this section committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of–

(a) a director, manager, secretary or other similar officer of the body corporate, or

(b) a person purporting to act in any such capacity,

he, as well as the body corporate, is guilty of that offence and liable to be proceeded against accordingly.

(4) The reference in subsection (3) to a director must be construed in accordance with section 331(2) of the Town and Country Planning Act 1990.

(5) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 5 on the standard scale.

] [1]

Notes

[1] Added by Planning and Compulsory Purchase Act 2004 c. 5 Pt 8 s.105(2) (October 31, 2004)

Extent

Pt I s. 5B(1)-(5): England, Wales

Law In Force

6.— Service of documents.

(1) Any notice or other document required or authorised to be served under this Act may be served on any person either by delivering it to him, or by leaving it at his proper address, or by post, so however that the document shall not be duly served by post unless it is sent by registered letter, or by the recorded delivery service.

(2) Any such document required or authorised to be served upon an incorporated company or body shall be duly served if it is served upon the secretary or clerk of the company or body.

(3) For the purposes of this section and of section 7 of the Interpretation Act 1978 the proper address of any person upon whom any such document as aforesaid is to be served shall, in the case of the secretary or clerk of any incorporated company or body, be that of the registered or principal office of the company or body, and in any other case be the last known address of the person to be served:

Provided that where the person to be served has furnished an address for service, his proper address for the purposes aforesaid shall be the address furnished.

(4) If the authority or Minister having jurisdiction to make the order in connection with which the document is to be served is satisfied that reasonable inquiry has been made and that it is not practicable to ascertain the name or address of an owner, lessee [, tenant][1] or occupier of land on whom any such document as aforesaid is to be served, the document may be served by addressing it to him by the description of "Owner" "lessee" [, "tenant"][2] or "occupier" of the land (describing it) to which it relates, and by delivering it to some person on the [land or, if there is no person on the land to whom it may be delivered, by leaving it or a copy of it on or near the land][3] :

Provided that this subsection shall not have effect in relation to an owner, lessee [, tenant][1] or occupier being a local authority or statutory undertakers or the National Trust.

Notes

1 Word inserted by Planning and Compulsory Purchase Act 2004 c. 5 Pt 8 s.100(2)(a) (August 6, 2004 in relation to the exercise of powers specified in SI 2004/2097 art.2; October 21, 2004 otherwise)

2 Word inserted by Planning and Compulsory Purchase Act 2004 c. 5 Pt 8 s.100(2)(b) (August 6, 2004 in relation to the exercise of powers specified in SI 2004/2097 art.2; October 21, 2004 otherwise)

3 Words substituted by Planning and Compensation Act 1991 c. 34 Sch.15(I) para.8 (September 25, 1991)

Commencement

Pt I s. 6: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Pt I s. 6(1)-(4) Proviso. 002: England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

Interpretation

The text of this provision varies depending on jurisdiction or other application. See parallel texts relating to:
Wales | England

Law In Force With Amendments Pending

Wales

7.— Interpretation.

(1) In this Act, except where the context otherwise requires—

"acquiring authority", in relation to a compulsory purchase, means the Minister, local authority or other person who may be authorised to purchase the land compulsorily,

"compulsory purchase order" means an order under section 2(1) above,

"confirming authority", in relation to a compulsory purchase, means ,where the acquiring authority is not a Minister, the Minister having power to authorise the acquiring authority to purchase the land compulsorily,

"land" —

(a) includes messages, tenements and hereditaments, and

(b) in relation to compulsory purchase under any enactment, includes anything falling within any definition of the expression in that enactment,

["local authority" means —

[(a) a billing authority or a precepting authority, as defined in section 69 of the Local Government Finance Act 1992;

[(al) the London Fire Commissioner; **]** [3]

[(aa) a fire and rescue authority in Wales constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004 or a scheme to which section 4 of that Act applies; **]** [4]

] [2]

(b) a levying body within the meaning of section 74 of **[** the Local Government Finance Act 1988 **]** [4] ;

(c) a body as regards which section 75 of that Act applies;

(d) any joint board or joint committee if all the constituent authorities are such authorities as are described in paragraphs (a) to (c); and

(e) the Honourable Society of the Inner Temple or the Honourable Society of the Middle Temple,

] [1]

"National Trust" means the National Trust for Places of Historic Interest or Natural Beauty incorporated by the National Trust Act 1907,

"owner" in relation to any 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 the land, whether in possession or in reversion, and includes also a person holding or entitled to the rents and profits of the land under a lease or agreement, the unexpired term whereof exceeds three years **[** and a person who would have power to sell and convey or release the land to the acquiring authority if a compulsory purchase order were operative **]** [5] ,

"prescribed" see subsection (2) below.

["universal service provider" has the same meaning as in **[** Part 3 of the Postal Services Act 2011 **]** [7] ; and references to the provision of a universal postal service shall be construed in accordance with **[** that Part **]** [8] . **]** [6]

(2) Anything which, by Part II or III of this Act, or Schedule 1 or 3 of this Act, is required or authorised to be prescribed shall be prescribed by regulations made by the Secretary of State by statutory instrument.

[(3) But an instrument containing regulations made for the purposes of section 13A or paragraph 4A of Schedule 1 is subject to annulment in pursuance of a resolution of either House of Parliament. **]** [9]

Notes

[1] Definition substituted by S.I. 1990/776, art. 8 Sch. 3 Pt. I para. 23

[2] Para.(a) and (aa) substituted for para.(a) by Local Government Finance Act 1992 c. 14 Sch.13 para.52 (November 2, 1992)

[3] Substituted by Policing and Crime Act 2017 c. 3 Sch.2(2) para.63 (April 1, 2018)

[4] Amended by Fire and Rescue Services Act 2004 c. 21 Sch.1 para.53 (November 10, 2004 as SI 2004/2917)

[5] Words added in definition by Planning and Compensation Act 1991 c. 34 Sch.15(I) para.9 (September 25, 1991)

[6] Definition inserted by Postal Services Act 2000 (Consequential Modifications No. 1) Order 2001/1149 Sch.1(1) para.54(2) (March 26, 2001)

[7] Words substituted by Postal Services Act 2011 c. 5 Sch.12(3) para.110(a) (October 1, 2011)

[8] Words substituted by Postal Services Act 2011 c. 5 Sch.12(3) para.110(b) (October 1, 2011)

[9] Added by Planning and Compulsory Purchase Act 2004 c. 5 Pt 8 s.100(3) (August 6, 2004 in relation to the exercise of powers specified in SI 2004/2097 art.2; October 21, 2004 otherwise)

[7.— Interpretation.

(1) In this Act, except where the context otherwise requires—

"acquiring authority", in relation to a compulsory purchase, means the Minister, local authority or other person who may be authorised to purchase the land compulsorily,

"appropriate website", in relation to a notice about a proposed compulsory purchase, means a website which members of the public could reasonably be expected to find on searching on the internet for information about the scheme or project that underlies the proposed purchase,

"compulsory purchase order" means an order under section 2(1) above,

"confirming authority", in relation to a compulsory purchase, means ,where the acquiring authority is not a Minister, the Minister having power to authorise the acquiring authority to purchase the land compulsorily,

"land" —

(a) includes messages, tenements and hereditaments, and

(b) in relation to compulsory purchase under any enactment, includes anything falling within any definition of the expression in that enactment,

"local authority" means —

(a) a billing authority or a precepting authority, as defined in section 69 of the Local Government Finance Act 1992;

(al) the London Fire Commissioner;

(aa) a fire and rescue authority in Wales constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004 or a scheme to which section 4 of that Act applies;

(b) a levying body within the meaning of section 74 of the Local Government Finance Act 1988;

(c) a body as regards which section 75 of that Act applies;

(d) any joint board or joint committee if all the constituent authorities are such authorities as are described in paragraphs (a) to (c); and

(e) the Honourable Society of the Inner Temple or the Honourable Society of the Middle Temple,

"National Trust" means the National Trust for Places of Historic Interest or Natural Beauty incorporated by the National Trust Act 1907,

"owner" in relation to any 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 the land, whether in possession or in reversion, and includes also a person holding or entitled to the rents and profits of the land under a lease or agreement, the unexpired term whereof exceeds three years and a person who would have power to sell and convey or release the land to the acquiring authority if a compulsory purchase order were operative,

"prescribed" see subsection (2) below.

"universal service provider" has the same meaning as in Part 3 of the Postal Services Act 2011; and references to the provision of a universal postal service shall be construed in accordance with that Part.

(2) Anything which, by Part II or III of this Act, or Schedule 1 or 3 of this Act, is required or authorised to be prescribed shall be prescribed by regulations made by the Secretary of State by statutory instrument.

(3) But an instrument containing regulations made for the purposes of **[** section 13A or section 15A(11) or paragraph 4A of Schedule 1 **]** [2] is subject to annulment in pursuance of a resolution of either House of Parliament.

] [1]

Notes

[1] Definition inserted by Levelling-up and Regeneration Act 2023 c. 55 Pt 9 s.181(2) (January 31, 2024: 2023 c.55 s.181(2) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(j) for the limited purpose of making regulations; April 1, 2024 as SI 2024/389 reg.3(a) subject to transitional provision specified in SI 2024/389 reg.4 otherwise)

[2] Words inserted by Levelling-up and Regeneration Act 2023 c. 55 Pt 9 s.190(1)(a) (April 30, 2024: insertion has effect as SI 2024/92 reg.4 subject to transitional provisions specified in SI 2024/92 reg.6(6))

Amendments Pending

Pt I s. 7(1) definition of "local authority": definition substituted by Local Government Finance (Repeals, Savings and Consequential Amendments) Order 1990/776 Sch. 3(I) para. 23 (April 1, 1990)

Pt I s. 7(4): added by Levelling-up and Regeneration Act 2023 c. 55, Sch. 18 para. 3(2)(b) (date to be appointed)

Pt I s. 7(3): words inserted by Levelling-up and Regeneration Act 2023 c. 55, Sch. 18 para. 3(2)(a)(ii) (date to be appointed: 2023 c.55 Sch.18 came into force on March 31, 2024 as specified in SI 2024/389 reg.2(j) for the limited purpose of conferring a power to make regulations; not yet in force otherwise)

Pt I s. 7(3): words inserted by Levelling-up and Regeneration Act 2023 c. 55, Sch. 18 para. 3(2)(a)(i) (date to be appointed: 2023 c.55 Sch.18 came into force on March 31, 2024 as specified in SI 2024/389 reg.2(j) for the limited purpose of conferring a power to make regulations; not yet in force otherwise)

Pt I s. 7(3): words inserted by Levelling-up and Regeneration Act 2023 c. 55, Pt 9 s. 190(1)(a) (date to be appointed: 2023 c.55 s.190 came into force on March 31, 2024 as specified in SI 2024/389 reg.2(l) for the limited purpose of conferring a power to make regulations; not yet in force otherwise)

Pt I s. 7(1) definition of "appropriate website": definition inserted by Levelling-up and Regeneration Act 2023 c. 55, Pt 9 s. 181(2) (date to be appointed: 2023 c.55 s.181(2) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(j) for the limited purpose of making regulations; not yet in force otherwise)

Commencement

Pt I s. 7: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Pt I s. 7(1)-(1) definition of "local authority" (a), (1) definition of "local authority" (aa)-(1) definition of "prescribed", (2), (4)-(4)(b): England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

Pt I s. 7(1) definition of "local authority" (a1), (1) definition of "universal service provider", (3): England, Wales

Law In Force

8.— Statutory undertakers.

(1) In this Act, unless the context otherwise requires, "statutory undertakers" means—

(a) any person authorised by any enactment to construct, work or carry on—

(i) any railway, light railway, tramway, road transport, water transport, canal or inland navigation undertaking, or

(ii) any dock, harbour, pier or lighthouse undertaking, or

(iii) any undertaking for the supply of **[…]**[1], **[…]**[2], **[** or hydraulic power **]**[3], or

(b) **[…]**[4] the Civil Aviation Authority **[** or a person who holds a licence under Chapter I of Part I of the Transport Act 2000 (to the extent that the person is carrying out activities authorised by the licence) **]**[5], or

(c) **[** a universal service provider in connection with the provision of a universal postal service **]**[6] **[…]**[7],

and in this subsection "enactment" means any Act or any order or scheme made under or confirmed by an Act.

[(1ZA) The undertaking of a person who holds a licence under Chapter I of Part I of the Transport Act 2000 shall not be considered to be a statutory undertaking for the purposes of this Act except to the extent that it is the person's undertaking as licence holder; and references in this Act to the person's undertaking shall be construed accordingly. **]**[8]

[(1A) The undertaking of a universal service provider so far as relating to the provision of a universal postal service shall be taken to be his statutory undertaking for the purposes of this Act; and references in this Act to his undertaking shall be construed accordingly. **]**[9]

(2) **[…]**[10]

(3) In this Act "the appropriate Minister" means, in relation to any statutory undertakers, the Secretary of State.

(4) If any question arises under this Act which Minister is the appropriate Minister, the question shall be determined by the Treasury.

Notes

1 Word repealed by Electricity Act 1989 (c.29), s. 112(4), Sch. 18

2 Word repealed by Gas Act 1986 (c.44), s. 67(4), Sch. 9 Pt. I

3 Words substituted by Water Act 1989 (c.15), s. 190, Sch. 25 para. 65 (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58

4 Words repealed by Airports Act 1986 (c.31), s. 83(5), Sch. 6 Pt. I

5 Words inserted by Transport Act 2000 (Consequential Amendments) Order 2001/4050 Sch.1(II) para.5(a)(i) (December 21, 2001)

[6] Words substituted by Postal Services Act 2000 (Consequential Modifications No. 1) Order 2001/1149 Sch.1(1) para.54(3)(a) (March 26, 2001)

[7] Words repealed by Telecommunications Act 1984 (c.12), Sch. 4 para. 3(1), s. 109(1)(4)(6), Sch. 5 para. 45 and Sch. 7 Pt. I

[8] Added by Transport Act 2000 (Consequential Amendments) Order 2001/4050 Sch.1(II) para.5(a)(ii) (December 21, 2001)

[9] Added by Postal Services Act 2000 (Consequential Modifications No. 1) Order 2001/1149 Sch.1(1) para.54(3)(b) (March 26, 2001)

[10] Repealed by Airports Act 1986 (c.31), s. 83(5), Sch. 6 Pt. I

Commencement

Pt I s. 8: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Pt I s. 8(1)-(1)(c), (2)-(4): England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

Pt I s. 8(1ZA)-(1A): England, Wales

Law In Force

9. Land held inalienably.

For the removal of doubt it is hereby declared that any power conferred—

(a) under this Act, or

(b) by or under the Acquisition of Land (Authorisation procedure) Act 1946, or any enactment passed before the commencement of that Act,

to purchase land compulsorily is, except in so far as any express provision of any such enactment restricts the exercise of the power, exercisable notwithstanding any other enactment providing that the land shall be inalienable.
[1]

Notes

[1] Act applied with (modifications) by Housing Act 1985 (c.68), s.578 Act applied by Housing Associations Act 1985 (c.69), s.88(3)(a) Act applied by Airports Act 1986 (c.31), s.59(1)(a) Act extended by Airports Act 1986 (c.31), s.58, Sch. 2 para. 1(1) Act applied by Gas Act 1986 (c.44), s.9(3), Sch. 3 Pt. II para. 4 Act extended by Gas Act 1986 (c.44), s.67(1)(3), Sch. 7 para. 2(1)(xiii), Sch. 8 para. 33 Act modified by Gas Act 1986 (c.44), s. 67(1)(3), Sch. 7 para. 2(10)(d) Act applied by Norfolk and Suffolk Broads Act 1988 (c.4), ss. 2(6), 23(2), 27(2), Sch. 3 para. 44(4) Act applied (with modifications) by Education Reform Act 1988 (c.40), ss. 190(6), 201(6) Act applied (with modifications) by Housing Act 1988 (c.50), ss. 77(4), 78(1), Sch. 10 Pt. I para. 1 Act applied by Water Act 1989 (c.15), s.151(4) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act extended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(2)(xxvii) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act modified by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(10)(ix) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act amended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(11)(v) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act applied (with modifications) by Electricity Act 1989 (c.29), ss. 10(1)(2), 112(3), Sch. 3 Pt. II para. 5, Sch. 17 para. 35(1) Act amended by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 2(2)(9)(g), Sch. 17 paras. 33, 35(1) Act modified by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 3(2)(h), Sch. 17 paras. 33, 35(1) Act applied by Town and Country Planning Act 1990 (c.8), ss.226(7), 228(7), 254(2) Act applied by Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9), ss. 47(2), 61(2) Act

applied (with modifications) by National Health Service and Community Care Act 1990 (c.19), s.1(2), Sch. 1 Pt. I para. 26(2)(3)

Commencement

Pt I s. 9: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Pt I s. 9(a)-(b): England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

PART II

PURCHASES BY LOCAL AND OTHER AUTHORITIES

Law In Force

10.— Preliminary.

(1) This Part of this Act has effect except where a Minister is the acquiring authority.

(2) The compulsory purchase order shall be in the prescribed form and shall describe by reference to a map the land to which it applies.

(3) Before submitting the order to the confirming authority the acquiring authority shall comply with sections 11 and 12 below.
[1]

Notes

[1] Act applied with (modifications) by Housing Act 1985 (c.68), s.578 Act applied by Housing Associations Act 1985 (c.69), s.88(3)(a) Act applied by Airports Act 1986 (c.31), s.59(1)(a) Act extended by Airports Act 1986 (c.31), s.58, Sch. 2 para. 1(1) Act applied by Gas Act 1986 (c.44), s.9(3), Sch. 3 Pt. II para. 4 Act extended by Gas Act 1986 (c.44), s.67(1)(3), Sch. 7 para. 2(1)(xiii), Sch. 8 para. 33 Act modified by Gas Act 1986 (c.44), s. 67(1)(3), Sch. 7 para. 2(10)(d) Act applied by Norfolk and Suffolk Broads Act 1988 (c.4), ss. 2(6), 23(2), 27(2), Sch. 3 para. 44(4) Act applied (with modifications) by Education Reform Act 1988 (c.40), ss. 190(6), 201(6) Act applied (with modifications) by Housing Act 1988 (c.50), ss. 77(4), 78(1), Sch. 10 Pt. I para. 1 Act applied by Water Act 1989 (c.15), s.151(4) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act extended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(2)(xxvii) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act modified by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(10)(ix) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act amended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(11)(v) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act applied (with modifications) by Electricity Act 1989 (c.29), ss. 10(1)(2), 112(3), Sch. 3 Pt. II para. 5, Sch. 17 para. 35(1) Act amended by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 2(2)(9)(g), Sch. 17 paras. 33, 35(1) Act modified by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 3(2)(h), Sch. 17 paras. 33, 35(1) Act applied by Town and Country Planning Act 1990 (c.8), ss.226(7), 228(7), 254(2) Act applied by Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9), ss. 47(2), 61(2) Act applied (with modifications) by National Health Service and Community Care Act 1990 (c.19), s.1(2), Sch. 1 Pt. I para. 26(2)(3)

Commencement

Pt II s. 10: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Pt II s. 10(1)-(3): England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

Notices prior to submission of order to confirming authority

The text of this provision varies depending on jurisdiction or other application. See parallel texts relating to:
Wales | England

Law In Force With Amendments Pending

Wales

11.— Notices in newspapers.

(1) The acquiring authority shall in two successive weeks publish a notice in the prescribed form in one or more local newspapers circulating in the locality in which the land comprised in the order is situated.

(2) The notice shall—

(a) state that the order has been made and is about to be submitted for confirmation,

(b) describe the land and state the purpose for which the land is required,

(c) name a place within the locality where a copy of the order and of the map referred to therein may be inspected, and

(d) specify the time (not being less than twenty-one days from the first publication of the notice) within which, and the manner in which, objections to the order can be made.

[(3) In addition, the acquiring authority shall affix a notice in the prescribed form to a conspicuous object or objects on or near the land comprised in the order.

(4) The notice under subsection (3) must–

(a) be addressed to persons occupying or having an interest in the land, and

(b) set out each of the matters mentioned in subsection (2) (but reading the reference there to first publication of the notice as a reference to the day when the notice under subsection (3) is first affixed).

] [1]

Notes

[1] Added by Planning and Compulsory Purchase Act 2004 c. 5 Pt 8 s.100(4) (August 6, 2004 in relation to the exercise of powers specified in SI 2004/2097 art.2; October 21, 2004 otherwise)

England

[11.— Public notices

(1) The acquiring authority shall **[** — **]** [2]

[(a) in two successive weeks publish a notice in the prescribed form in one or more local newspapers circulating in the locality in which the land comprised in the order is situated, and

(b) for a period of at least 21 days ending with the day specified under subsection (2)(d), publish a notice in the prescribed form on an appropriate website. **]** [2]

(2) The **[** notices **]** [3] shall—

(a) state that the order has been made and is about to be submitted for confirmation,

(b) describe the land and state the purpose for which the land is required,

(c) name a place within the locality where a copy of the order and of the map referred to therein may be inspected, **[…]**[4]

[(ca) specify a website on which those copies may be viewed, and **]** [5]

[(d) specify the final day for making objections to the order, and the manner in which objections can be made. **]** [6]

[(2A) If the confirming authority is satisfied that, because of special circumstances, it is impracticable for the acquiring authority to make the copies referred to in subsection (2)(c) available for inspection at an appropriate place, the confirming authority may direct that the requirement in subsection (2)(c) (together with that in section 12(1)(ba)) is not to apply. **]** [7]

(3) In addition, the acquiring authority shall affix a notice in the prescribed form to a conspicuous object or objects on or near the land comprised in the order.

(4) The notice under subsection (3) must–

(a) be addressed to persons occupying or having an interest in the land, and

(b) set out each of the matters mentioned in subsection (2) **[…]**[8] .

] [1]

Notes

[1] Heading substituted by Levelling-up and Regeneration Act 2023 c. 55 Pt 9 s.181(3)(a) (January 31, 2024: 2023 c.55 s.181(3)(a) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(j) for the limited purpose of making regulations; April 1, 2024 as SI 2024/389 reg.3(a) subject to transitional provision specified in SI 2024/389 reg.4 otherwise)

[2] Existing text renumbered as s.11(1)(a) and s.11(1)(b) inserted by Levelling-up and Regeneration Act 2023 c. 55 Pt 9 s.181(3)(b) (January 31, 2024: 2023 c.55 s.181(3)(b) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(j) for the limited purpose of making regulations; April 1, 2024 as SI 2024/389 reg.3(a) subject to transitional provision specified in SI 2024/389 reg.4 otherwise)

[3] Word substituted by Levelling-up and Regeneration Act 2023 c. 55 Pt 9 s.181(3)(c)(i) (January 31, 2024: 2023 c.55 s.181(3)(c)(i) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(j) for the limited purpose of making regulations; April 1, 2024 as SI 2024/389 reg.3(a) subject to transitional provision specified in SI 2024/389 reg.4 otherwise)

[4] Word repealed by Levelling-up and Regeneration Act 2023 c. 55 Pt 9 s.181(3)(c)(ii) (January 31, 2024: 2023 c.55 s.181(3)(c)(ii) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(j) for the limited purpose of

making regulations; April 1, 2024 as SI 2024/389 reg.3(a) subject to transitional provision specified in SI 2024/389 reg.4 otherwise)

[5] Added by Levelling-up and Regeneration Act 2023 c. 55 Pt 9 s.181(3)(c)(iii) (January 31, 2024: 2023 c.55 s.181(3)(c)(iii) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(j) for the limited purpose of making regulations; April 1, 2024 as SI 2024/389 reg.3(a) subject to transitional provision specified in SI 2024/389 reg.4 otherwise)

[6] Substituted by Levelling-up and Regeneration Act 2023 c. 55 Pt 9 s.181(3)(c)(iv) (January 31, 2024: 2023 c.55 s.181(3)c)(iv) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(j) for the limited purpose of making regulations; April 1, 2024 as SI 2024/389 reg.3(a) subject to transitional provision specified in SI 2024/389 reg.4 otherwise)

[7] Added by Levelling-up and Regeneration Act 2023 c. 55 Pt 9 s.181(3)(d) (January 31, 2024: 2023 c.55 s.181(3)(d) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(j) for the limited purpose of making regulations; April 1, 2024 as SI 2024/389 reg.3(a) subject to transitional provision specified in SI 2024/389 reg.4 otherwise)

[8] Words repealed by Levelling-up and Regeneration Act 2023 c. 55 Pt 9 s.181(3)(e) (January 31, 2024: 2023 c.55 s.181(3)(e) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(j) for the limited purpose of making regulations; April 1, 2024 as SI 2024/389 reg.3(a) subject to transitional provision specified in SI 2024/389 reg.4 otherwise)

Amendments Pending

Pt II s. 11(4)(b): words repealed by Levelling-up and Regeneration Act 2023 c. 55, Pt 9 s. 181(3)(e) (date to be appointed: 2023 c.55 s.181(3)(e) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(j) for the limited purpose of making regulations; not yet in force otherwise)

Pt II s. 11(2A): added by Levelling-up and Regeneration Act 2023 c. 55, Pt 9 s. 181(3)(d) (date to be appointed: 2023 c.55 s.181(3)(d) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(j) for the limited purpose of making regulations; not yet in force otherwise)

Pt II s. 11(2)(d): substituted by Levelling-up and Regeneration Act 2023 c. 55, Pt 9 s. 181(3)(c)(iv) (date to be appointed: 2023 c.55 s.181(3)c)(iv) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(j) for the limited purpose of making regulations; not yet in force otherwise)

Pt II s. 11(2)(ca): added by Levelling-up and Regeneration Act 2023 c. 55, Pt 9 s. 181(3)(c)(iii) (date to be appointed: 2023 c.55 s.181(3)(c)(iii) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(j) for the limited purpose of making regulations; not yet in force otherwise)

Pt II s. 11(2)(c): word repealed by Levelling-up and Regeneration Act 2023 c. 55, Pt 9 s. 181(3)(c)(ii) (date to be appointed: 2023 c.55 s.181(3)(c)(ii) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(j) for the limited purpose of making regulations; not yet in force otherwise)

Pt II s. 11(2): word substituted by Levelling-up and Regeneration Act 2023 c. 55, Pt 9 s. 181(3)(c)(i) (date to be appointed: 2023 c.55 s.181(3)(c)(i) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(j) for the limited purpose of making regulations; not yet in force otherwise)

Pt II s. 11(1): existing text renumbered as s.11(1)(a) and s.11(1)(b) inserted by Levelling-up and Regeneration Act 2023 c. 55, Pt 9 s. 181(3)(b) (date to be appointed: 2023 c.55 s.181(3)(b) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(j) for the limited purpose of making regulations; not yet in force otherwise)

Pt II s. 11: heading substituted by Levelling-up and Regeneration Act 2023 c. 55, Pt 9 s. 181(3)(a) (date to be appointed: 2023 c.55 s.181(3)(a) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(j) for the limited purpose of making regulations; not yet in force otherwise)

Commencement

Pt II s. 11: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Pt II s. 11(1)-(2A): England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

Pt II s. 11(3)-(4)(b): England, Wales

The text of this provision varies depending on jurisdiction or other application. See parallel texts relating to:
Wales | England

Law In Force With Amendments Pending

Wales

12.— Notices to owners, lessees [, occupiers and others][1].

(1) The acquiring authority shall serve on every [qualifying person][2] a notice in the prescribed form—

(a) stating the effect of the order,

(b) stating that it is about to be submitted for confirmation, and

(c) specifying the time (not being less than twenty-one days from service of the notice) within which, and the manner in which, objections to the order can be made.

[(2) A person is a qualifying person, in relation to land comprised in an order, if–

(a) he is an owner, lessee, tenant (whatever the tenancy period) or occupier of the land, [...][4]

(b) he falls within subsection (2A) [, or][5]

[(c) the person is entitled to the benefit of an obligation under a conservation covenant (within the meaning of Part 7 of the Environment Act 2021) relating to the land.][5]

(2A) A person falls within this subsection if he is–

(a) a person to whom the acquiring authority would, if proceeding under section 5(1) of the Compulsory Purchase Act 1965, be required to give a notice to treat, or

(b) a person the acquiring authority thinks is likely to be entitled to make a relevant claim if the order is confirmed and the compulsory purchase takes place, so far as he is known to the acquiring authority after making diligent inquiry.

(2B) A relevant claim is a claim for compensation under section 10 of the Compulsory Purchase Act 1965 (compensation for injurious affection).][3]

(3) Where under this section any notice is required to be served on an owner of land, and the land is ecclesiastical property, a like notice shall be served on the [Diocesan Board of Finance for the diocese in which the land is situated][6].

In this subsection "ecclesiastical property" means land belonging to any ecclesiastical benefice [of the Church of England][7], or being or forming part of a church subject to the jurisdiction of the bishop of any diocese [of the Church of England][7] or the site of such a church, or being or forming part of a burial ground subject to such jurisdiction [...][8].

Notes

1 Words substituted by Environment Act 2021 c. 30 Sch.20 para.2(2) (September 30, 2022)

2 Words substituted by Planning and Compulsory Purchase Act 2004 c. 5 Pt 8 s.100(5)(a) (August 6, 2004 in relation to the exercise of powers specified in SI 2004/2097 art.2; October 21, 2004 otherwise)

3 S.12(2)-(2B) substituted for s.12(2) by Planning and Compulsory Purchase Act 2004 c. 5 Pt 8 s.100(5)(b) (August 6, 2004 in relation to the exercise of powers specified in SI 2004/2097 art.2; October 21, 2004 otherwise)

4 Word repealed by Environment Act 2021 c. 30 Sch.20 para.2(3)(a) (September 30, 2022)

5 Added by Environment Act 2021 c. 30 Sch.20 para.2(3)(b) (September 30, 2022)

6 Words substituted by Church of England (Miscellaneous Provisions) Measure 2006 No. 1 Sch.5 para.24(1)(a) (October 1, 2006 as jointly appointed by the Archbishops of Canterbury and York in an instrument dated September 11, 2006)

7 Words inserted by Church of England (Miscellaneous Provisions) Measure 2006 No. 1 Sch.5 para.24(1)(b) (October 1, 2006 as jointly appointed by the Archbishops of Canterbury and York in an instrument dated September 11, 2006)

8 Words repealed by Church of England (Miscellaneous Provisions) Measure 2006 No. 1 Sch.5 para.24(1)(c) (October 1, 2006 as jointly appointed by the Archbishops of Canterbury and York in an instrument dated September 11, 2006)

England

[12.— Notices to owners, lessees, occupiers and others.

(1) The acquiring authority shall serve on every qualifying person a notice in the prescribed form—

(a) stating the effect of the order,

(b) stating that it is about to be submitted for confirmation,

[(ba) (subject to section 11(2A)) naming a place within the locality where a copy of the order and of the map referred to in it may be inspected,

(bb) specifying a website on which those copies may be viewed, and **]** [2]

[(c) specifying the final day for making objections to the order, and the manner in which objections can be made. **]** [3]

(2) A person is a qualifying person, in relation to land comprised in an order, if–

(a) he is an owner, lessee, tenant (whatever the tenancy period) or occupier of the land,

(b) he falls within subsection (2A), or

(c) the person is entitled to the benefit of an obligation under a conservation covenant (within the meaning of Part 7 of the Environment Act 2021) relating to the land.

(2A) A person falls within this subsection if he is–

(a) a person to whom the acquiring authority would, if proceeding under section 5(1) of the Compulsory Purchase Act 1965, be required to give a notice to treat, or

(b) a person the acquiring authority thinks is likely to be entitled to make a relevant claim if the order is confirmed and the compulsory purchase takes place, so far as he is known to the acquiring authority after making diligent inquiry.

(2B) A relevant claim is a claim for compensation under section 10 of the Compulsory Purchase Act 1965 (compensation for injurious affection).

(3) Where under this section any notice is required to be served on an owner of land, and the land is ecclesiastical property, a like notice shall be served on the Diocesan Board of Finance for the diocese in which the land is situated.
In this subsection "ecclesiastical property" means land belonging to any ecclesiastical benefice of the Church of England, or being or forming part of a church subject to the jurisdiction of the bishop of any diocese of the Church of England or the site of such a church, or being or forming part of a burial ground subject to such jurisdiction.
] [1]

Notes

[1] Word repealed by Levelling-up and Regeneration Act 2023 c. 55 Pt 9 s.181(4)(a) (January 31, 2024: 2023 c.55 s.181(4)(a) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(j) for the limited purpose of making regulations; April 1, 2024 as SI 2024/389 reg.3(a) subject to transitional provision specified in SI 2024/389 reg.4 otherwise)

[2] Added by Levelling-up and Regeneration Act 2023 c. 55 Pt 9 s.181(4)(b) (January 31, 2024: 2023 c.55 s.181(4)(b) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(j) for the limited purpose of making regulations; April 1, 2024 as SI 2024/389 reg.3(a) subject to transitional provision specified in SI 2024/389 reg.4 otherwise)

[3] Substituted by Levelling-up and Regeneration Act 2023 c. 55 Pt 9 s.181(4)(c) (January 31, 2024: 2023 c.55 s.181(4)(c) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(j) for the limited purpose of making regulations; April 1, 2024 as SI 2024/389 reg.3(a) subject to transitional provision specified in SI 2024/389 reg.4 otherwise)

Amendments Pending

Pt II s. 12(1)(c): substituted by Levelling-up and Regeneration Act 2023 c. 55, Pt 9 s. 181(4)(c) (date to be appointed: 2023 c.55 s.181(4)(c) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(j) for the limited purpose of making regulations; not yet in force otherwise)

Pt II s. 12(1)(ba)-(bb): added by Levelling-up and Regeneration Act 2023 c. 55, Pt 9 s. 181(4)(b) (date to be appointed: 2023 c.55 s.181(4)(b) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(j) for the limited purpose of making regulations; not yet in force otherwise)

Pt II s. 12(1)(b): word repealed by Levelling-up and Regeneration Act 2023 c. 55, Pt 9 s. 181(4)(a) (date to be appointed: 2023 c.55 s.181(4)(a) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(j) for the limited purpose of making regulations; not yet in force otherwise)

Commencement

Pt II s. 12: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Pt II s. 12(1)-(2), (2)(c), (3): England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

Pt II s. 12(2)(a)-(2)(b), (2A)-(2B): England, Wales

The text of this provision varies depending on jurisdiction or other application. See parallel texts relating to:
Wales | England

Partially In Force With Amendments Pending

Wales

[NOTE: not yet in force otherwise.]

England

[12A Final day for making objections

(1) For the purposes of sections 11 and 12, the day specified as the final day for making objections must be the last day, or a day after the last day, of the period of 21 days beginning with the first day at the beginning of which the acquiring authority expects that all of the following conditions will be satisfied.

(2) The conditions are that—

(a) a notice has been published for the first time as required by section 11(1)(a),

(b) publication as required by section 11(1)(b) has begun,

(c) a notice has been affixed as required by section 11(3), and

(d) a notice has been served on every qualifying person as required by section 12(1).

] [1]

Notes

[1] Added by Levelling-up and Regeneration Act 2023 c. 55 Pt 9 s.181(5) (January 31, 2024: 2023 c.55 s.181(5) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(j) for the limited purpose of making regulations; April 1, 2024 as SI 2024/389 reg.3(a) subject to transitional provision specified in SI 2024/389 reg.4 otherwise)

Amendments Pending

Pt II s. 12A: added by Levelling-up and Regeneration Act 2023 c. 55, Pt 9 s. 181(5) (date to be appointed: 2023 c.55 s.181(5) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(j) for the limited purpose of making regulations; not yet in force otherwise)

Extent

Pt II s. 12A(1)-(2)(d): England, Wales

Confirmation of order

Law In Force

[13 Confirmation of order: no objections

(1) The confirming authority may confirm a compulsory purchase order with or without modifications if it is satisfied–

(a) that the notice requirements have been complied with, and

(b) that one of the conditions in subsection (2) is satisfied.

(2) The conditions are–

(a) no relevant objection is made;

(b) every relevant objection made is either withdrawn or disregarded.

(3) The confirming authority may require every person who makes a relevant objection to state the grounds of the objection in writing.

(4) If the confirming authority is satisfied that an objection relates exclusively to matters which can be dealt with by the tribunal by whom the compensation is to be assessed it may disregard the objection.

(5) The notice requirements are the requirements under sections 11 and 12 to publish, affix and serve notices in connection with the compulsory purchase order.

(6) A relevant objection is an objection by a person who is a qualifying person for the purposes of section 12(2), but if such a person qualifies only by virtue of section 12(2A)(b) and the confirming authority thinks that he is not likely to be entitled to make a relevant claim his objection is not a relevant objection.

(7) Disregarded means disregarded under subsection (4) or under any other power to disregard a relevant objection contained in the enactment providing for the compulsory purchase.

] [1]

Notes

[1] Ss 13-13C substituted for s.13 by Planning and Compulsory Purchase Act 2004 c. 5 Pt 8 s.100(6) (August 6, 2004 in relation to the exercise of powers specified in SI 2004/2097 art.2; October 21, 2004 otherwise)

Commencement

Pt II s. 13: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Pt II s. 13(1), (2), (3)-(5): England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

Pt II s. 13(1)(a)-(1)(b), (2)(a)-(2)(b), (6)-(7): England, Wales

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Law In Force With Amendments Pending

[13A Confirmation of order: remaining objections

(1) This section applies to the confirmation of a compulsory purchase order if a relevant objection is made which is neither–

(a) withdrawn, nor

(b) disregarded,

(a remaining objection).

(2) The confirming authority may proceed under the written representations procedure–

(a) if the order is not subject to special parliamentary procedure,

(b) in the case of an order to which section 16 applies, if a certificate has been given under subsection (2) of that section, and

(c) if every person who has made a remaining objection consents in the prescribed manner.

(3) If subsection (2) does not apply or if the confirming authority decides not to proceed under that subsection, it must either–

(a) cause a public local inquiry to be held, or

(b) give every person who has made a remaining objection an opportunity of appearing before and being heard by a person appointed by the confirming authority for the purpose.

(4) If a person who has made a remaining objection takes the opportunity to appear before a person appointed under subsection (3)(b) the confirming authority must give the acquiring authority and any other person it thinks appropriate the opportunity to be heard at the same time.

(5) The confirming authority may confirm the order with or without modifications if it has considered the objection and either–

(a) it has followed the written representations procedure, or

(b) in a case which falls within subsection (3), if an inquiry was held or a person was appointed under subsection (3)(b), it has considered the report of the person who held the inquiry or who was so appointed.

(6) The written representations procedure is such procedure as is prescribed for the purposes of this section including provision affording an opportunity to–

(a) every person who has made a remaining objection,

(b) the acquiring authority, and

(c) any other person the confirming authority thinks appropriate,

to make written representations as to whether the order should be confirmed.

(7) Relevant objection and disregarded must be construed in accordance with section 13.

] [1]

Notes

[1] Ss 13-13C substituted for s.13 by Planning and Compulsory Purchase Act 2004 c. 5 Pt 8 s.100(6) (August 6, 2004 in relation to the exercise of powers specified in SI 2004/2097 art.2; October 21, 2004 otherwise)

Amendments Pending

Pt II s. 13A(2)-(6): s.13A(1A)-(1I) substituted for s.13A(2)-(6) by Levelling-up and Regeneration Act 2023 c. 55, Pt 9 s. 182(2) (date to be appointed: 2023 c.55 s.182 came into force on March 31, 2024 as specified in SI 2024/389 reg.2(i) for the limited purpose of conferring a power to make regulations; not yet in force otherwise)

Extent

Pt II s. 13A(1)-(7): England, Wales

Law In Force With Amendments Pending

[13B Written representations procedure: supplementary

(1) This section applies where the confirming authority decides under section 13A to follow the written representations procedure.

(2) The confirming authority may make orders as to the costs of the parties to the written representations procedure, and as to which party must pay the costs.

(3) An order under subsection (2) may be made a rule of the High Court on the application of any party named in the order.

(4) The costs incurred by the confirming authority in connection with the written representations procedure must be paid by the acquiring authority, if the confirming authority so directs.

(5) The confirming authority may certify the amount of its costs, and any amount so certified and directed to be paid by the acquiring authority is recoverable summarily by the confirming authority as a civil debt.

(6) Section 42(2) of the Housing and Planning Act 1986 (recovery of Minister's costs in connection with inquiries) applies to the written representations procedure as if the procedure is an inquiry specified in section 42(1) of that Act.

(7) Regulations under section 13A(6) may make provision as to the giving of reasons for decisions taken in cases where the written representations procedure is followed.
] [1]

Notes

[1] Ss 13-13C substituted for s.13 by Planning and Compulsory Purchase Act 2004 c. 5 Pt 8 s.100(6) (August 6, 2004 in relation to the exercise of powers specified in SI 2004/2097 art.2; October 21, 2004 otherwise)

Amendments Pending

Pt II s. 13B(7): words substituted by Levelling-up and Regeneration Act 2023 c. 55, Pt 9 s. 182(3)(c) (date to be appointed: 2023 c.55 s.182 came into force on March 31, 2024 as specified in SI 2024/389 reg.2(i) for the limited purpose of conferring a power to make regulations; not yet in force otherwise)

Pt II s. 13B(7): word repealed by Levelling-up and Regeneration Act 2023 c. 55, Pt 9 s. 182(3)(b)(v) (date to be appointed: 2023 c.55 s.182 came into force on March 31, 2024 as specified in SI 2024/389 reg.2(i) for the limited purpose of conferring a power to make regulations; not yet in force otherwise)

Pt II s. 13B(6): word repealed by Levelling-up and Regeneration Act 2023 c. 55, Pt 9 s. 182(3)(b)(iv) (date to be appointed: 2023 c.55 s.182 came into force on March 31, 2024 as specified in SI 2024/389 reg.2(i) for the limited purpose of conferring a power to make regulations; not yet in force otherwise)

Pt II s. 13B(4): word repealed by Levelling-up and Regeneration Act 2023 c. 55, Pt 9 s. 182(3)(b)(iii) (date to be appointed: 2023 c.55 s.182 came into force on March 31, 2024 as specified in SI 2024/389 reg.2(i) for the limited purpose of conferring a power to make regulations; not yet in force otherwise)

Pt II s. 13B(2): word repealed by Levelling-up and Regeneration Act 2023 c. 55, Pt 9 s. 182(3)(b)(ii) (date to be appointed: 2023 c.55 s.182 came into force on March 31, 2024 as specified in SI 2024/389 reg.2(i) for the limited purpose of conferring a power to make regulations; not yet in force otherwise)

Pt II s. 13B(1): word repealed by Levelling-up and Regeneration Act 2023 c. 55, Pt 9 s. 182(3)(b)(i) (date to be appointed: 2023 c.55 s.182 came into force on March 31, 2024 as specified in SI 2024/389 reg.2(i) for the limited purpose of conferring a power to make regulations; not yet in force otherwise)

Pt II s. 13B: word repealed by Levelling-up and Regeneration Act 2023 c. 55, Pt 9 s. 182(3)(a) (date to be appointed: 2023 c.55 s.182 came into force on March 31, 2024 as specified in SI 2024/389 reg.2(i) for the limited purpose of conferring a power to make regulations; not yet in force otherwise)

Extent

Pt II s. 13B(1)-(7): England, Wales

Not Yet In Force

[13BA Conditional confirmation

(1) The confirming authority may confirm a compulsory purchase order conditionally.

(2) The effect of conditional confirmation is that the order—

(a) does not become operative until the confirming authority has decided, on an application by the acquiring authority, that certain conditions have been met, and

(b) expires if the confirming authority—

(i) has not received an application for the purposes of subsection (2)(a) by a certain time, or

(ii) having received such an application by that time, decides that the conditions have not been met.

(3) The conditions and the time are to be specified by the confirming authority when it confirms the order.

(4) The procedure to be followed in relation to an application under this section is to be prescribed.

(5) The regulations prescribing the procedure must include provision for each relevant objector—

(a) to be given notice of the application (or for steps to be taken with a view to notifying them), and

(b) to have the opportunity to make written representations in response to the application.

(6) In subsection (5), "relevant objector" means a person who made an objection to the order that—

(a) was a remaining objection for the purposes of section 13A, and

(b) had not been withdrawn by the time the order was confirmed.

(7) The regulations may include provision as to the giving of reasons for the decision on the application.

(8) Subsections (2) to (6) of section 13B apply to proceedings on an application under this section as they apply to the representations procedure.

] [1]

Notes

[1] Added by Levelling-up and Regeneration Act 2023 c. 55 Pt 9 s.183(2) (date to be appointed: 2023 c.55 s.183 came into force on March 31, 2024 as specified in SI 2024/389 reg.2(j) for the limited purpose of conferring a power to make regulations; not yet in force otherwise)

Extent

Pt II s. 13BA(1)-(8): England, Wales

Law In Force With Amendments Pending

[13C Confirmation in stages

(1) The confirming authority may confirm an order (with or without modifications) so far as it relates to part of the land comprised in the order (the "relevant part") if each of the conditions in subsection (2) is met.

(2) The conditions are–

(a) the confirming authority is satisfied that the order ought to be confirmed so far as it relates to the relevant part but has not for the time being determined whether the order ought to be confirmed so far as it relates to the remaining part;

(b) the confirming authority is satisfied that the notice requirements have been complied with.

(3) If there is a remaining objection in respect of the order, the confirming authority may only act under subsection (1) after complying with section 13A(2) or (3) (as the case may be).

(4) But it may act under subsection (1) without complying with those provisions if it is satisfied that all remaining objections relate solely to the remaining part of the land.

(5) If the confirming authority acts under subsection (1)–

(a) it must give a direction postponing consideration of the order, so far as it relates to the remaining part, until such time as may be specified by or under the direction;

(b) the order so far as it relates to each part of the land must be treated as a separate order.

(6) The notices to be published, affixed and served under section 15 must include a statement as to the effect of the direction given under subsection (5)(a).

(7) Notice requirements must be construed in accordance with section 13.

(8) Remaining objection must be construed in accordance with section 13A.
] [1]

Notes

[1] Ss 13-13C substituted for s.13 by Planning and Compulsory Purchase Act 2004 c. 5 Pt 8 s.100(6) (August 6, 2004 in relation to the exercise of powers specified in SI 2004/2097 art.2; October 21, 2004 otherwise)

Amendments Pending

Pt II s. 13C(3): words substituted by Levelling-up and Regeneration Act 2023 c. 55, Pt 9 s. 182(4) (date to be appointed: 2023 c.55 s.182 came into force on March 31, 2024 as specified in SI 2024/389 reg.2(i) for the limited purpose of conferring a power to make regulations; not yet in force otherwise)

Extent

Pt II s. 13C(1)-(8): England, Wales

Law In Force

[13D Power to extend time limit for implementation

(1) The confirming authority may, when it confirms a compulsory purchase order, include provision in the order specifying a period longer than three years for the purposes of section 4 of the

Compulsory Purchase Act 1965 (time limit for notice to treat) and section 5A of the Compulsory Purchase (Vesting Declarations) Act 1981 (time limit for general vesting declaration).

(2) No such provision is to be included by the acquiring authority in the order submitted for confirmation.
] [1]

Notes

[1] Added by Levelling-up and Regeneration Act 2023 c. 55 Pt 9 s.185(1)(a) (January 31, 2024: insertion has effect as SI 2024/92 reg.2(l) subject to transitional provisions specified in SI 2024/92 reg.6(1))

Extent

Pt II s. 13D(1)-(2): England, Wales

Law In Force

14. Land not originally included in order.

The order as confirmed by the confirming authority shall not, unless all persons interested consent, authorise the acquiring authority to purchase compulsorily any land which the order would not have authorised that authority to purchase compulsorily if it had been confirmed without modification.
[1] [2]

Notes

[1] Act applied with (modifications) by Housing Act 1985 (c.68), s.578 Act applied by Housing Associations Act 1985 (c.69), s.88(3)(a) Act applied by Airports Act 1986 (c.31), s.59(1)(a) Act extended by Airports Act 1986 (c.31), s.58, Sch. 2 para. 1(1) Act applied by Gas Act 1986 (c.44), s.9(3), Sch. 3 Pt. II para. 4 Act extended by Gas Act 1986 (c.44), s.67(1)(3), Sch. 7 para. 2(1)(xiii), Sch. 8 para. 33 Act modified by Gas Act 1986 (c.44), s. 67(1)(3), Sch. 7 para. 2(10)(d) Act applied by Norfolk and Suffolk Broads Act 1988 (c.4), ss. 2(6), 23(2), 27(2), Sch. 3 para. 44(4) Act applied (with modifications) by Education Reform Act 1988 (c.40), ss. 190(6), 201(6) Act applied (with modifications) by Housing Act 1988 (c.50), ss. 77(4), 78(1), Sch. 10 Pt. I para. 1 Act applied by Water Act 1989 (c.15), s.151(4) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act extended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(2)(xxvii) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act modified by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(10)(ix) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act amended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(11)(v) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act applied (with modifications) by Electricity Act 1989 (c.29), ss. 10(1)(2), 112(3), Sch. 3 Pt. II para. 5, Sch. 17 para. 35(1) Act amended by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 2(2)(9)(g), Sch. 17 paras. 33, 35(1) Act modified by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 3(2)(h), Sch. 17 paras. 33, 35(1) Act applied by Town and Country Planning Act 1990 (c.8), ss.226(7), 228(7), 254(2) Act applied by Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9), ss. 47(2), 61(2) Act applied (with modifications) by National Health Service and Community Care Act 1990 (c.19), s.1(2), Sch. 1 Pt. I para. 26(2)(3)

[2] S. 15 modified by Housing Act 1988 (c.50), s. 78(1),Sch. 10 Pt. I para. 2(2)

Commencement

Pt II s. 14: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Pt II s. 14: England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

The text of this provision varies depending on jurisdiction or other application. See parallel texts relating to:
Wales | England

Law In Force With Amendments Pending

Wales

[14A Confirmation by acquiring authority

(1) The power to confirm an order may be exercised by the acquiring authority (instead of the confirming authority) if–

(a) the confirming authority has notified the acquiring authority to that effect, and

(b) the notice has not been revoked.

(2) But this section does not apply to an order in respect of land–

(a) falling within section 16(1) or paragraph 3(1) of Schedule 3, or

(b) forming part of a common, open space or fuel or field garden allotment for the purposes of section 19.

(3) The confirming authority may give notice under subsection (1) if it is satisfied–

(a) that the notice requirements have been complied with,

(b) that no objection has been made in relation to the proposed confirmation or that all objections have been withdrawn, and

(c) that the order is capable of being confirmed without modification.

(4) An objection is an objection made by any person (whether or not a person mentioned in section 12(2)), including an objection which is disregarded.

(5) The power to confirm an order under subsection (1) does not include any power–

(a) to confirm the order with modifications, or

(b) to confirm only a part of the order.

(6) The acquiring authority must notify the confirming authority as soon as reasonably practicable after it has determined whether or not to confirm the order.

(7) The confirming authority may revoke a notice given by it under subsection (1).

(8) But a notice may not be revoked if the determination has already been made and notified by the acquiring authority under subsection (6).

(9) An order confirmed by the acquiring authority under subsection (1) is to have the same effect as if it were confirmed by the confirming authority.

(10) Notices under this section must be in writing.

(11) Notice requirements and disregarded must be construed in accordance with section 13.
] [1]

Notes

[1] Added by Planning and Compulsory Purchase Act 2004 c. 5 Pt 8 s.102(2) (October 31, 2004)

England

[14A Confirmation by acquiring authority

(1) The power to confirm an order may be exercised by the acquiring authority (instead of the confirming authority) if–

(a) the confirming authority has notified the acquiring authority to that effect, and

(b) the notice has not been revoked.

(2) But this section does not apply to an order in respect of land–

(a) falling within section 16(1) or paragraph 3(1) of Schedule 3, or

(b) forming part of a common, open space or fuel or field garden allotment for the purposes of section 19.

(2A) Nor does it apply to an order directing that compensation is to be assessed in accordance with section 14A of the Land Compensation Act 1961 (see section 15A).

(3) The confirming authority may give notice under subsection (1) if it is satisfied–

(a) that the notice requirements have been complied with,

(b) that no objection has been made in relation to the proposed confirmation or that all objections have been withdrawn, and

(c) that the order is capable of being confirmed without modification.

(4) An objection is an objection made by any person (whether or not a person mentioned in section 12(2)), including an objection which is disregarded.

(5) The power to confirm an order under subsection (1) does not include any power–

(a) to confirm the order with modifications, or

(b) to confirm only a part of the order.

(6) The acquiring authority must notify the confirming authority as soon as reasonably practicable after it has determined whether or not to confirm the order.

(7) The confirming authority may revoke a notice given by it under subsection (1).

(8) But a notice may not be revoked if the determination has already been made and notified by the acquiring authority under subsection (6).

(9) An order confirmed by the acquiring authority under subsection (1) is to have the same effect as if it were confirmed by the confirming authority.

(10) Notices under this section must be in writing.

(11) Notice requirements and disregarded must be construed in accordance with section 13.
] [1]

Notes

[1] Added by Levelling-up and Regeneration Act 2023 c. 55 Pt 9 s.190(1)(b) (April 30, 2024: insertion has effect as SI 2024/92 reg.4 subject to transitional provisions specified in SI 2024/92 reg.6(6))

Amendments Pending

Pt II s. 14A(2A): added by Levelling-up and Regeneration Act 2023 c. 55, Pt 9 s. 190(1)(b) (date to be appointed: 2023 c.55 s.190 came into force on March 31, 2024 as specified in SI 2024/389 reg.2(l) for the limited purpose of conferring a power to make regulations; not yet in force otherwise)

Extent

Pt II s. 14A(1)-(11): England, Wales

Law In Force

[14B Timetables for confirmation of CPOs except by Welsh Ministers

(1) The Secretary of State must publish one or more timetables in relation to steps to be taken by confirming authorities, other than the Welsh Ministers, in confirming a compulsory purchase order.

(2) Different timetables may be published in relation to—

(a) different confirming authorities, or

(b) different types of compulsory purchase order.

(3) The Secretary of State may at any time revise a timetable published under this section.

(4) The validity of an order is not affected by any failure to comply with a timetable published under this section.

(5) The Secretary of State must lay before Parliament an annual report showing the extent to which confirming authorities have complied with any applicable timetable published under this section.

(6) A report laid by the Secretary of State under this section need not include information about a confirming authority if the number of compulsory purchase orders submitted to it is lower than a minimum specified by the Secretary of State in the report.

] [1]

Notes

[1] Added by Housing and Planning Act 2016 c. 22 Pt 7 s.180 (April 6, 2018: insertion has effect subject to transitional provisions specified in SI 2018/251 reg.5)

Extent

Pt II s. 14B(1)-(6): England, Wales

Law In Force

[14C Timetables for confirmation of CPOs by Welsh Ministers

(1) The Welsh Ministers may publish one or more timetables in relation to steps to be taken by them in confirming a compulsory purchase order.

(2) Different timetables may be published in relation to different types of compulsory purchase order.

(3) The Welsh Ministers may at any time revise a timetable published under this section.

(4) The validity of an order is not affected by any failure to comply with a timetable published under this section.

(5) The Welsh Ministers must lay before the National Assembly for Wales an annual report showing the extent to which they have complied with any applicable timetable published under this section. **]** [1]

Notes

[1] Added by Housing and Planning Act 2016 c. 22 Pt 7 s.180 (April 6, 2018: insertion has effect subject to transitional provisions specified in SI 2018/251 reg.5)

Extent

Pt II s. 14C(1)-(5): England, Wales

Law In Force With Amendments Pending

[14D Power to appoint inspector

(1) A confirming authority may appoint a person ("an inspector") to act instead of it in relation to the confirmation of a compulsory purchase order to which section 13A applies.

(2) An inspector may be appointed to act in relation to—

(a) a specific compulsory purchase order, or

(b) a description of compulsory purchase orders.

(3) An inspector—

(a) has the same functions as a confirming authority under this Part (excluding this section),

(b) retains those functions even if all remaining objections are withdrawn after the inspector has begun to act in relation to a compulsory purchase order, and

(c) may hold a public local inquiry under section 13A(3)(a) or act as the person appointed to hear remaining objections under section 13A(3)(b).

(4) Where an inspector is to act in relation to a compulsory purchase order, the confirming authority must inform—

(a) every person who has made a remaining objection, and

(b) the acquiring authority.

(5) Where an inspector decides whether or not to confirm the whole or part of a compulsory purchase order, the inspector's decision is to be treated as that of the confirming authority.

(6) The confirming authority may at any time—

(a) revoke its appointment of an inspector, and
(b) appoint another inspector.

(7) If the confirming authority revokes its appointment of an inspector while the inspector is acting in relation to a compulsory purchase order and does not replace the inspector, the authority must give its reasons—
(a) to the inspector whose appointment has been revoked, and
(b) to all those informed under subsection (4).

(8) Where in any enactment there is a provision that applies in relation to a confirming authority acting under this Part, that provision is to be read as applying equally in relation to an inspector so far as the context permits.

(9) In this section "remaining objection" is to be construed in accordance with section 13A.
] [1]

Notes

[1] Added by Housing and Planning Act 2016 c. 22 Pt 7 s.181(2) (April 6, 2018: insertion has effect except in relation to a compulsory purchase order for which the confirming authority is the Welsh Ministers subject to transitional provisions specified in SI 2018/251 reg.5; April 6, 2019 otherwise)

Amendments Pending

Pt II s. 14D(3)(c): words substituted by Levelling-up and Regeneration Act 2023 c. 55, Pt 9 s. 182(5) (date to be appointed: 2023 c.55 s.182 came into force on March 31, 2024 as specified in SI 2024/389 reg.2(i) for the limited purpose of conferring a power to make regulations; not yet in force otherwise)

Extent

Pt II s. 14D(1)-(9): England, Wales

The text of this provision varies depending on jurisdiction or other application. See parallel texts relating to:
Wales | England

Law In Force With Amendments Pending

Wales

[15 Notices after confirmation of order

(1) After the order has been confirmed, the acquiring authority must–
(a) serve a confirmation notice and a copy of the order as confirmed on each person on whom a notice was required to be served under section 12, and
(b) affix a confirmation notice to a conspicuous object or objects on or near the land comprised in the order.

(2) The notice under subsection (1)(b) must–
(a) be addressed to persons occupying or having an interest in the land;

(b) so far as practicable, be kept in place by the acquiring authority until the expiry of a period of six weeks beginning with the date when the order becomes operative.

(3) The acquiring authority must also publish a confirmation notice in one or more local newspapers circulating in the locality in which the land comprised in the order is situated.

[(3A) The acquiring authority must comply with subsections (1) and (3) before the end of—

(a) the period of 6 weeks beginning with the day on which the order is confirmed, or

(b) such longer period beginning with that day as may be agreed in writing between the acquiring authority and the confirming authority.

(3B) If the acquiring authority fails to comply with subsections (1) and (3) in accordance with subsection (3A), the confirming authority may—

(a) take any steps that the acquiring authority was required but has failed to take to comply with those subsections, and

(b) recover the reasonable costs of doing so from the acquiring authority.

] [2]

(4) A confirmation notice is a notice–

(a) describing the land;

(b) stating that the order has been confirmed;

(c) (except in the case of a notice under subsection (1)(a)) naming a place where a copy of the order as confirmed and of the map referred to there may be inspected at all reasonable hours;

(d) that a person aggrieved by the order may apply to the High Court as mentioned in section 23 **[** ; **]** [3]

[(e) containing a prescribed statement about the effect of Parts 2 and 3 of the Compulsory Purchase (Vesting Declarations) Act 1981;

(f) inviting any person who would be entitled to claim compensation if a declaration were executed under section 4 of that Act to give the acquiring authority information about the person's name, address and interest in land, using a prescribed form. **]** [3]

(5) A confirmation notice must be in the prescribed form.

[(6) The acquiring authority must send the confirmation notice to the Chief Land Registrar and it shall be a local land charge. **]** [4]

] [1]

Notes

[1] Substituted by Planning and Compulsory Purchase Act 2004 c. 5 Pt 8 s.100(7) (August 6, 2004 in relation to the exercise of powers specified in SI 2004/2097 art.2; October 21, 2004 otherwise)

[2] Added by Neighbourhood Planning Act 2017 c. 20 Pt 2 c.2 s.34(1) (September 22, 2017: insertion has effect in relation to a compulsory purchase order confirmed after 2017 c.20 s.34 comes into force being September 22, 2017)

[3] Added by Housing and Planning Act 2016 c. 22 Sch.15 para.2(2) (October 1, 2016 for the purpose only of exercising the power to prescribe by regulations the statement referred to in 1981 c.67 s.15(4)(e) and the form referred to in 1981 c.67 s.15(4)(f); February 3, 2017 in so far as not already in force, except in relation to a compulsory purchase order which is made by, or for which the confirming authority is, the Welsh Ministers as specified in SI 2017/75 reg.3(i) subject to transitional provisions specified in SI 2017/75 reg.5; April 6, 2017 subject to transitional provisions specified in SI 2017/281 reg.8(1) otherwise)

[4] Added by Housing and Planning Act 2016 c. 22 Sch.15 para.2(3) (February 3, 2017 except in relation to a compulsory purchase order which is made by, or for which the confirming authority is, the Welsh Ministers as

specified in SI 2017/75 reg.3(i) subject to transitional provisions specified in SI 2017/75 reg.5; April 6, 2017 subject to transitional provisions specified in SI 2017/281 reg.8(1) otherwise)

England

[15 Notices after confirmation of order

(1) After the order has been confirmed, the acquiring authority must–

(a) serve a confirmation notice and a copy of the order as confirmed on each person on whom a notice was required to be served under section 12, and

(b) affix a confirmation notice to a conspicuous object or objects on or near the land comprised in the order.

(2) The notice under subsection (1)(b) must–

(a) be addressed to persons occupying or having an interest in the land;

(b) so far as practicable, be kept in place by the acquiring authority until the expiry of a period of six weeks beginning with the date when the order becomes operative.

(3) The acquiring authority must also publish a confirmation notice—

(a) in one or more local newspapers circulating in the locality in which the land comprised in the order is situated, and

(b) on an appropriate website, until the end of the period of 6 weeks beginning with the day on which the authority takes the final step needed to comply with subsection (1)(a).

(3A) The acquiring authority must comply with subsections (1) and **[** (3)(a) **]** [2] before the end of—

(a) the period of 6 weeks beginning with the day on which the order is confirmed, or

(b) such longer period beginning with that day as may be agreed in writing between the acquiring authority and the confirming authority.

(3B) If the acquiring authority fails to comply with subsections (1) and **[** (3)(a) **]** [3] in accordance with subsection (3A), **[** or with subsection (3)(b), **]** [4] the confirming authority may—

(a) take any steps that the acquiring authority was required but has failed to take to comply with those subsections, and

(b) recover the reasonable costs of doing so from the acquiring authority.

(4) A confirmation notice is a notice–

(a) describing the land;

(b) stating that the order has been confirmed;

(c) (except in the case of a notice under subsection (1)(a)) naming a place where a copy of the order as confirmed and of the map referred to there may be inspected at all reasonable hours;

[(ca) specifying a website on which those copies may be viewed; **]** [5]

(d) that a person aggrieved by the order may apply to the High Court as mentioned in section 23;

(e) containing a prescribed statement about the effect of Parts 2 and 3 of the Compulsory Purchase (Vesting Declarations) Act 1981;

(f) inviting any person who would be entitled to claim compensation if a declaration were executed under section 4 of that Act to give the acquiring authority information about the person's name, address and interest in land, using a prescribed form.

[(4A) If the confirming authority is satisfied that, because of special circumstances, it is impracticable for the acquiring authority to make the copies referred to in subsection (4)(c) available for inspection at an appropriate place, the confirming authority may direct that the requirement in subsection (4)(c) is not to apply. **]** [6]

(5) A confirmation notice must be in the prescribed form.

(6) The acquiring authority must send the confirmation notice to the Chief Land Registrar and it shall be a local land charge.
] [1]

Notes

[1] Existing text renumbered as s.15(3)(a) and s.15(3)(b) inserted by Levelling-up and Regeneration Act 2023 c. 55 Pt 9 s.181(6)(a) (January 31, 2024: 2023 c.55 s.181(6)(a) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(j) for the limited purpose of making regulations; April 30, 2024 as SI 2024/389 reg.3(a) subject to transitional provision specified in SI 2024/389 reg.4 otherwise)

[2] Word substituted by Levelling-up and Regeneration Act 2023 c. 55 Pt 9 s.181(6)(b) (January 31, 2024: 2023 c.55 s.181(6)(b) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(j) for the limited purpose of making regulations; April 30, 2024 as SI 2024/389 reg.3(a) subject to transitional provision specified in SI 2024/389 reg.4 otherwise)

[3] Word substituted by Levelling-up and Regeneration Act 2023 c. 55 Pt 9 s.181(6)(c)(i) (January 31, 2024: 2023 c.55 s.181(6)(c)(i) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(j) for the limited purpose of making regulations; April 30, 2024 as SI 2024/389 reg.3(a) subject to transitional provision specified in SI 2024/389 reg.4 otherwise)

[4] Words inserted by Levelling-up and Regeneration Act 2023 c. 55 Pt 9 s.181(6)(c)(ii) (January 31, 2024: 2023 c.55 s.181(6)(c)(ii) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(j) for the limited purpose of making regulations; April 30, 2024 as SI 2024/389 reg.3(a) subject to transitional provision specified in SI 2024/389 reg.4 otherwise)

[5] Added by Levelling-up and Regeneration Act 2023 c. 55 Pt 9 s.181(6)(d) (January 31, 2024: 2023 c.55 s.181(6)(d) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(j) for the limited purpose of making regulations; April 30, 2024 as SI 2024/389 reg.3(a) subject to transitional provision specified in SI 2024/389 reg.4 otherwise)

[6] Added by Levelling-up and Regeneration Act 2023 c. 55 Pt 9 s.181(6)(e) (January 31, 2024: 2023 c.55 s.181(6)(e) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(j) for the limited purpose of making regulations; April 30, 2024 as SI 2024/389 reg.3(a) subject to transitional provision specified in SI 2024/389 reg.4 otherwise)

Amendments Pending

Pt II s. 15(6): word substituted by Levelling-up and Regeneration Act 2023 c. 55, Pt 9 s. 183(3)(f)(ii) (date to be appointed: 2023 c.55 s.183 came into force on March 31, 2024 as specified in SI 2024/389 reg.2(j) for the limited purpose of conferring a power to make regulations; not yet in force otherwise)

Pt II s. 15(6): words inserted by Levelling-up and Regeneration Act 2023 c. 55, Pt 9 s. 183(3)(f)(i) (date to be appointed: 2023 c.55 s.183 came into force on March 31, 2024 as specified in SI 2024/389 reg.2(j) for the limited purpose of conferring a power to make regulations; not yet in force otherwise)

Pt II s. 15(5): words inserted by Levelling-up and Regeneration Act 2023 c. 55, Pt 9 s. 183(3)(e) (date to be appointed: 2023 c.55 s.183 came into force on March 31, 2024 as specified in SI 2024/389 reg.2(j) for the limited purpose of conferring a power to make regulations; not yet in force otherwise)

Pt II s. 15(4B)-(4F): added by Levelling-up and Regeneration Act 2023 c. 55, Pt 9 s. 183(3)(d) (date to be appointed: 2023 c.55 s.183 came into force on March 31, 2024 as specified in SI 2024/389 reg.2(j) for the limited purpose of conferring a power to make regulations; not yet in force otherwise)

Pt II s. 15(4)(ba): added by Levelling-up and Regeneration Act 2023 c. 55, Pt 9 s. 183(3)(c) (date to be appointed: 2023 c.55 s.183 came into force on March 31, 2024 as specified in SI 2024/389 reg.2(j) for the limited purpose of conferring a power to make regulations; not yet in force otherwise)

Pt II s. 15(3): words inserted by Levelling-up and Regeneration Act 2023 c. 55, Pt 9 s. 183(3)(b) (date to be appointed: 2023 c.55 s.183 came into force on March 31, 2024 as specified in SI 2024/389 reg.2(j) for the limited purpose of conferring a power to make regulations; not yet in force otherwise)

Pt II s. 15(2)(b): words substituted by Levelling-up and Regeneration Act 2023 c. 55, Pt 9 s. 183(3)(a) (date to be appointed: 2023 c.55 s.183 came into force on March 31, 2024 as specified in SI 2024/389 reg.2(j) for the limited purpose of conferring a power to make regulations; not yet in force otherwise)

Pt II s. 15(4A): added by Levelling-up and Regeneration Act 2023 c. 55, Pt 9 s. 181(6)(e) (date to be appointed: 2023 c.55 s.181(6)(e) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(j) for the limited purpose of making regulations; not yet in force otherwise)

Pt II s. 15(4)(ca): added by Levelling-up and Regeneration Act 2023 c. 55, Pt 9 s. 181(6)(d) (date to be appointed: 2023 c.55 s.181(6)(d) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(j) for the limited purpose of making regulations; not yet in force otherwise)

Pt II s. 15(3B): words inserted by Levelling-up and Regeneration Act 2023 c. 55, Pt 9 s. 181(6)(c)(ii) (date to be appointed: 2023 c.55 s.181(6)(c)(ii) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(j) for the limited purpose of making regulations; not yet in force otherwise)

Pt II s. 15(3B): word substituted by Levelling-up and Regeneration Act 2023 c. 55, Pt 9 s. 181(6)(c)(i) (date to be appointed: 2023 c.55 s.181(6)(c)(i) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(j) for the limited purpose of making regulations; not yet in force otherwise)

Pt II s. 15(3A): word substituted by Levelling-up and Regeneration Act 2023 c. 55, Pt 9 s. 181(6)(b) (date to be appointed: 2023 c.55 s.181(6)(b) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(j) for the limited purpose of making regulations; not yet in force otherwise)

Pt II s. 15(3): existing text renumbered as s.15(3)(a) and s.15(3)(b) inserted by Levelling-up and Regeneration Act 2023 c. 55, Pt 9 s. 181(6)(a) (date to be appointed: 2023 c.55 s.181(6)(a) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(j) for the limited purpose of making regulations; not yet in force otherwise)

Commencement

Pt II s. 15: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Pt II s. 15(1)-(3)(b), (4)-(4)(f), (5)-(6): England, Wales

Pt II s. 15(3A)-(3B)(b): (extent not available)

Pt II s. 15(4A)-(4F)(b), (a)-(c): England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

[Special provision about compensation] [1]

Notes

[1] Added by Levelling-up and Regeneration Act 2023 c. 55 Pt 9 s.190(1)(c) (April 30, 2024: insertion has effect as SI 2024/92 reg.4 subject to transitional provisions specified in SI 2024/92 reg.6(6))

The text of this provision varies depending on jurisdiction or other application. See parallel texts relating to:
Wales | England

Partially In Force With Amendments Pending

Wales

[NOTE: not yet in force otherwise.]

England

[15A Directions applying section 14A of the Land Compensation Act 1961

(1) Subsection (2) applies if—

(a) an acquiring authority submits a compulsory purchase order for confirmation, and

(b) the authorising enactment is listed in Schedule 2A.

(2) The acquiring authority may include in the order a direction that compensation is to be assessed in accordance with section 14A of the Land Compensation Act 1961 (cases where prospect of planning permission to be ignored); and if it does so the following provisions of this section apply.

(3) The acquiring authority must submit to the confirming authority a statement of commitments together with the order.

(4) A "statement of commitments" is a statement of the acquiring authority's intentions as to what will be done with the project land should the acquisition proceed, so far as the authority relies on those intentions in contending that the direction is justified in the public interest.

(5) If the authorising enactment is listed in any of paragraphs 2 to 7 of Schedule 2A, those intentions must include the provision of a certain number of units of affordable housing.

(6) The statement under section 12(1)(a) must include a statement of the effect of the direction; and paragraphs (ba) and (bb) of the same subsection apply in respect of the statement of commitments as they apply in respect of the compulsory purchase order.

(7) The confirming authority may permit the acquiring authority to amend the statement of commitments before the decision whether to confirm the order is made.

(8) But the confirming authority may do so—

(a) only if satisfied that the amendment would not be unfair to any person who made or could have made a relevant objection for the purposes of section 13, and

(b) if the authorising enactment is listed in any of paragraphs 2 to 7 of Schedule 2A, only if the statement of commitments as amended will still comply with subsection (5).

(9) If the confirming authority decides to confirm the order in accordance with the applicable provisions of this Part—

(a) it may confirm the order with the direction included if satisfied that the direction is justified in the public interest;

(b) otherwise, it must modify the order so as to remove the direction.

(10) If the order is confirmed with the direction included, a confirmation notice under section 15 must (in addition to the matters set out in subsection (4) of that section)—

(a) state the effect of the direction,

(b) explain how the statement of commitments may be viewed, and

(c) explain that additional compensation may become payable if the statement of commitments is not fulfilled.

(11) In this section—

"the authorising enactment" means the enactment that confers the power to make the compulsory purchase to which the order in question relates;

"the project land" means—

(a) the land proposed to be acquired further to the compulsory purchase order, and

(b) any other land that the acquiring authority intends to be used in connection with that land;

"unit of affordable housing" means a building or part of a building that is constructed or adapted for use as a separate dwelling and—

(a) in the case of a building in England, is to be used as—

(i) social housing within the meaning of Part 2 of the Housing and Regeneration Act 2008, or

(ii) housing of any other description that is prescribed, or

(b) in the case of a building in Wales, is to be used as housing of a description that is prescribed.

] [1]

Notes

[1] Added by Levelling-up and Regeneration Act 2023 c. 55 Pt 9 s.190(1)(c) (April 30, 2024: insertion has effect as SI 2024/92 reg.4 subject to transitional provisions specified in SI 2024/92 reg.6(6))

Amendments Pending

Pt II s. 15A: added by Levelling-up and Regeneration Act 2023 c. 55, Pt 9 s. 190(1)(c) (date to be appointed: 2023 c.55 s.190 came into force on March 31, 2024 as specified in SI 2024/389 reg.2(l) for the limited purpose of conferring a power to make regulations; not yet in force otherwise)

Extent

Pt II s. 15A(1)-(11) definition of "unit of affordable housing" (b): England, Wales

PART III

SPECIAL KINDS OF LAND

Law In Force With Amendments Pending

16.— Statutory undertakers' land excluded from compulsory purchase.

(1) This section applies where the land comprised in a compulsory purchase order includes land which has been acquired by statutory undertakers for the purposes of their undertaking and on a representation made to the appropriate Minister before the expiration of the time within which objections to the order can be made he is satisfied that—

(a) any of the said land is used for the purposes of the carrying on of their undertaking, or

(b) an interest in any of the said land is held for those purposes **[** and the representation is not withdrawn. **]** [1] .

(2) The compulsory purchase order shall not be confirmed or made so as to authorise the compulsory purchase of any land as to which the appropriate Minister is satisfied as aforesaid except land as to which he is satisfied that its nature and situation are such—

(a) that it can be purchased and not replaced without serious detriment to the carrying on of the undertaking, or

(b) that if purchased it can be replaced by other land belonging to, or available for acquisition by, the undertakers without serious detriment to the carrying on thereof,

and certifies accordingly.

[(3) In the preceding provisions of this section "statutory undertakers" include—

(a) a health service body, as defined in section 60(7) of the National Health Service and Community Care Act 1990 ; **[…]**[3]

[(aa) **[** NHS England **]** [5] ;

[(ab) an integrated care board established under section 14Z25 of the National Health Service Act 2006; **]** [6]

] [4]

(b) a National Health Service trust established under **[** section 25 of the National Health Service Act 2006 or section 18 of the National Health Service (Wales) Act 2006 **]** [7] or the National Health Service (Scotland) Act 1978;**[…]**[8]

[(ba) an NHS foundation trust; **[** and **]** [10] **]** [9]

(c) **[…]**[10]

[(d) a Local Health Board established under **[** section 11 of the National Health Service (Wales) Act 2006 **]** [11] ; **]** [8]

but in relation to a health service body, as so defined, any reference in those provisions to land acquired or available for acquisition by the statutory undertakers shall be construed as a reference to land acquired or available for acquisition by the Secretary of State for use or occupation by that body **]** [2]

Notes

1 Words added by Planning and Compensation Act 1991 c. 34 Sch.15(I) para.10(1) (September 25, 1991)

2 S.16(3) added by National Health Service and Community Care Act 1990 (c.19), s.60(2), Sch. 8 Pt. II para. 8(1)

3 Word repealed by Health Act 1999 (Supplementary, Consequential etc. Provisions) Order 2000/90 Sch.1 para.15(2)(a) (February 8, 2000)

4 Added by Health and Social Care Act 2012 c. 7 Sch.5 para.22(a) (October 1, 2012)

5 Words substituted by Health and Care Act 2022 c. 31 Sch.1 para.1(1) (July 1, 2022)

6 Substituted by Health and Care Act 2022 c. 31 Sch.4 para.21 (July 1, 2022)

7 Words substituted by National Health Service (Consequential Provisions) Act 2006 c. 43 Sch.1 para.60(a) (March 1, 2007)

[8] Added by National Health Service Reform and Health Care Professions Act 2002 c. 17 Sch.5 para.25 (March 1, 2007 as SI 2006/1407)

[9] Added by Health and Social Care (Community Health and Standards) Act 2003 c. 43 Sch.4 para.48 (April 1, 2004: November 20, 2003 for the purpose of making regulations or orders as specified in 2003 c.43 s.199(4); April 1, 2004 otherwise)

[10] Repealed by Health and Social Care Act 2012 c. 7 Sch.5 para.22(b) (April 1, 2013 subject to savings and transitional provisons specified in SI 2013/160 arts 5-9)

[11] Words substituted by National Health Service (Consequential Provisions) Act 2006 c. 43 Sch.1 para.60(c) (March 1, 2007)

Amendments Pending

Pt III s. 16(3)(b): word repealed by National Health Service Reform and Health Care Professions Act 2002 c. 17 Sch. 9(1) para. 1 (date to be appointed)

Commencement

Pt III s. 16: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Pt III s. 16(1)-(3)(d): England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

Orders subject to special parliamentary procedure

Law In Force With Amendments Pending

17.— Local authority and statutory undertakers' land.

(1) This section applies to land which—

(a) is the property of a local authority, or

(b) has been acquired by statutory undertakers, who are not a local authority, for the purposes of their undertaking.

(2) Subject to Subsection (3) below, a compulsory purchase order shall, in so far as it authorises the compulsory purchase of land to which this section applies, be subject to special parliamentary procedure in any case where an objection to **[** the compulsory purchase of the land **]** [1] has been made by the local authority, or as the case may be the statutory undertakers, and has not been withdrawn.

[(2A) Subsection (3) of section 16 above applies in relation to subsections (1) and (2) above as it applies in relation to the preceding provisions of that section. **]** [2]

(3) Subsection (2) above shall not apply to the compulsory acquisition of an interest in land where the person acquiring the interest is a local authority (as defined in subsection (4) below), **[** a National Park authority **]** [3] **[** an urban development corporation **[** , a Mayoral development corporation **]** [5] , **]** [4] **[…]** [6] **[…]** [7] **[…]** [8] **[** a Welsh planning board, **]** [9] any statutory undertakers or a Minister.

(4) In subsection (3) above—

"local authority" means —

(a) in relation to England, the council of a country or district [the Broads Authority] [10] , the council of a London borough, the Common Council of the City of London [, [a fire and rescue authority created by an order under section 4A of the Fire and Rescue Services Act 2004,] [12]] [11] [the London Fire Commissioner,] [13] [a joint authority established by Part 4 of the Local Government Act 1985 [, a combined authority established under section 103 of that Act or a combined county authority established under section 9(1) of the Levelling-up and Regeneration Act 2023] [15] ,] [14]

(b) in relation to Wales, the council of a county or [county borough] [16] , [or a police authority established under [section 3 of the Police Act 1996] [18] [...] [19] ;] [17]

and this definition applies to the Isles of Scilly as if the Council of those Isles were the council of a county;

"statutory undertakers" includes—

(a) [...] [20]

(aa)-(ab) [...] [21]

[(aa) a National Health Service trust established under [section 25 of the National Health Service Act 2006 or section 18 of the National Health Service (Wales) Act 2006] [23] , and] [22]

[(aab) an NHS foundation trust,] [24]

[

(ab) [...] [25]

(ac) the Schools Funding Council for Wales,] [21]

(ad) [...] [26]

[(ae) [NHS England] [28] ,

[(af) an integrated care board established under section 14Z25 of the National Health Service Act 2006,] [29]

] [27]

(b) any [...] [30] authority, body or undertakers specified in an order made by the Secretary of State under this paragraph.

["a Welsh planning board" means a board constituted under—

(a) section 2(1B) of the Town and Country Planning Act 1990 ; [...] [32]

(b) [...] [32]

] [31]

(5) An order under paragraph (b) of the definition of "statutory undertakers" in subsection (4) above shall be made by statutory instrument and shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Notes

1 Words substituted by Growth and Infrastructure Act 2013 c. 27 s.25(7)(a) (June 25, 2013: substitution has effect subject to transitional and saving provisions specified in SI 2013/1488 art.8(3))

2 S.17(2A) inserted by National Health Service and Community Care Act 1990 (c.19), s. 60(2), Sch. 8 Pt. II para. 8(2)

3 Words inserted by Environment Act 1995 c. 25 Sch.10 para.21(1) (November 23, 1995)

4 Words added by Planning and Compensation Act 1991 c. 34 Sch.15(I) para.11 (September 25, 1991)

5 Words inserted by Localism Act 2011 c. 20 Sch.22 para.7(2) (January 15, 2012)

[6] Words repealed by Welsh Development Agency (Transfer of Functions to the National Assembly for Wales and Abolition) Order 2005/3226 Sch.2(1) para.9(1) (April 1, 2006: repeal has effect subject to transitional provisions specified in SI 2005/3226 art.3)

[7] Words repealed by Government of Wales Act 1998 c. 38 Sch.18(V) para.1 (October 1, 1998)

[8] Words repealed by Environment Act 1995 c. 25 Sch.24 para. (April 1, 1997 as SI 1996/2560)

[9] Words inserted by Local Government (Wales) Act 1994 c. 19 Sch.6(II) para.17(1)(a) (April 1, 1996)

[10] Words inserted by Norfolk and Suffolk Broads Act 1988 (c.4), s. 21, Sch. 6 para. 22

[11] Words inserted by Police and Magistrates' Courts Act 1994 c. 29 Sch.4(II) para.55(a) (October 1, 1994 for the purposes specified in SI 1994/2025 art.6; April 1, 1995 otherwise)

[12] Words inserted by Policing and Crime Act 2017 c. 3 Sch.1(2) para.43 (April 3, 2017)

[13] Words substituted by Policing and Crime Act 2017 c. 3 Sch.2(2) para.64 (April 1, 2018)

[14] Words substituted by Local Government and Public Involvement in Health Act 2007 c. 28 Sch.13(2) para.37 (April 1, 2008)

[15] Possible drafting error - words purportedly substituted differ slightly from the words present and therefore the amendment has been applied to the words which are present by Levelling-up and Regeneration Act 2023 c. 55 Sch.4 para.69 (December 26, 2023)

[16] Words substituted by Local Government (Wales) Act 1994 c. 19 Sch.16 para.64(1) (April 1, 1996)

[17] Words inserted by Police and Magistrates' Courts Act 1994 c. 29 Sch.4(II) para.55(b) (October 1, 1994 for the purposes specified in SI 1994/2025 art.6; April 1, 1995 otherwise)

[18] Words substituted by Police Act 1996 c. 16 Sch.7(I) para.1(2)(q) (August 22, 1996)

[19] Words repealed by Criminal Justice and Police Act 2001 c. 16 Sch.7(5)(1) para.1 (April 1, 2002 as SI 2002/344)

[20] Repealed by Coal Industry Act 1994 c. 21 Sch.9 para.27(1) (October 31, 1994)

[21] Added by Education Act 1996 c. 56 Sch.37(I) para.51(2) (November 1, 1996: s.17(4) takes effect with this amendment instead of that made by 1993 c.35 s.11)

[22] Paragraph (aa) inserted (1.4.1991) by National Health Service and Community Care Act 1990 (c.19), s. 66(1), Sch. 9 para. 23

[23] Words substituted by National Health Service (Consequential Provisions) Act 2006 c. 43 Sch.1 para.61(a) (March 1, 2007)

[24] Added by Health and Social Care (Community Health and Standards) Act 2003 c. 43 Sch.4 para.49 (April 1, 2004: November 20, 2003 for the purpose of making regulations or orders as specified in 2003 c.43 s.199(4); April 1, 2004 otherwise)

[25] Repealed by School Standards and Framework Act 1998 c. 31 Sch.31 para. (September 1, 1999 as SI 1999/2323)

[26] Repealed by Health and Social Care Act 2012 c. 7 Sch.5 para.23(a) (April 1, 2013 subject to savings and transitional provisons specified in SI 2013/160 arts 5-9)

[27] Added by Health and Social Care Act 2012 c. 7 Sch.5 para.23(b) (October 1, 2012)

[28] Words substituted by Health and Care Act 2022 c. 31 Sch.1 para.1(1) (July 1, 2022)

[29] Substituted by Health and Care Act 2022 c. 31 Sch.4 para.22 (July 1, 2022)

[30] Words repealed by Coal Industry Act 1994 c. 21 Sch.11(II) para.1 (October 31, 1994)

[31] Definition inserted by Local Government (Wales) Act 1994 c. 19 Sch.6(II) para.17(1)(b) (April 1, 1996)

[32] Repealed by Environment Act 1995 c. 25 Sch.24 para. (April 1, 1997 as SI 1996/2560)

Amendments Pending

Pt III s. 17(4) definition of "statutory undertakers" (ac): repealed by School Standards and Framework Act 1998 c. 31 Sch. 31 para. (date to be appointed)

Commencement

Pt III s. 17: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Pt III s. 17(1)-(4) definition of "statutory undertakers" (aa), (4) definition of "statutory undertakers" (ac), (4) definition of "statutory undertakers" (b): England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

Pt III s. 17(4) definition of "statutory undertakers" (aab), (4) definition of "statutory undertakers" (ad)-(4) definition of "statutory undertakers" (af), (4) definition of "a Welsh planning board"-(5): England, Wales

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Law In Force

18.— National Trust land.

(1) This section applies to land belonging to the National Trust which is held by the Trust inalienably.

(2) A compulsory purchase order shall, in so far as it authorises the compulsory purchase of land to which this section applies, be subject to special parliamentary procedure in any case where an objection to **[** the compulsory purchase of the land **]** [1] has been duly made by the National Trust and has not been withdrawn.

(3) In this section "held inalienably", in relation to land belonging to the National Trust, means that the land is inalienable under section 21 of the National Trust Act 1907 or section 8 of the National Trust Act 1939.

Notes

[1] Words substituted by Growth and Infrastructure Act 2013 c. 27 s.25(7)(a) (June 25, 2013: substitution has effect subject to transitional and saving provisions specified in SI 2013/1488 art.8(3))

Commencement

Pt III s. 18: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Pt III s. 18(1)-(3): England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

Law In Force

19.— Commons, open spaces etc.

(1) In so far as a compulsory purchase order authorises the purchase of any land forming part of a common, open space or fuel or field garden allotment, the order shall be subject to special parliamentary procedure unless the Secretary of State is satisfied—

(a) that there has been or will be given in exchange for such land, other land, not being less in area and being equally advantageous to the persons, if any, entitled to rights of common or other rights, and to the public, and that the land given in exchange has been or will be vested in the persons in whom the land purchased was vested, and subject to the like rights, trusts and incidents as attach to the land purchased, or

[(aa) that the land is being purchased in order to secure its preservation or improve its management. **]** [1]

(b) that the land does not exceed 250 square yards in extent or is required for the widening or drainage of an existing highway or partly for the widening and partly for the drainage of such a highway and that the giving in exchange of other land is unnecessary, whether in the interests of the persons, if any, entitled to rights of common or other rights or in the interests of the public,

and certifies accordingly.

(2) Where it is proposed to give a certificate under this section, the Secretary of State shall **[** direct the acquiring authority to **]** [2] give public notice of his intention so to do, and—

(a) after affording opportunity to all persons interested to make representations and objections in relation thereto, and

(b) after causing a public local inquiry to be held in any case where it appears to him to be expedient so to do, having regard to any representations or objections made,

the Secretary of State may, after considering any representations and objections made and, if an inquiry has been held, the report of the person who held the inquiry, give the certificate.

[(2A) Notice under subsection (2) above shall be given in such form and manner as the Secretary of State may direct. **]** [3]

(3) A compulsory purchase order may provide for—

(a) vesting land given in exchange as mentioned in Subsection (1) above in the persons, and subject to the rights, trusts and incidents, therein mentioned, and

(b) discharging the land purchased from all rights, trusts and incidents to which it was previously subject **[…]**[4]

[except where the Secretary of State has given a certificate under subsection (1)(aa) above. **]** [4]

(4) In this section—

"common" includes any land subject to be enclosed under the Inclosure Acts 1845 to 1882, and any town or village green,

"fuel or field garden allotment" means any allotment set out as a fuel allotment, or a field garden allotment, under an Inclosure Act,

"open space" means any land laid out as a public garden, or used for the purposes of public recreation, or land being a disused burial ground.

Notes

[1] Added by Planning and Compensation Act 1991 c. 34 Sch.15(I) para.12(1)(a) (September 25, 1991)

[2] Words added by Planning and Compensation Act 1991 c. 34 Sch.15(I) para.12(1)(b) (September 25, 1991)

[3] Added by Planning and Compensation Act 1991 c. 34 Sch.15(I) para.12(1)(c) (September 25, 1991)

[4] Words added by Planning and Compensation Act 1991 c. 34 Sch.15(I) para.12(1)(d) (September 25, 1991)

Commencement

Pt III s. 19: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Pt III s. 19(1)-(4) definition of "open space": England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

Repealed

20.— […][1]

Notes

[1] Repealed by Planning and Compensation Act 1991 c. 34 Sch.15(II) para.28 (September 25, 1991)

Law In Force

21. Land within more than one provision in Part III.

In the case of land falling within more than one of sections 17 to 20 above a compulsory purchase order shall be subject to special parliamentary procedure if required to be subject thereto by any of those sections.
1 2

Notes

[1] Act applied with (modifications) by Housing Act 1985 (c.68), s.578 Act applied by Housing Associations Act 1985 (c.69), s.88(3)(a) Act applied by Airports Act 1986 (c.31), s.59(1)(a) Act extended by Airports Act 1986 (c.31), s.58, Sch. 2 para. 1(1) Act applied by Gas Act 1986 (c.44), s.9(3), Sch. 3 Pt. II para. 4 Act extended by Gas Act 1986 (c.44), s.67(1)(3), Sch. 7 para. 2(1)(xiii), Sch. 8 para. 33 Act modified by Gas Act 1986 (c.44), s. 67(1)(3), Sch. 7 para. 2(10)(d) Act applied by Norfolk and Suffolk Broads Act 1988 (c.4), ss. 2(6), 23(2), 27(2), Sch. 3 para. 44(4) Act applied (with modifications) by Education Reform Act 1988 (c.40), ss. 190(6), 201(6) Act applied (with modifications) by Housing Act 1988 (c.50), ss. 77(4), 78(1), Sch. 10 Pt. I para. 1 Act applied by Water Act 1989 (c.15), s.151(4) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act extended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(2)(xxvii) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act modified by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(10)(ix) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act amended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(11)(v) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act applied (with modifications) by Electricity Act 1989 (c.29), ss. 10(1)(2), 112(3), Sch. 3 Pt. II para. 5, Sch. 17 para. 35(1) Act amended by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 2(2)(9)(g), Sch. 17 paras. 33, 35(1) Act modified by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 3(2)(h), Sch. 17 paras. 33, 35(1) Act applied by Town and Country Planning Act 1990 (c.8), ss.226(7), 228(7), 254(2) Act applied by Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9), ss. 47(2), 61(2) Act applied (with modifications) by National Health Service and Community Care Act 1990 (c.19), s.1(2), Sch. 1 Pt. I para. 26(2)(3)

[2] Pt. III applied (with modifications) by Water Act 1989 (c.15), s. 155(3)(4)(7), Sch. 20 para. 6(1)(b)(c) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58)

Commencement

Pt III s. 21: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Pt III s. 21: England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

Supplemental

The text of this provision varies depending on jurisdiction or other application. See parallel texts relating to:
Wales | England

Law In Force With Amendments Pending

Wales

22. Notice of giving of certificate.

As soon as may be after the giving of a certificate under this Part of this Act, the acquiring authority shall publish in one or more local newspapers circulating in the locality in which the land comprised in the order is situated a notice in the prescribed form stating that the certificate has been given.

England

[22. Notice of giving of certificate.

As soon as may be after the giving of a certificate under this Part of this Act, the acquiring authority shall publish—

(a) in one or more local newspapers circulating in the locality in which the land comprised in the order is situated, and

(b) on an appropriate website, until the end of the period of 6 weeks beginning with the day on which the certificate is given,

a notice in the prescribed form stating that the certificate has been given.

] [1]

Notes

[1] Existing text renumbered as s.22(a) and s.22(b) inserted by Levelling-up and Regeneration Act 2023 c. 55 Pt 9 s.181(7) (January 31, 2024: 2023 c.55 s.181(7) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(j) for the limited purpose of making regulations; April 30, 2024 as SI 2024/389 reg.3(a) subject to transitional provision specified in SI 2024/389 reg.4 otherwise)

Amendments Pending

Pt III s. 22: existing text renumbered as s.22(a) and s.22(b) inserted by Levelling-up and Regeneration Act 2023 c. 55, Pt 9 s. 181(7) (date to be appointed: 2023 c.55 s.181(7) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(j) for the limited purpose of making regulations; not yet in force otherwise)

Commencement

Pt III s. 22: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Pt III s. 22(a)-(b): England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

PART IV

VALIDITY AND DATE OF OPERATION OF ORDERS AND CERTIFICATES.

Law In Force

23.— Grounds for application to High Court.

(1) If any person aggrieved by a compulsory purchase order desires to question the validity thereof, or of any provision contained therein, on the ground that the authorisation of a compulsory purchase thereby granted is not empowered to be granted under this Act or any such enactment as is mentioned in section 1(1) of this Act, he may make an application to the High Court.

(2) If any person aggrieved by—

(a) a compulsory purchase order, or

(b) a certificate under Part III of, or Schedule 3 to, this Act,

desires to question the validity thereof on the ground that any relevant requirement has not been complied with in relation to the order or certificate he may make an application to the High Court.

(3) In subsection (2) above "relevant requirement" means—

(a) any requirement of this Act, or of any regulation under section 7(2) above, or

(b) any requirement of the **[** Tribunals and Inquiries Act 1992 **]** [1] or of any rules made, or having effect as if made, under that Act.

(4) An application to the High Court under this section shall be made within six weeks—

(a) in the case of a compulsory purchase order to which the Statutory Orders (Special Procedure) Act 1945 applies (and which is not excluded by section 27 below), from the date on which the order becomes operative under that Act,

(b) in the case of a compulsory purchase order to which the said Act of 1945 does not apply, from the date on which notice of the confirmation or making of the order is first published in accordance with this Act,

(c) in the case of a certificate, the date on which notice of the giving of the certificate is first published in accordance with this Act.

Notes

[1] Words substituted by Tribunals and Inquiries Act 1992 c. 53 Sch.3 para.14 (October 1, 1992)

Commencement

Pt IV s. 23: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Pt IV s. 23(1)-(4)(c): England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

Law In Force

24.— Powers of the court.

(1) On an application under section 23 above the court may by interim order suspend the operation of the compulsory purchase order or any provision contained therein, or of the certificate, either generally or in so far as it affects any property of the applicant, until the final determination of the proceedings.

(2) If on the application the court is satisfied that—

(a) the authorisation granted by the compulsory purchase order is not empowered to be granted under this Act or any such enactment as is mentioned in section 1(1) of this Act, or

(b) the interests of the applicant have been substantially prejudiced by any relevant requirement (as defined in section 23(3) above) not having been complied with,

the court may quash the compulsory purchase order or any provision contained therein, or the certificate, either generally or in so far as it affects any property of the applicant.

[(3) If the court has power under subsection (2) to quash a compulsory purchase order it may instead quash the decision to confirm the order either generally or in so far as it affects any property of the applicant. **]** [1]

Notes

[1] Added by Housing and Planning Act 2016 c. 22 Pt 7 s.201 (July 13, 2016: insertion has effect subject to saving and transitional provisions specified in SI 2016/733 reg.8)

Commencement

Pt IV s. 24: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Pt IV s. 24(1)-(2)(b): England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

Pt IV s. 24(3): England, Wales

Law In Force

25.

Restriction on other court proceedings.

Subject to the preceding provisions of this Part of this Act, a compulsory purchase order, or a certificate under Part III of, or Schedule 3 to, this Act, shall not, either before or after it has been confirmed, made or given, be questioned in any legal proceedings whatsoever.

[1]

Notes

[1] Act applied with (modifications) by Housing Act 1985 (c.68), s.578 Act applied by Housing Associations Act 1985 (c.69), s.88(3)(a) Act applied by Airports Act 1986 (c.31), s.59(1)(a) Act extended by Airports Act 1986 (c.31), s.58, Sch. 2 para. 1(1) Act applied by Gas Act 1986 (c.44), s.9(3), Sch. 3 Pt. II para. 4 Act extended by Gas Act 1986 (c.44), s.67(1)(3), Sch. 7 para. 2(1)(xiii), Sch. 8 para. 33 Act modified by Gas Act 1986 (c.44), s. 67(1)(3), Sch. 7 para. 2(10)(d) Act applied by Norfolk and Suffolk Broads Act 1988 (c.4), ss. 2(6), 23(2), 27(2), Sch. 3 para. 44(4) Act applied (with modifications) by Education Reform Act 1988 (c.40), ss. 190(6), 201(6) Act applied (with modifications) by Housing Act 1988 (c.50), ss. 77(4), 78(1), Sch. 10 Pt. I para. 1 Act applied by Water Act 1989 (c.15), s.151(4) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act extended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(2)(xxvii) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act modified by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(10)(ix) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act amended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(11)(v) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act applied (with modifications) by Electricity Act 1989 (c.29), ss. 10(1)(2), 112(3), Sch. 3 Pt. II para. 5, Sch. 17 para. 35(1) Act amended by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 2(2)(9)(g), Sch. 17 paras. 33, 35(1) Act modified by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 3(2)(h), Sch. 17 paras. 33, 35(1) Act applied by Town and Country Planning Act 1990 (c.8), ss.226(7), 228(7), 254(2) Act applied by Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9), ss. 47(2), 61(2) Act applied (with modifications) by National Health Service and Community Care Act 1990 (c.19), s.1(2), Sch. 1 Pt. I para. 26(2)(3)

Commencement

Pt IV s. 25: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Pt IV s. 25: England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

Law In Force With Amendments Pending

26.— Date of operation.

(1) Subject to section 24 above, a compulsory purchase order, other than one to which the Statutory Orders (Special Procedure) Act 1945 applies, shall become operative on the date on which notice of the confirmation or making of the order is first published in accordance with this Act.

(2) Subject to section 24 above, a certificate under Part III of, or Schedule 3 to, this Act shall become operative on the date on which notice of the giving of the certificate is first published in accordance with this Act.
[1]

Notes

[1] Act applied with (modifications) by Housing Act 1985 (c.68), s.578 Act applied by Housing Associations Act 1985 (c.69), s.88(3)(a) Act applied by Airports Act 1986 (c.31), s.59(1)(a) Act extended by Airports Act 1986 (c.31), s.58, Sch. 2 para. 1(1) Act applied by Gas Act 1986 (c.44), s.9(3), Sch. 3 Pt. II para. 4 Act extended by Gas Act 1986 (c.44), s.67(1)(3), Sch. 7 para. 2(1)(xiii), Sch. 8 para. 33 Act modified by Gas Act 1986 (c.44), s. 67(1)(3), Sch. 7 para. 2(10)(d) Act applied by Norfolk and Suffolk Broads Act 1988 (c.4), ss. 2(6), 23(2), 27(2), Sch. 3 para. 44(4) Act applied (with modifications) by Education Reform Act 1988 (c.40), ss. 190(6), 201(6) Act applied (with modifications) by Housing Act 1988 (c.50), ss. 77(4), 78(1), Sch. 10 Pt. I para. 1 Act applied by Water Act 1989

(c.15), s.151(4) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act extended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(2)(xxvii) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act modified by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(10)(ix) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act amended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(11)(v) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act applied (with modifications) by Electricity Act 1989 (c.29), ss. 10(1)(2), 112(3), Sch. 3 Pt. II para. 5, Sch. 17 para. 35(1) Act amended by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 2(2)(9)(g), Sch. 17 paras. 33, 35(1) Act modified by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 3(2)(h), Sch. 17 paras. 33, 35(1) Act applied by Town and Country Planning Act 1990 (c.8), ss.226(7), 228(7), 254(2) Act applied by Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9), ss. 47(2), 61(2) Act applied (with modifications) by National Health Service and Community Care Act 1990 (c.19), s.1(2), Sch. 1 Pt. I para. 26(2)(3)

Amendments Pending

Pt IV s. 26(1)-(2): s.26(1A)-(1C), (2A), (2B) and (3) substituted for s.26(1) and (2) by Levelling-up and Regeneration Act 2023 c. 55, Sch. 18 para. 3(3) (date to be appointed: 2023 c.55 Sch.18 came into force on March 31, 2024 as specified in SI 2024/389 reg.2(j) for the limited purpose of conferring a power to make regulations; not yet in force otherwise)

Commencement

Pt IV s. 26: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Pt IV s. 26(1)-(3): England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

Law In Force

27. Exclusion of orders confirmed by Act of Parliament.

This Part of this Act shall not apply to an order which is confirmed by Act of Parliament under **[** section 4 or 6 of the Statutory Orders (Special Procedure) Act 1945 **]** [1].

Notes

1 Words inserted by Growth and Infrastructure Act 2013 c. 27 s.25(9) (June 25, 2013: insertion has effect subject to transitional and saving provisions specified in SI 2013/1488 art.8(3))

Commencement

Pt IV s. 27: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Pt IV s. 27: England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

PART V

PROCEDURE IN SPECIAL CASES

Compulsory acquisition of rights over land

Law In Force

28. Acquisition of rights over land by the creation of new rights.

Schedule 3 to this Act applies to the compulsory acquisition under this Act of rights over land by the creation of new rights by virtue of—

(a) **[…]**[1]

[(aa) section 21A of the Welsh Development Agency Act 1975,. **]** [2]

(b) section 13 (1) of the Local Government (Miscellaneous Provisions) Act 1976,

(c) **[…]**[3]

(d) section 142(4) of the Local Government, Planning and Land Act 1980,

(e) section 250 of the Highways Act 1980.

(f) **[…]**[4]

[(g) paragraph 1 of Schedule 3 to the Gas Act 1986. **]** [5]

[(h) paragraph 1 of Schedule 3 to the Electricity Act 1989. **]** [6]

[(i) paragraph 3(3) of Schedule 4 to the Communications Act 2003. **]** [7]

Notes

1 S. 28(a) repealed by Gas Act 1986 (c.44), s. 67(1), Sch. 7 para. 29

2 Added by Government of Wales Act 1998 c. 38 Sch.14(II) para.18 (October 1, 1998)

3 Repealed by Government of Wales Act 1998 c. 38 Sch.18(IV) para.1 (October 1, 1998)

4 Repealed subject to the transitional provisions specified in 2003 c.21 Sch.18 para.13 and SI 2003/1900 art.3(1) by Communications Act 2003 c. 21 Sch.19 para.1 (July 25, 2003 as SI 2003/1900, subject to the transitional provisions specified in 2003 c.21 Sch.18 para.13 and SI 2003/1900 art.3(1))

5 S.28(g) inserted by Gas Act 1986 (c.44), s. 67(1), Sch. 7 para. 29

6 S.28(h) inserted by Electricity Act 1989 (c.29), ss. 112(1)(3), Sch. 16 para. 28, Sch. 17 paras. 33, 35(1)

7 Added by Communications Act 2003 c. 21 Sch.17 para.58(2) (July 25, 2003 subject to transitional provisions specified in SI 2003/1900 art.3(1); December 29, 2003 being the date on which the transitional provisions cease to have effect as specified in SI 2003/3142 art.3(2))

Commencement

Pt V s. 28: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Pt V s. 28(a)-(h): England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

Pt V s. 28(i): England, Wales

Law In Force

29.— Compulsory rights orders under Opencast Coal Act 1958.

(1) This Act in its application to compulsory rights orders by section 4 of the Opencast Coal Act 1958 has effect subject to this section.

(2) Parts II, III and IV of this Act shall apply as if in those provisions—

(a) any reference to a compulsory purchase order were a reference to a compulsory rights order,

(b) any reference to the acquiring authority were a reference to **[** the Coal Authority **]** [1], and any reference to the confirming authority were a reference to the Secretary of State, and

(c) any reference to authorising the compulsory purchase of land were a reference to operating so as to confer **[…]** [2] temporary rights of occupation and use of land.

(3) Any modifications of particular provisions of this Act which are specified in the following provisions of this section shall have effect, in relation to those provisions, in addition to the general modifications mentioned above.

(4) Part II of this Act shall apply as if for section 12 there was substituted—

"12.

The acquiring authority shall—

(a) serve on all persons who at the time when notice of the order is first published under section 11 above are known to the acquiring authority to be persons directly concerned a notice in the prescribed form—

(i) stating the effect of the order and that it is about to be submitted for confirmation, and

(ii) specifying the time (not being less than 21 days from service of the notice) within which, and the manner in which, objections thereto can be made, and

(b) affix conspicuously to some conspicuous object or objects on the land comprised in the order a notice or notices containing the particulars specified in paragraph (a)(i) and (ii) above."

(5) Section 13 of this Act shall apply as if for **[** the reference to a qualifying person for the purposes of section 12(2) **]** [3] there were substituted a reference to any person who, in relation to the order, is a person directly concerned.

(6) Except where the Secretary of State is proceedings concurrently with respect to an application for **[** opencast planning permission **]** [4] and a compulsory rights order, the Secretary of State may disregard an objection to such an order if he is satisfied that it relates to the question whether **[** opencast planning permission should be granted or should have been granted **]** [4] and either—

(a) it relates exclusively to that question, or

(b) in so far as it relates to other matters, they consist entirely of matters which can be dealt with in the assessment of compensation.

This Subsection is without prejudice to the operation of section 13 of this Act.

[(6A) Part III of this Act shall apply as if section 17 were omitted. **]** [5]

(7) In section 19 of this Act—

(a) any reference to giving other land in exchange shall be construed as a reference to making other land available during the period for which the compulsory rights order is to have effect,

(b) the provisions of the said section 19 as to the vesting of land, and as to its being made subject to the like rights, trusts and incidents as the land purchased, shall apply with the necessary modifications, and

(c) subsection (3)(b) shall not apply.

(8) Section 23 of this Act shall apply as if—

(a) in subsection (1) for the first reference to this Act there were substituted a reference to the Opencast Coal Act 1958,

(b) in subsection (3)(a) the reference to this act included a reference to that Act.

(9) The date on which the compulsory rights order becomes operative shall be that mentioned in section 26(1) of this Act or such later date (not being more than one year after confirmation of the order) as may be determined by the Secretary of State and specified in the order as confirmed.

(10) In the application of this Act to compulsory rights orders "prescribed" means prescribed by regulations under the Opencast Coal Act 1958.

(11) **[** In this section "opencast planning permission" and "persons directly concerned" have the same meanings as in the Opencast Coal Act 1958." **]** [6]

Notes

1 Words substituted by Coal Industry Act 1994 c. 21 Sch.9 para.27(2)(a)(i) (October 31, 1994)

2 Words omitted by Coal Industry Act 1994 c. 21 Sch.9 para.27(2)(a)(ii) (October 31, 1994)

3 Words substituted by Planning and Compulsory Purchase Act 2004 c. 5 Sch.7 para.12 (October 31, 2004)

4 Words substituted by Housing and Planning Act 1986 (c.63), s. 39(3), Sch. 8 Pt. II para. 18(a)

5 Added by Coal Industry Act 1994 c. 21 Sch.9 para.27(2)(b) (October 31, 1994)

6 Words substituted by Housing and Planning Act 1986 (c.63), s. 39(3), Sch. 8 Pt. II para. 18(b)

Commencement

Pt V s. 29: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Pt V s. 29(1)-(11): England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

Law In Force

30.— Acquisition of rights in connection with underground storage of gas.

(1) Subject to this section, in relation to the compulsory purchase—

(a) of a right to store gas in an underground gas storage under section 12(1) of the Gas Act 1965, or

(b) of any right under subsections (2) or (3) of section 13 of that Act,

this Act, the enactments incorporated therewith and the Compulsory Purchase Act 1965 shall have effect as if—

(i) references (whatever the terms used) to the land comprised in the compulsory purchase order were construed, where the context so requires, as references to the stratum of land constituting the underground gas storage or, as the case may be, the land comprising the well, borehole or shaft, and

(ii) references to the obtaining or taking possession of the land so comprised were construed as references to the exercise of the right.

(2) In relation to the compulsory purchase of a right to store gas in an underground gas storage under section 12(1) of the Gas Act 1965 this Act shall have effect—

(a) as if in sections 16 to 18 of this Act references to the land comprised in the compulsory purchase order included references to any land held with the stratum of land constituting the underground gas storage,

(b) as if sections 19 and 20 of this Act were omitted.

(3) Section 28 above and Schedule 3 to this Act shall not apply to a compulsory purchase to which this section applies.
[1]

Notes

[1] Act applied with (modifications) by Housing Act 1985 (c.68), s.578 Act applied by Housing Associations Act 1985 (c.69), s.88(3)(a) Act applied by Airports Act 1986 (c.31), s.59(1)(a) Act extended by Airports Act 1986 (c.31), s.58, Sch. 2 para. 1(1) Act applied by Gas Act 1986 (c.44), s.9(3), Sch. 3 Pt. II para. 4 Act extended by Gas Act 1986 (c.44), s.67(1)(3), Sch. 7 para. 2(1)(xiii), Sch. 8 para. 33 Act modified by Gas Act 1986 (c.44), s. 67(1)(3), Sch. 7 para. 2(10)(d) Act applied by Norfolk and Suffolk Broads Act 1988 (c.4), ss. 2(6), 23(2), 27(2), Sch. 3 para. 44(4) Act applied (with modifications) by Education Reform Act 1988 (c.40), ss. 190(6), 201(6) Act applied (with modifications) by Housing Act 1988 (c.50), ss. 77(4), 78(1), Sch. 10 Pt. I para. 1 Act applied by Water Act 1989 (c.15), s.151(4) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act extended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(2)(xxvii) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act modified by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(10)(ix) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act amended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(11)(v) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act applied (with modifications) by Electricity Act 1989 (c.29), ss. 10(1)(2), 112(3), Sch. 3 Pt. II para. 5, Sch. 17 para. 35(1) Act amended by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 2(2)(9)(g), Sch. 17 paras. 33, 35(1) Act modified by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 3(2)(h), Sch. 17 paras. 33, 35(1) Act applied by Town and Country Planning Act 1990 (c.8), ss.226(7), 228(7), 254(2) Act applied by Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9), ss. 47(2), 61(2) Act applied (with modifications) by National Health Service and Community Care Act 1990 (c.19), s.1(2), Sch. 1 Pt. I para. 26(2)(3)

Commencement

Pt V s. 30: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Pt V s. 30(1)-(3): England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

Statutory undertakers' land

Law In Force

31.— Acquisition under certain Acts of statutory undertakers' land without a certificate.

(1) This section applies to a compulsory purchase order under—

(a) **[** the Town and Country Planning Act 1990 or the Planning (Listed Buildings and Conservation Areas) Act 1990 **]** [1] **[** or Part 3 of the Historic Environment (Wales) Act 2023 **]** [2],

(b) **[…]** [3]

(c) section 142 or 143 of the **[** Local Government, Planning and Land Act **]** [4] 1980 (acquisition by urban development corporation),

[(ca) section 207(2) of the Localism Act 2011 (acquisition by Mayoral development corporation), **]** [5]

[or

(d) section 21A of, and Schedule 4 to, the Welsh Development Agency Act 1975,. **]** [6]

being a compulsory purchase order authorising the acquisition of land which has been acquired by statutory undertakers for the purposes of their undertaking.

[(2) Section 16(2) of, and paragraph 3(2) of Schedule 3 to, this Act shall not apply to an order confirmed or made by the appropriate Minister jointly with the Minister or Ministers who would (apart from this subsection) have power to make or confirm it. **]** [7]

(4) Where in accordance with this section a compulsory acquisition is effected under a compulsory purchase order confirmed or made without the appropriate Minister's certificate **[** sections 280 to 282 of the Town and Country Planning Act 1990 **]** [8] (measure of compensation) shall apply in accordance with **[** section 280(1)(c) **]** [8] of that Act.

Notes

1 Words substituted by Planning (Consequential Provisions) Act 1990 (c.11), s. 4, Sch. 2 para. 53(2)(a)

2 Words inserted by Historic Environment (Wales) Act 2023 asc. 3 Sch.13 para.57 (November 4, 2024)

3 Repealed by Government of Wales Act 1998 c. 38 Sch.18(V) para.1 (October 1, 1998)

4 Words substituted by Government of Wales Act 1998 c. 38 Pt VI s.135(3) (October 1, 1998)

5 Added by Localism Act 2011 c. 20 Sch.22 para.7(3) (January 15, 2012)

6 Added by Government of Wales Act 1998 c. 38 Sch.14(II) para.19 (October 1, 1998)

7 S.31(2) substituted for s.31(2) and (3) by Planning and Compensation Act 1991 c. 34 Sch.15(I) para.10(2) (September 25, 1991)

8 Words substituted by Planning (Consequential Provisions) Act 1990 (c.11), s. 4, Sch. 2 para. 53(2)(b)

Commencement

Pt V s. 31: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Pt V s. 31(1)-(4): England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

PART VI

FOOTPATHS AND BRIDLEWAYS

Law In Force

32.— Power to extinguish certain public rights of way.

(1) This section applies where land is acquired, or proposed to be acquired—

(a) in pursuance of a compulsory purchase order, or

(b) by agreement for a purpose, and by an authority, such that the compulsory acquisition of the land could be authorised by a compulsory purchase order,

and there subsists over any part of the land a public right of way, not being a right enjoyable by vehicular traffic.

(2) If the acquiring authority is satisfied that a suitable alternative right of way has been or will be provided, or that the provision thereof is not required, the acquiring authority may by order extinguish the right of way; and Schedule 6 to the Highways Act 1980 shall have effect as to the making, confirmation, validity and date of operation of any such order.

(3) If the acquiring authority is not the Secretary of State—

(a) the order under subsection (2) above shall not take effect unless confirmed by the Secretary of State, or unless confirmed, as an unopposed order, by the acquiring authority under paragraph 2(1)(b) of Schedule 6 to the Highways Act 1980 as applied by this section, and

(b) the Secretary of State shall not confirm the order unless satisfied that this section applies, and that a suitable alternative right of way has been or will be provided, or that the provision thereof is not required.

(4) The time specified in the order under subsection (2) above as the time from which the right of way is extinguished shall not be earlier than—

(a) confirmation of the order, or if the Secretary of State is the acquiring authority, the making of the order;

(b) if in the exercise of the power conferred by section 11(1) of the Compulsory Purchase Act 1965, or by agreement, the acquiring authority takes possession of the land, the date on which the authority takes possession of the land;

(c) if the acquiring authority does not take possession of the land in exercise of any such power, the date on which the acquisition of the land is completed.

(5) Where a right of way is extinguished under this section at a date before the acquisition of the land is completed, then if at any time thereafter it appears to the acquiring authority that the proposal to acquire the land has been abandoned, the acquiring authority shall by order direct that the right shall revive, without prejudice, however, to the making of a new order extinguishing the right.

(6) No order shall be made under subsection (2) above as respects a right of way over land on, over or under which there is any apparatus belonging to statutory undertakers unless the undertakers consent to the making of the order, and—

(a) the consent may be given subject to the condition that there are included in the order such provisions for the protection of the undertakers as they may reasonably require, and

(b) the consent shall not be unreasonably refused.

Any question arising under this subsection whether any requirement or refusal is reasonable shall be determined by the appropriate Minister.

[(6A) In subsection (6) above the reference to apparatus belonging to statutory undertakers shall include a reference to **[** electronic communications apparatus kept installed for the purposes of an electronic communications code network **]** [2] and in relation to any such apparatus—

(a) the references to the undertakers shall have effect as references to the operator of the **[** network **]** [3] in question; and

(b) the reference to the appropriate Minister shall have effect as a reference to the Secretary of State.

] [1]

(7) This section shall not apply where **[** section 251 or 258 of the Town and Country Planning Act 1990 **]** [4] (extinction of public rights of way over land held for planning purposes) applies.

(8) This section applies subject to any provision to the contrary in any other Act and subject in particular to the exclusion of this Part of this Act by—

[section 41, 42 or 42A of the Civil Aviation Act 1982 **]** [5] ,

[…][6] .

(9) Except as provided in this section nothing in this Act shall be taken to authorise the extinction of any public right of way.

Notes

1 S.32(6A) inserted by Telecommunications Act 1984 (c.12), Sch. 4 para. 80(2), Sch. 5 para. 45

2 Words substituted by Communications Act 2003 c. 21 Sch.17 para.58(3)(a) (July 25, 2003 subject to transitional provisions specified in SI 2003/1900 art.3(1); December 29, 2003 being the date on which the transitional provisions cease to have effect as specified in SI 2003/3142 art.3(2))

3 Word substituted by Communications Act 2003 c. 21 Sch.17 para.58(3)(b) (July 25, 2003 subject to transitional provisions specified in SI 2003/1900 art.3(1); December 29, 2003 being the date on which the transitional provisions cease to have effect as specified in SI 2003/3142 art.3(2))

4 Words substituted by Planning (Consequential Provisions) Act 1990 (c.11), s. 4, Sch. 2 para. 53(3)

5 Words substituted by Transport Act 2000 (Consequential Amendments) Order 2001/4050 Sch.1(II) para.5(b) (December 21, 2001)

6 Words repealed by Airports Act 1986 (c.31), s. 83(5), Sch. 6 Pt. I

Commencement

Pt VI s. 32: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Pt VI s. 32(1)-(9): England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

Law In Force

33.— Land acquired before commencement of this Act.

(1) In section 32 above "compulsory purchase order" includes—

(a) a compulsory purchase order under the Acquisition of Land (Authorisation Procedure) Act 1946, and

(b) an authorisation under section 2 of that Act (which was repealed by the Statute Law Revision Act 1953).

(2) Section 32 above shall apply in relation to land acquired before the commencement of the said Act of 1946 by a local authority, being—

(a) land acquired compulsorily under any public general Act in force immediately before the commencement of the said Act of 1946 other than—

(i) the Light Railways Acts 1896 and 1912,

(ii) part III of the Housing Act 1936,

(iii) the Town and Country Planning Act 1944, or

(b) land acquired by agreement for a purpose such that the land could have been so acquired compulsorily.

[1]

Notes

[1] Act applied with (modifications) by Housing Act 1985 (c.68), s.578 Act applied by Housing Associations Act 1985 (c.69), s.88(3)(a) Act applied by Airports Act 1986 (c.31), s.59(1)(a) Act extended by Airports Act 1986 (c.31), s.58, Sch. 2 para. 1(1) Act applied by Gas Act 1986 (c.44), s.9(3), Sch. 3 Pt. II para. 4 Act extended by Gas Act 1986 (c.44), s.67(1)(3), Sch. 7 para. 2(1)(xiii), Sch. 8 para. 33 Act modified by Gas Act 1986 (c.44), s. 67(1)(3), Sch. 7 para. 2(10)(d) Act applied by Norfolk and Suffolk Broads Act 1988 (c.4), ss. 2(6), 23(2), 27(2), Sch. 3 para. 44(4) Act applied (with modifications) by Education Reform Act 1988 (c.40), ss. 190(6), 201(6) Act applied (with modifications) by Housing Act 1988 (c.50), ss. 77(4), 78(1), Sch. 10 Pt. I para. 1 Act applied by Water Act 1989 (c.15), s.151(4) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act extended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(2)(xxvii) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act modified by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(10)(ix) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act amended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(11)(v) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act applied (with modifications) by Electricity Act 1989 (c.29), ss. 10(1)(2), 112(3), Sch. 3 Pt. II para. 5, Sch. 17 para. 35(1) Act amended by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 2(2)(9)(g), Sch. 17 paras. 33, 35(1) Act modified by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 3(2)(h), Sch. 17 paras. 33, 35(1) Act applied by Town and Country Planning Act 1990 (c.8), ss.226(7), 228(7), 254(2) Act applied by Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9), ss. 47(2), 61(2) Act applied (with modifications) by National Health Service and Community Care Act 1990 (c.19), s.1(2), Sch. 1 Pt. I para. 26(2)(3)

Commencement

Pt VI s. 33: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Pt VI s. 33(1)-(2)(b): England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

PART VII

SUPPLEMENTAL

Law In Force

34.— Consequential amendments, transitionals and repeals.

(1) **[…]**[1]

(2) The transitional provisions in Schedule 5 to this Act shall have effect.

(3) **[…]**[2]
[3]

Notes

1 Provides for amendments of enactments specified in Sch. 4

2 Repeals enactments and instruments specified in Sch. 6

3 Act applied with (modifications) by Housing Act 1985 (c.68), s.578 Act applied by Housing Associations Act 1985 (c.69), s.88(3)(a) Act applied by Airports Act 1986 (c.31), s.59(1)(a) Act extended by Airports Act 1986 (c.31), s.58, Sch. 2 para. 1(1) Act applied by Gas Act 1986 (c.44), s.9(3), Sch. 3 Pt. II para. 4 Act extended by Gas Act 1986 (c.44), s.67(1)(3), Sch. 7 para. 2(1)(xiii), Sch. 8 para. 33 Act modified by Gas Act 1986 (c.44), s. 67(1)(3), Sch. 7 para. 2(10)(d) Act applied by Norfolk and Suffolk Broads Act 1988 (c.4), ss. 2(6), 23(2), 27(2), Sch. 3 para. 44(4) Act applied (with modifications) by Education Reform Act 1988 (c.40), ss. 190(6), 201(6) Act applied (with modifications) by Housing Act 1988 (c.50), ss. 77(4), 78(1), Sch. 10 Pt. I para. 1 Act applied by Water Act 1989 (c.15), s.151(4) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act extended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(2)(xxvii) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act modified by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(10)(ix) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act amended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(11)(v) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act applied (with modifications) by Electricity Act 1989 (c.29), ss. 10(1)(2), 112(3), Sch. 3 Pt. II para. 5, Sch. 17 para. 35(1) Act amended by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 2(2)(9)(g), Sch. 17 paras. 33, 35(1) Act modified by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 3(2)(h), Sch. 17 paras. 33, 35(1) Act applied by Town and Country Planning Act 1990 (c.8), ss.226(7), 228(7), 254(2) Act applied by Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9), ss. 47(2), 61(2) Act applied (with modifications) by National Health Service and Community Care Act 1990 (c.19), s.1(2), Sch. 1 Pt. I para. 26(2)(3)

Commencement

Pt VII s. 34: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Pt VII s. 34(1)-(3): England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

Law In Force

35.— Short title, commencement and extent.

(1) This Act may be cited as the Acquisition of Land Act 1981.

(2) This Act shall come into force at the expiration of a period of three months beginning with the date on which it is passed.

(3) This Act, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland, extends to England and Wales only.
[1]

Notes

[1] Act applied with (modifications) by Housing Act 1985 (c.68), s.578 Act applied by Housing Associations Act 1985 (c.69), s.88(3)(a) Act applied by Airports Act 1986 (c.31), s.59(1)(a) Act extended by Airports Act 1986 (c.31), s.58, Sch. 2 para. 1(1) Act applied by Gas Act 1986 (c.44), s.9(3), Sch. 3 Pt. II para. 4 Act extended by Gas Act 1986 (c.44), s.67(1)(3), Sch. 7 para. 2(1)(xiii), Sch. 8 para. 33 Act modified by Gas Act 1986 (c.44), s. 67(1)(3), Sch. 7 para. 2(10)(d) Act applied by Norfolk and Suffolk Broads Act 1988 (c.4), ss. 2(6), 23(2), 27(2), Sch. 3 para. 44(4) Act applied (with modifications) by Education Reform Act 1988 (c.40), ss. 190(6), 201(6) Act applied (with modifications) by Housing Act 1988 (c.50), ss. 77(4), 78(1), Sch. 10 Pt. I para. 1 Act applied by Water Act 1989 (c.15), s.151(4) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act extended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(2)(xxvii) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act modified by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(10)(ix) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act amended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(11)(v) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act applied (with modifications) by Electricity Act 1989 (c.29), ss. 10(1)(2), 112(3), Sch. 3 Pt. II para. 5, Sch. 17 para. 35(1) Act amended by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 2(2)(9)(g), Sch. 17 paras. 33, 35(1) Act modified by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 3(2)(h), Sch. 17 paras. 33, 35(1) Act applied by Town and Country Planning Act 1990 (c.8), ss.226(7), 228(7), 254(2) Act applied by Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9), ss. 47(2), 61(2) Act applied (with modifications) by National Health Service and Community Care Act 1990 (c.19), s.1(2), Sch. 1 Pt. I para. 26(2)(3)

Commencement

Pt VII s. 35: October 30, 1981

Extent

Pt VII s. 35(1)-(3): England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

SCHEDULE 1

PURCHASES BY MINISTERS

Section 2(3)

Law In Force

1.—

(1) This Schedule has effect where a Minister is the acquiring authority.

(2) The compulsory purchase order shall be prepared in draft and shall describe by reference to a map the land to which it applies.

(3) Subject as aforesaid the form of the order shall be such as the Minister may determine.

[(3A) The order may, in particular, include provision specifying a period longer than three years for the purposes of section 4 of the Compulsory Purchase Act 1965 (time limit for notice to treat) and section 5A of the Compulsory Purchase (Vesting Declarations) Act 1981 (time limit for general vesting declaration). **]** [1]

(4) As soon as may be after the draft of the order has been prepared, and before making the order, the Minister shall comply with paragraphs 2 and 3 below.

(5) The provisions of the said paragraphs 2 and 3 as to the notice thereby required shall apply subject to such modifications of the form of the notice as appear to the Minister to be requisite.

Notes

[1] Added by Levelling-up and Regeneration Act 2023 c. 55 Pt 9 s.185(1)(b) (January 31, 2024: insertion has effect as SI 2024/92 reg.2(l) subject to transitional provisions specified in SI 2024/92 reg.6(1))

Commencement

Sch. 1 para. 1: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Sch. 1 para. 1(1)-(5): England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

Notices in newspapers ***[*** *[W.]; Public notices [E.]* ***]*** [1]

Notes

[1] Heading substituted by Levelling-up and Regeneration Act 2023 c. 55 Sch.19 para.1(2) (April 30, 2024: 2023 c.55 Sch.19 para.1(2) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(r) for the limited purpose of making development orders; April 30, 2024 as SI 2024/389 reg.3(c) subject to transitional provision specified in SI 2024/389 reg.4 otherwise)

The text of this provision varies depending on jurisdiction or other application. See parallel texts relating to:
Wales | England

Law In Force With Amendments Pending

Wales

2.—

(1) The Minister shall in two successive weeks publish a notice in the prescribed form in one or more local newspapers circulating in the locality in which the land comprised in the draft order is situated.

(2) The notice shall—

(a) state that the order has been prepared in draft and is about to be made,

(b) describe the land and state the purpose for which the land is required,

(c) name a place within the locality where a copy of the draft order and of the map referred to therein may be inspected, and

(d) specify the time (not being less than twenty-one days from the first publication of the notice) within which, and the manner in which, objections to the draft order can be made.

[(3) In addition, the Minister shall affix a notice in the prescribed form to a conspicuous object or objects on or near the land comprised in the draft order.

(4) The notice under sub-paragraph (3) must–

(a) be addressed to persons occupying or having an interest in the land, and

(b) set out each of the matters mentioned in sub-paragraph (2) (but reading the reference there to first publication of the notice as a reference to the day when the notice under sub-paragraph (3) is first affixed).

] [1]

Notes

[1] Added by Planning and Compulsory Purchase Act 2004 c. 5 Pt 8 s.101(2) (August 6, 2004 in relation to the exercise of powers specified in SI 2004/2097 art.2; October 31, 2004 otherwise)

England

[2.—

(1) The Minister shall—

(a) in two successive weeks publish a notice in the prescribed form in one or more local newspapers circulating in the locality in which the land comprised in the draft order is situated, and

(b) for a period of at least 21 days ending with the day specified under sub-paragraph (2)(d), publish a notice in the prescribed form on an appropriate website.

(2) The **[** notices **]** [2] shall—

(a) state that the order has been prepared in draft and is about to be made,

(b) describe the land and state the purpose for which the land is required,

(c) name a place within the locality where a copy of the draft order and of the map referred to therein may be inspected, **[…]** [3]

[(ca) specify a website on which those copies may be viewed, and **]** [4]

[(d) specify the final day for making objections to the draft order, and the manner in which objections can be made. **]** [5]

[(2A) If the appropriate authority (see paragraph 4(8)) is satisfied that, because of special circumstances, it is impracticable for the Minister to make the copies referred to in sub-paragraph (2)(c) available for inspection at an appropriate place, the appropriate authority may direct that the requirement in sub-paragraph (2)(c) (together with that in paragraph 3(1)(ba)) is not to apply. **]** [6]

(3) In addition, the Minister shall affix a notice in the prescribed form to a conspicuous object or objects on or near the land comprised in the draft order.

(4) The notice under sub-paragraph (3) must–

(a) be addressed to persons occupying or having an interest in the land, and

(b) set out each of the matters mentioned in sub-paragraph (2) **[…]**[7] .

] [1]

Notes

[1] Words renumbered as Sch.1 para.2(1)(a) and Sch.1 para.2(1)(b) inserted by Levelling-up and Regeneration Act 2023 c. 55 Sch.19 para.1(3)(a) (April 30, 2024: 2023 c.55 Sch.19 para.1(3)(a) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(r) for the limited purpose of making development orders; April 30, 2024 as SI 2024/389 reg.3(c) subject to transitional provision specified in SI 2024/389 reg.4 otherwise)

[2] Word substituted by Levelling-up and Regeneration Act 2023 c. 55 Sch.19 para.1(3)(b)(i) (April 30, 2024: 2023 c.55 Sch.19 para.1(3)(b)(i) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(r) for the limited purpose of making development orders; April 30, 2024 as SI 2024/389 reg.3(c) subject to transitional provision specified in SI 2024/389 reg.4 otherwise)

[3] Word repealed by Levelling-up and Regeneration Act 2023 c. 55 Sch.19 para.1(3)(b)(ii) (April 30, 2024: 2023 c.55 Sch.19 para.1(3)(b)(ii) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(r) for the limited purpose of making development orders; April 30, 2024 as SI 2024/389 reg.3(c) subject to transitional provision specified in SI 2024/389 reg.4 otherwise)

[4] Added by Levelling-up and Regeneration Act 2023 c. 55 Sch.19 para.1(3)(b)(iii) (April 30, 2024: 2023 c.55 Sch.19 para.1(3)(b)(iii) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(r) for the limited purpose of making development orders; April 30, 2024 as SI 2024/389 reg.3(c) subject to transitional provision specified in SI 2024/389 reg.4 otherwise)

[5] Substituted by Levelling-up and Regeneration Act 2023 c. 55 Sch.19 para.1(3)(b)(iv) (April 30, 2024: 2023 c.55 Sch.19 para.1(3)(b)(iii) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(r) for the limited purpose of making development orders; April 30, 2024 as SI 2024/389 reg.3(c) subject to transitional provision specified in SI 2024/389 reg.4 otherwise)

[6] Added by Levelling-up and Regeneration Act 2023 c. 55 Sch.19 para.1(3)(c) (April 30, 2024: 2023 c.55 Sch.19 para.1(3)(d) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(r) for the limited purpose of making development orders; April 30, 2024 as SI 2024/389 reg.3(c) subject to transitional provision specified in SI 2024/389 reg.4 otherwise)

[7] Words repealed by Levelling-up and Regeneration Act 2023 c. 55 Sch.19 para.1(3)(d) (April 30, 2024: 2023 c.55 Sch.19 para.1(3)(d) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(r) for the limited purpose of making development orders; April 30, 2024 as SI 2024/389 reg.3(c) subject to transitional provision specified in SI 2024/389 reg.4 otherwise)

Amendments Pending

Sch. 1 para. 2(4)(b): words repealed by Levelling-up and Regeneration Act 2023 c. 55, Sch. 19 para. 1(3)(d) (date to be appointed: 2023 c.55 Sch.19 para.1(3)(d) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(r) for the limited purpose of making development orders; not yet in force otherwise)

Sch. 1 para. 2(2A): added by Levelling-up and Regeneration Act 2023 c. 55, Sch. 19 para. 1(3)(c) (date to be appointed: 2023 c.55 Sch.19 para.1(3)(c) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(r) for the limited purpose of making development orders; not yet in force otherwise)

Sch. 1 para. 2(2)(d): substituted by Levelling-up and Regeneration Act 2023 c. 55, Sch. 19 para. 1(3)(b)(iv) (date to be appointed: 2023 c.55 Sch.19 para.1(3)(b)(iv) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(r) for the limited purpose of making development orders; not yet in force otherwise)

Sch. 1 para. 2(2)(ca): added by Levelling-up and Regeneration Act 2023 c. 55, Sch. 19 para. 1(3)(b)(iii) (date to be appointed: 2023 c.55 Sch.19 para.1(3)(b)(iii) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(r) for the limited purpose of making development orders; not yet in force otherwise)

Sch. 1 para. 2(2)(c): word repealed by Levelling-up and Regeneration Act 2023 c. 55, Sch. 19 para. 1(3)(b)(ii) (date to be appointed: 2023 c.55 Sch.19 para.1(3)(b)(ii) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(r) for the limited purpose of making development orders; not yet in force otherwise)

Sch. 1 para. 2(2): word substituted by Levelling-up and Regeneration Act 2023 c. 55, Sch. 19 para. 1(3)(b)(i) (date to be appointed: 2023 c.55 Sch.19 para.1(3)(b)(i) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(r) for the limited purpose of making development orders; not yet in force otherwise)

Sch. 1 para. 2(1): words renumbered as Sch.1 para.2(1)(a) and Sch.1 para.2(1)(b) inserted by Levelling-up and Regeneration Act 2023 c. 55, Sch. 19 para. 1(3)(a) (date to be appointed: 2023 c.55 Sch.19 para.1(3)(a) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(r) for the limited purpose of making development orders; not yet in force otherwise)

Commencement

Sch. 1 para. 2: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Sch. 1 para. 2(1)-(2A): England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

Sch. 1 para. 2(3)-(4)(b): England, Wales

Notices to owners, lessees [, occupiers and others] [1]

Notes

[1] Words substituted by Environment Act 2021 c. 30 Sch.20 para.3(2) (September 30, 2022)

The text of this provision varies depending on jurisdiction or other application. See parallel texts relating to:
Wales | England

Law In Force With Amendments Pending

Wales

3.—

(1) The Minister shall serve on every [qualifying person] [1] a notice in the prescribed form—

(a) stating the effect of the draft order,

(b) stating that it is about to be made, and

(c) specifying the time (not being less than twenty-one days from service of the notice) within which, and the manner in which, objections to the draft order can be made.

[(2) A person is a qualifying person, in relation to land comprised in a draft order, if–

(a) he is an owner, lessee, tenant (whatever the tenancy period) or occupier of any such land, **[…]**[3]

(b) he falls within sub-paragraph (2A) **[** , or **]** [4]

[(c) the person is entitled to the benefit of an obligation under a conservation covenant (within the meaning of Part 7 of the Environment Act 2021) relating to the land. **]** [4]

(2A) A person falls within this sub-paragraph if he is–

(a) a person to whom the Minister would, if proceeding under section 5(1) of the Compulsory Purchase Act 1965, be required to give a notice to treat, or

(b) a person the Minister thinks is likely to be entitled to make a relevant claim if the order is made and the compulsory purchase takes place, so far as he is known to the Minister after making diligent inquiry.

(2B) A relevant claim is a claim for compensation under section 10 of the Compulsory Purchase Act 1965 (compensation for injurious affection). **]** [2]

(3) Where under this paragraph any notice is required to be served on an owner of land, and the land is ecclesiastical property, a like notice shall be served on the **[** Diocesan Board of Finance for the diocese in which the land is situated **]** [5] .

In this sub-paragraph "ecclesiastical property" means land belonging to any ecclesiastical benefice **[** of the Church of England **]** [6] , or being or forming part of a church subject to the jurisdiction of the bishop of any diocese **[** of the Church of England **]** [6] or the site of such a church, or being or forming part of a burial ground subject to such jurisdiction **[…]**[7] .

Notes

1 Words substituted by Planning and Compulsory Purchase Act 2004 c. 5 Pt 8 s.101(3)(a) (August 6, 2004 in relation to the exercise of powers specified in SI 2004/2097 art.2; October 31, 2004 otherwise)

2 Sch.1 para.3(2)-(2B) substituted for Sch.1 para.3(2) by Planning and Compulsory Purchase Act 2004 c. 5 Pt 8 s.101(3)(b) (August 6, 2004 in relation to the exercise of powers specified in SI 2004/2097 art.2; October 31, 2004 otherwise)

3 Word repealed by Environment Act 2021 c. 30 Sch.20 para.3(3)(a) (September 30, 2022)

4 Added by Environment Act 2021 c. 30 Sch.20 para.3(3)(b) (September 30, 2022)

5 Words substituted by Church of England (Miscellaneous Provisions) Measure 2006 No. 1 Sch.5 para.24(2)(a) (October 1, 2006 as jointly appointed by the Archbishops of Canterbury and York in an instrument dated September 11, 2006)

6 Words inserted by Church of England (Miscellaneous Provisions) Measure 2006 No. 1 Sch.5 para.24(2)(b) (October 1, 2006 as jointly appointed by the Archbishops of Canterbury and York in an instrument dated September 11, 2006)

7 Words repealed by Church of England (Miscellaneous Provisions) Measure 2006 No. 1 Sch.5 para.24(2)(c) (October 1, 2006 as jointly appointed by the Archbishops of Canterbury and York in an instrument dated September 11, 2006)

[3.—

(1) The Minister shall serve on every qualifying person a notice in the prescribed form—

(a) stating the effect of the draft order,

(b) stating that it is about to be made,

[(ba) (subject to paragraph 2(2A)) naming a place within the locality where a copy of the draft order and of the map referred to in it may be inspected,

(bb) specifying a website on which those copies may be viewed, and **]** [2]

[(c) specifying the final day for making objections to the draft order, and the manner in which objections can be made. **]** [3]

(2) A person is a qualifying person, in relation to land comprised in a draft order, if–

(a) he is an owner, lessee, tenant (whatever the tenancy period) or occupier of any such land,

(b) he falls within sub-paragraph (2A), or

(c) the person is entitled to the benefit of an obligation under a conservation covenant (within the meaning of Part 7 of the Environment Act 2021) relating to the land.

(2A) A person falls within this sub-paragraph if he is–

(a) a person to whom the Minister would, if proceeding under section 5(1) of the Compulsory Purchase Act 1965, be required to give a notice to treat, or

(b) a person the Minister thinks is likely to be entitled to make a relevant claim if the order is made and the compulsory purchase takes place, so far as he is known to the Minister after making diligent inquiry.

(2B) A relevant claim is a claim for compensation under section 10 of the Compulsory Purchase Act 1965 (compensation for injurious affection).

(3) Where under this paragraph any notice is required to be served on an owner of land, and the land is ecclesiastical property, a like notice shall be served on the Diocesan Board of Finance for the diocese in which the land is situated.

In this sub-paragraph "ecclesiastical property" means land belonging to any ecclesiastical benefice of the Church of England, or being or forming part of a church subject to the jurisdiction of the bishop of any diocese of the Church of England or the site of such a church, or being or forming part of a burial ground subject to such jurisdiction.

] [1]

Notes

[1] Word repealed by Levelling-up and Regeneration Act 2023 c. 55 Sch.19 para.1(4)(a) (April 30, 2024: 2023 c.55 Sch.19 para.1(4)(a) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(r) for the limited purpose of making development orders; April 30, 2024 as SI 2024/389 reg.3(c) subject to transitional provision specified in SI 2024/389 reg.4 otherwise)

[2] Added by Levelling-up and Regeneration Act 2023 c. 55 Sch.19 para.1(4)(b) (April 30, 2024: 2023 c.55 Sch.19 para.1(4)(b) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(r) for the limited purpose of making development orders; April 30, 2024 as SI 2024/389 reg.3(c) subject to transitional provision specified in SI 2024/389 reg.4 otherwise)

[3] Substituted by Levelling-up and Regeneration Act 2023 c. 55 Sch.19 para.1(4)(c) (April 30, 2024: 2023 c.55 Sch.19 para.1(4)(c) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(r) for the limited purpose of making development orders; April 30, 2024 as SI 2024/389 reg.3(c) subject to transitional provision specified in SI 2024/389 reg.4 otherwise)

Amendments Pending

Sch. 1 para. 3(1)(c): substituted by Levelling-up and Regeneration Act 2023 c. 55, Sch. 19 para. 1(4)(c) (date to be appointed: 2023 c.55 Sch.19 para.1(4)(c) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(r) for the limited purpose of making development orders; not yet in force otherwise)

Sch. 1 para. 3(1)(ba)-(bb): added by Levelling-up and Regeneration Act 2023 c. 55, Sch. 19 para. 1(4)(b) (date to be appointed: 2023 c.55 Sch.19 para.1(4)(b) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(r) for the limited purpose of making development orders; not yet in force otherwise)

Sch. 1 para. 3(1)(b): word repealed by Levelling-up and Regeneration Act 2023 c. 55, Sch. 19 para. 1(4)(a) (date to be appointed: 2023 c.55 Sch.19 para.1(4)(a) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(r) for the limited purpose of making development orders; not yet in force otherwise)

Commencement

Sch. 1 para. 3: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Sch. 1 para. 3(1)-(2), (2)(c), (3): England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

Sch. 1 para. 3(2)(a)-(2)(b), (2A)-(2B): England, Wales

The text of this provision varies depending on jurisdiction or other application. See parallel texts relating to:
Wales | England

Partially In Force With Amendments Pending

Wales

[NOTE: not yet in force otherwise.]

England

[3A Final day for making objections

(1) For the purposes of paragraphs 2 and 3, the day specified as the final day for making objections must be the last day, or a day after the last day, of the period of 21 days beginning with the first day at the beginning of which the Minister expects that all of the following conditions will be satisfied.

(2) The conditions are that—

(a) a notice has been published for the first time as required by paragraph 2(1)(a),
(b) publication as required by paragraph 2(1)(b) has begun,
(c) a notice has been affixed as required by paragraph 2(3), and
(d) a notice has been served on every qualifying person as required by paragraph 3(1).

] [1]

Notes

[1] Added by Levelling-up and Regeneration Act 2023 c. 55 Sch.19 para.1(5) (April 30, 2024: 2023 c.55 Sch.19 para.1(5) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(r) for the limited purpose of making development orders; April 30, 2024 as SI 2024/389 reg.3(c) subject to transitional provision specified in SI 2024/389 reg.4 otherwise)

Amendments Pending

Sch. 1 para. 3A: added by Levelling-up and Regeneration Act 2023 c. 55, Sch. 19 para. 1(5) (date to be appointed: 2023 c.55 Sch.19 para.1(5) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(r) for the limited purpose of making development orders; not yet in force otherwise)

Extent

Sch. 1 para. 3A(1)-(2)(d): England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

Making of order

Law In Force

[4

(1) The Minister may make a compulsory purchase order with or without modifications if he is satisfied–

(a) that the notice requirements have been complied with, and

(b) that one of the conditions in sub-paragraph (2) is satisfied.

(2) The conditions are–

(a) no relevant objection is made;

(b) every relevant objection made is either withdrawn or disregarded.

(3) The appropriate authority may require every person who makes a relevant objection to state the grounds of the objection in writing.

(4) If the appropriate authority is satisfied that an objection relates exclusively to matters which can be dealt with by the tribunal by whom the compensation is to be assessed it may disregard the objection.

(5) The notice requirements are the requirements under paragraphs 2 and 3 to publish, affix and serve notices in connection with the compulsory purchase order.

(6) A relevant objection is an objection by a person who is a qualifying person for the purposes of paragraph 3(2), but if such a person qualifies only by virtue of paragraph 3(2A)(b) and the Minister thinks that he is not likely to be entitled to make a relevant claim his objection is not a relevant objection.

(7) Disregarded means disregarded under sub-paragraph (4) or under any other power to disregard a relevant objection contained in the enactment providing for the compulsory purchase.

(8) The appropriate authority is–

(a) in the case of an order proposed to be made in the exercise of highway land acquisition powers, the Minister and the planning Minister acting jointly,

(b) in any other case, the Minister.

(9) Highway land acquisition powers must be construed in accordance with the Highways Act 1980.

(10) The planning Minister is the Secretary of State for the time being having general responsibility in planning matters.

] [1]

Notes

[1] Sch.1 paras 4-4B substituted for Sch.1 para.4 by Planning and Compulsory Purchase Act 2004 c. 5 Pt 8 s.101(4) (August 6, 2004 in relation to the exercise of powers specified in SI 2004/2097 art.2; October 31, 2004 otherwise)

Commencement

Sch. 1 para. 4: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Sch. 1 para. 4(1), (2)-(6): England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

Sch. 1 para. 4(1)(a)-(1)(b), (7)-(10): England, Wales

Law In Force With Amendments Pending

[4A

(1) This paragraph applies to the making of a compulsory purchase order if a relevant objection is made which is neither–

(a) withdrawn, nor

(b) disregarded,

(a remaining objection).

(2) The appropriate authority may proceed under the written representations procedure–

(a) if the order is not subject to special parliamentary procedure;

(b) in the case of an order to which section 16 applies, if a certificate has been given under subsection (2) of that section, and

(c) if every person who has made a remaining objection consents in the prescribed manner.

(3) If sub-paragraph (2) does not apply or if the appropriate authority decides not to proceed under that sub-paragraph, it must either–

(a) cause a public local inquiry to be held, or

(b) give every person who has made a remaining objection an opportunity of appearing before and being heard by a person appointed by the appropriate authority for the purpose.

(4) If a person who has made a remaining objection takes the opportunity to appear before a person appointed under sub-paragraph (3)(b) the appropriate authority must give any other person it thinks appropriate the opportunity to be heard at the same time.

(5) The Minister may make the order with or without modifications if–

(a) the appropriate authority has considered the objection, and
(b) one of the conditions in sub-paragraph (6) is satisfied.

(6) The conditions are–
(a) the appropriate authority has followed the written representations procedure;
(b) in a case which falls within sub-paragraph (3), if an inquiry was held or a person was appointed under sub-paragraph (3)(b), the appropriate authority has considered the report of the person who held the inquiry or who was so appointed.

(7) The written representations procedure is such procedure as is prescribed for the purposes of this paragraph including provision affording an opportunity to–
(a) every person who has made a remaining objection, and
(b) any other person the appropriate authority thinks appropriate,
to make written representations as to whether the order should be made.

(8) Regulations under sub-paragraph (7) may make provision as to the giving of reasons for decisions taken in cases where the written representations procedure is followed.

(9) Expressions used in this paragraph and in paragraph 4 must be construed in accordance with paragraph 4.
] [1]

Notes

[1] Sch.1 paras 4-4B substituted for Sch.1 para.4 by Planning and Compulsory Purchase Act 2004 c. 5 Pt 8 s.101(4) (August 6, 2004 in relation to the exercise of powers specified in SI 2004/2097 art.2; October 31, 2004 otherwise)

Amendments Pending

Sch. 1 para. 4A(2)-(8): Sch.1 para.4A(1A)-(1J) substituted for Sch.1 para.4A(2)-(8) by Levelling-up and Regeneration Act 2023 c. 55, Sch. 19 para. 2(2) (date to be appointed: 2023 c.55 Sch.19 para.2 came into force on March 31, 2024 as specified in SI 2024/389 reg.2(t) for the limited purpose of conferring a power to make regulations; not yet in force otherwise)

Extent

Sch. 1 para. 4A(1)-(9): England, Wales

Not Yet In Force

[4AA

(1) The Minister may make a compulsory purchase order conditionally.

(2) The effect of making an order conditionally is that the order—
(a) does not become operative until the Minister has decided, following consideration by the appropriate authority (see paragraph 4(8)), that certain conditions have been met, and
(b) expires if the Minister has not decided that by a certain time.

(3) The conditions and the time are to be specified by the Minister when making the order.

(4) The procedure to be followed in connection with the consideration and decision referred to in sub-paragraph (2)(a) is to be prescribed.

(5) The prescribed procedure must include provision for each relevant objector—

(a) to be given notice that the appropriate authority is to consider whether the conditions have been met (or for steps to be taken with a view to notifying them), and

(b) to have the opportunity to make written representations relating to that consideration;

and may include provision as to the giving of reasons for the decision by the Minister.

(6) In sub-paragraph (5), "relevant objector" means a person who made an objection to the draft order that—

(a) was a remaining objection for the purposes of paragraph 4A, and

(b) had not been withdrawn by the time the order was made.

] [1]

Notes

[1] Added by Levelling-up and Regeneration Act 2023 c. 55 Sch.19 para.3(2) (date to be appointed: 2023 c.55 Sch.19 para.3 came into force on March 31, 2024 as specified in SI 2024/389 reg.2(t) for the limited purpose of conferring a power to make regulations; not yet in force otherwise)

Extent

Sch. 1 para. 4AA(1)-(6)(b): England, Wales

Law In Force With Amendments Pending

[4B

(1) The Minister may make an order (with or without modifications) so far as it relates to part of the land comprised in the draft order (the "relevant part") if each of the conditions in sub-paragraph (2) is met.

(2) The conditions are–

(a) the Minister or, if there is a remaining objection in respect of the order, the appropriate authority is satisfied that the order ought to be made so far as it relates to the relevant part but has not for the time being determined whether the order ought to be made so far as it relates to the remaining part;

(b) the Minister is satisfied that the notice requirements have been complied with.

(3) If there is a remaining objection in respect of the order, the Minister may only act under sub-paragraph (1) after the appropriate authority has complied with paragraph 4A(2) or (3) (as the case may be).

(4) But he may act under sub-paragraph (1) without the appropriate authority having complied with those provisions if he is satisfied that all remaining objections relate solely to the remaining part of the land.

(5) If the Minister acts under sub-paragraph (1)–

(a) he must give a direction postponing consideration of the order, so far as it relates to the remaining part, until such time as may be specified by or under the direction;

(b) the order so far as it relates to each part of the land must be teated as a separate order.

(6) The notices to be published, affixed and served under paragraph 6 must include a statement as to the effect of the direction given under sub-paragraph (5)(a).

(7) Expressions used in this paragraph and in paragraph 4 or 4A must be construed in accordance with paragraph 4 or 4A (as the case may be).
] [1]

Notes

[1] Sch.1 paras 4-4B substituted for Sch.1 para.4 by Planning and Compulsory Purchase Act 2004 c. 5 Pt 8 s.101(4) (August 6, 2004 in relation to the exercise of powers specified in SI 2004/2097 art.2; October 31, 2004 otherwise)

Amendments Pending

Sch. 1 para. 4B(3): words substituted by Levelling-up and Regeneration Act 2023 c. 55, Sch. 19 para. 2(3) (date to be appointed: 2023 c.55 Sch.19 para.2 came into force on March 31, 2024 as specified in SI 2024/389 reg.2(t) for the limited purpose of conferring a power to make regulations; not yet in force otherwise)

Extent

Sch. 1 para. 4B(1)-(7): England, Wales

Land not included in draft order

Law In Force

5.
The order, as made by the Minister, shall not, unless all persons interested consent, authorise the Minister to purchase compulsorily any land which the draft order would not have authorised the Minister to purchase compulsorily if it had been made without modification.
[1]

Notes

[1] Act applied with (modifications) by Housing Act 1985 (c.68), s.578 Act applied by Housing Associations Act 1985 (c.69), s.88(3)(a) Act applied by Airports Act 1986 (c.31), s.59(1)(a) Act extended by Airports Act 1986 (c.31), s.58, Sch. 2 para. 1(1) Act applied by Gas Act 1986 (c.44), s.9(3), Sch. 3 Pt. II para. 4 Act extended by Gas Act 1986 (c.44), s.67(1)(3), Sch. 7 para. 2(1)(xiii), Sch. 8 para. 33 Act modified by Gas Act 1986 (c.44), s. 67(1)(3), Sch. 7 para. 2(10)(d) Act applied by Norfolk and Suffolk Broads Act 1988 (c.4), ss. 2(6), 23(2), 27(2), Sch. 3 para. 44(4) Act applied (with modifications) by Education Reform Act 1988 (c.40), ss. 190(6), 201(6) Act applied (with modifications) by Housing Act 1988 (c.50), ss. 77(4), 78(1), Sch. 10 Pt. I para. 1 Act applied by Water Act 1989 (c.15), s.151(4) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act extended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(2)(xxvii) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act modified by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(10)(ix) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act amended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(11)(v) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act applied (with modifications) by Electricity Act 1989 (c.29), ss. 10(1)(2), 112(3), Sch. 3 Pt. II para. 5, Sch. 17 para. 35(1) Act amended by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 2(2)(9)(g), Sch. 17 paras. 33, 35(1) Act modified by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 3(2)(h), Sch. 17 paras. 33, 35(1) Act applied by Town and Country Planning Act 1990 (c.8), ss.226(7), 228(7), 254(2) Act applied by Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9), ss. 47(2), 61(2) Act applied (with modifications) by National Health Service and Community Care Act 1990 (c.19), s.1(2), Sch. 1 Pt. I para. 26(2)(3)

Commencement

Sch. 1 para. 5: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Sch. 1 para. 5: England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

Notices after making of order

The text of this provision varies depending on jurisdiction or other application. See parallel texts relating to:
Wales | England

Law In Force With Amendments Pending

Wales

[6

(1) After the order has been made, the Minister must–

(a) serve a making notice, and a copy of the order as made, on each person on whom a notice was required to be served under paragraph 3, and

(b) affix a making notice to a conspicuous object or objects on or near the land comprised in the order.

(2) The notice under sub-paragraph (1)(b) must–

(a) be addressed to persons occupying or having an interest in the land;

(b) so far as practicable, be kept in place by the acquiring authority until the expiry of a period of six weeks beginning with the date when the order becomes operative.

(3) The Minister must also publish a making notice in one or more local newspapers circulating in the locality in which the land comprised in the order is situated.

(4) A making notice is a notice–

(a) describing the land;

(b) stating that the order has been made;

(c) (except in the case of a notice under sub-paragraph (1)(a)) naming a place where a copy of the order as made and of the map referred to there may be inspected at all reasonable hours;

(d) that a person aggrieved by the order may apply to the High Court as mentioned in section 23 **[** ; **]** [2]

[(e) containing a prescribed statement about the effect of Parts 2 and 3 of the Compulsory Purchase (Vesting Declarations) Act 1981;

(f) inviting any person who would be entitled to claim compensation if a declaration were executed under section 4 of that Act to give the acquiring authority information about the person's name, address and interest in land, using a prescribed form. **]** [2]

(5) A making notice must be in the prescribed form.

[(6) The Minister must send the making notice to the Chief Land Registrar and it shall be a local land charge. **]** [3]
] [1]

Notes

1 Substituted by Planning and Compulsory Purchase Act 2004 c. 5 Pt 8 s.101(5) (August 6, 2004 in relation to the exercise of powers specified in SI 2004/2097 art.2; October 31, 2004 otherwise)

2 Added by Housing and Planning Act 2016 c. 22 Sch.15 para.3(2) (October 1, 2016 for the purpose only of exercising the power to prescribe by regulations the statement referred to in 1981 c.67 Sch.1 para.6(4)(e) and the form referred to in 1981 c.67 Sch.1 para6(4)(f); February 3, 2017 in so far as not already in force, except in relation to a compulsory purchase order which is made by, or for which the confirming authority is, the Welsh Ministers as specified in SI 2017/75 reg.3(i) subject to transitional provisions specified in SI 2017/75 reg.5; April 6, 2017 subject to transitional provisions specified in SI 2017/281 reg.8(1) otherwise)

3 Added by Housing and Planning Act 2016 c. 22 Sch.15 para.3(3) (February 3, 2017 except in relation to a compulsory purchase order which is made by, or for which the confirming authority is, the Welsh Ministers as specified in SI 2017/75 reg.3(i) subject to transitional provisions specified in SI 2017/75 reg.5; April 6, 2017 subject to transitional provisions specified in SI 2017/281 reg.8(1) otherwise)

England

[6

(1) After the order has been made, the Minister must–

(a) serve a making notice, and a copy of the order as made, on each person on whom a notice was required to be served under paragraph 3, and

(b) affix a making notice to a conspicuous object or objects on or near the land comprised in the order.

(2) The notice under sub-paragraph (1)(b) must–

(a) be addressed to persons occupying or having an interest in the land;

(b) so far as practicable, be kept in place by the acquiring authority until the expiry of a period of six weeks beginning with the date when the order becomes operative.

(3) The Minister must also publish a making notice—

(a) in one or more local newspapers circulating in the locality in which the land comprised in the order is situated, and

(b) on an appropriate website, until the end of the period of 6 weeks beginning with the day on which the Minister takes the final step needed to comply with sub-paragraph (1)(a).

(4) A making notice is a notice–

(a) describing the land;

(b) stating that the order has been made;

(c) (except in the case of a notice under sub-paragraph (1)(a)) naming a place where a copy of the order as made and of the map referred to there may be inspected at all reasonable hours;

[(ca) specifying a website on which those copies may be viewed; **]** [2]

(d) that a person aggrieved by the order may apply to the High Court as mentioned in section 23;

(e) containing a prescribed statement about the effect of Parts 2 and 3 of the Compulsory Purchase (Vesting Declarations) Act 1981;

(f) inviting any person who would be entitled to claim compensation if a declaration were executed under section 4 of that Act to give the acquiring authority information about the person's name, address and interest in land, using a prescribed form.

[(4A) If the appropriate authority is satisfied that, because of special circumstances, it is impracticable for the Minister to make the copies referred to in sub-paragraph (4)(c) available for inspection at an appropriate place, the appropriate authority may direct that the requirement in sub-paragraph (4)(c) is not to apply. **]** [3]

(5) A making notice must be in the prescribed form.

(6) The Minister must send the making notice to the Chief Land Registrar and it shall be a local land charge.

] [1]

Notes

[1] Words renumbered as Sch.1 para.6(3)(a) and Sch.1 para.6(3)(b) inserted by Levelling-up and Regeneration Act 2023 c. 55 Sch.19 para.1(6)(a) (April 30, 2024: 2023 c.55 Sch.19 para.1(6)(a) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(r) for the limited purpose of making development orders; April 30, 2024 as SI 2024/389 reg.3(c) subject to transitional provision specified in SI 2024/389 reg.4 otherwise)

[2] Added by Levelling-up and Regeneration Act 2023 c. 55 Sch.19 para.1(6)(b) (April 30, 2024: 2023 c.55 Sch.19 para.1(6)(b) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(r) for the limited purpose of making development orders; April 30, 2024 as SI 2024/389 reg.3(c) subject to transitional provision specified in SI 2024/389 reg.4 otherwise)

[3] Added by Levelling-up and Regeneration Act 2023 c. 55 Sch.19 para.1(6)(c) (April 30, 2024: 2023 c.55 Sch.19 para.1(6)(c) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(r) for the limited purpose of making development orders; April 30, 2024 as SI 2024/389 reg.3(c) subject to transitional provision specified in SI 2024/389 reg.4 otherwise)

Amendments Pending

Sch. 1 para. 6(6): word substituted by Levelling-up and Regeneration Act 2023 c. 55, Sch. 19 para. 3(3)(f)(ii) (date to be appointed: 2023 c.55 Sch.19 para.3 came into force on March 31, 2024 as specified in SI 2024/389 reg.2(t) for the limited purpose of conferring a power to make regulations; not yet in force otherwise)

Sch. 1 para. 6(6): words inserted by Levelling-up and Regeneration Act 2023 c. 55, Sch. 19 para. 3(3)(f)(i) (date to be appointed: 2023 c.55 Sch.19 para.3 came into force on March 31, 2024 as specified in SI 2024/389 reg.2(t) for the limited purpose of conferring a power to make regulations; not yet in force otherwise)

Sch. 1 para. 6(5): words inserted by Levelling-up and Regeneration Act 2023 c. 55, Sch. 19 para. 3(3)(e) (date to be appointed: 2023 c.55 Sch.19 para.3 came into force on March 31, 2024 as specified in SI 2024/389 reg.2(t) for the limited purpose of conferring a power to make regulations; not yet in force otherwise)

Sch. 1 para. 6(4B)-(4D): added by Levelling-up and Regeneration Act 2023 c. 55, Sch. 19 para. 3(3)(d) (date to be appointed: 2023 c.55 Sch.19 para.3 came into force on March 31, 2024 as specified in SI 2024/389 reg.2(t) for the limited purpose of conferring a power to make regulations; not yet in force otherwise)

Sch. 1 para. 6(4)(ba): added by Levelling-up and Regeneration Act 2023 c. 55, Sch. 19 para. 3(3)(c) (date to be appointed: 2023 c.55 Sch.19 para.3 came into force on March 31, 2024 as specified in SI 2024/389 reg.2(t) for the limited purpose of conferring a power to make regulations; not yet in force otherwise)

Sch. 1 para. 6(3): words inserted by Levelling-up and Regeneration Act 2023 c. 55, Sch. 19 para. 3(3)(b) (date to be appointed: 2023 c.55 Sch.19 para.3 came into force on March 31, 2024 as specified in SI 2024/389 reg.2(t) for the limited purpose of conferring a power to make regulations; not yet in force otherwise)

Sch. 1 para. 6(2)(b): words substituted by Levelling-up and Regeneration Act 2023 c. 55, Sch. 19 para. 3(3)(a) (date to be appointed: 2023 c.55 Sch.19 para.3 came into force on March 31, 2024 as specified in SI 2024/389 reg.2(t) for the limited purpose of conferring a power to make regulations; not yet in force otherwise)

Sch. 1 para. 6(4A): added by Levelling-up and Regeneration Act 2023 c. 55, Sch. 19 para. 1(6)(c) (date to be appointed: 2023 c.55 Sch.19 para.1(6)(c) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(r) for the limited purpose of making development orders; not yet in force otherwise)

Sch. 1 para. 6(3): words renumbered as Sch.1 para.6(3)(a) and Sch.1 para.6(3)(b) inserted by Levelling-up and Regeneration Act 2023 c. 55, Sch. 19 para. 1(6)(a) (date to be appointed: 2023 c.55 Sch.19 para.1(6)(a) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(r) for the limited purpose of making development orders; not yet in force otherwise)

Sch. 1 para. 6(4)(ca): added by Levelling-up and Regeneration Act 2023 c. 55, Sch. 19 para. 1(6)(b) (date to be appointed: 2023 c.55 Sch.19 para.1(6)(b) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(r) for the limited purpose of making development orders; not yet in force otherwise)

Commencement

Sch. 1 para. 6: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Sch. 1 para. 6(1)-(4)(f), (5)-(6): England, Wales

Sch. 1 para. 6(4A)-(4D)(b), (a)-(c): England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

SCHEDULE 2

MINERALS

PART I

Section 3

Law In Force

1.—

(1) A compulsory purchase order may, as respects all or any of the land to which the order relates, provide for the incorporation with the compulsory purchase order of—

(a) Part II of this Schedule (which re-enacts section 77 of the Railways Clauses Consolidation Act 1845), or

(b) Parts II and III of this Schedule (which together re-enact sections 77 to 85 of that Act).

(2) In this Schedule, unless the context otherwise requires—

"mines" means mines of coal, ironstone, slate and other minerals,

"owner" , in relation to mines or minerals, includes a lessee or occupier.

(3) In this Schedule "underlying", in relation to mines or minerals, means mines or minerals lying under, or within the prescribed distance from, the undertaking, and in this sub-paragraph "prescribed distance" means the distance prescribed by the compulsory purchase order, or if no distance is so prescribed, 40 yards.

(4) In this Schedule "the undertaking" means the undertaking which the acquiring authority is authorised to carry out by the enactment under which the purchase is authorised, but the compulsory purchase order may include such modifications of references in this Schedule to the undertaking as may be specified in the order.

(5) This Schedule has effect subject to **[** section 10(3) of the Coal Industry Act 1994 **]** [1] (coal not to be alienated under enactments authorising compulsory purchase of land).

Notes

[1] Words substituted by Coal Industry Act 1994 c. 21 Sch.9 para.27(3) (October 31, 1994)

Commencement

Sch. 2(I) para. 1: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Sch. 2(I) para. 1(1)-(5): England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

PART II

Law In Force

2.—

(1) The acquiring authority shall not be entitled to any mines under the land comprised in the compulsory purchase order unless they have been expressly purchased, and all mines under the land shall be deemed to be excepted out of the conveyance of that land unless expressly named and conveyed.

(2) Sub-paragraph (1) above shall not apply to minerals necessarily extracted or used in the construction of the undertaking.

1 2 3

Notes

[1] Act applied with (modifications) by Housing Act 1985 (c.68), s.578 Act applied by Housing Associations Act 1985 (c.69), s.88(3)(a) Act applied by Airports Act 1986 (c.31), s.59(1)(a) Act extended by Airports Act 1986 (c.31), s.58, Sch. 2 para. 1(1) Act applied by Gas Act 1986 (c.44), s.9(3), Sch. 3 Pt. II para. 4 Act extended by Gas Act 1986 (c.44), s.67(1)(3), Sch. 7 para. 2(1)(xiii), Sch. 8 para. 33 Act modified by Gas Act 1986 (c.44), s. 67(1)(3), Sch. 7 para. 2(10)(d) Act applied by Norfolk and Suffolk Broads Act 1988 (c.4), ss. 2(6), 23(2), 27(2), Sch. 3 para. 44(4) Act applied (with modifications) by Education Reform Act 1988 (c.40), ss. 190(6), 201(6) Act applied (with modifications) by Housing Act 1988 (c.50), ss. 77(4), 78(1), Sch. 10 Pt. I para. 1 Act applied by Water Act 1989 (c.15), s.151(4) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act extended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(2)(xxvii) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act modified by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(10)(ix) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act amended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(11)(v) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act applied (with modifications) by Electricity Act 1989 (c.29), ss. 10(1)(2), 112(3), Sch. 3 Pt. II para. 5, Sch. 17 para. 35(1) Act amended by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 2(2)(9)(g), Sch. 17 paras. 33, 35(1) Act modified by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 3(2)(h), Sch. 17 paras. 33, 35(1) Act applied by Town and Country Planning Act 1990 (c.8), ss.226(7), 228(7), 254(2) Act applied by Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9), ss. 47(2), 61(2) Act applied (with modifications) by National Health Service and Community Care Act 1990 (c.19), s.1(2), Sch. 1 Pt. I para. 26(2)(3)

[2] Sch. 2 excluded by Water Act 1989 (c.15), s. 159, (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58)

[3] Sch.2, Pt. II applied by Channel Tunnel Act 1987 (c.53), s. 37(2), Sch. 5 Pt. III para. 4 and applied (with modifications) by Dartford-Thurrock Crossing Act 1988 (c.20), s.2(5), Sch. 2 Pt. II para. 4(1)

Commencement

Sch. 2(II) para. 2: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Sch. 2(II) para. 2(1)-(2): England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

PART III

Law In Force

3.—

(1) If the owner of any underlying mines or minerals desires to work them, he shall give the acquiring authority notice in writing of his intention to do so 30 days before the commencement of working.

(2) On receipt of the notice the acquiring authority may cause the mines to be inspected by a person appointed by them for the purpose.

(3) Subject to paragraph 4(1) below, if the acquiring authority consider that the working of the underlying mines or minerals is likely to damage the undertaking, and is willing to compensate the owner for all or any part of the mines, the owner shall not work or get them.

(4) If the acquiring authority and the owner do not agree on the amount of compensation the question shall be referred to and determined by the **[** Upper Tribunal **]** [1] .

Notes

[1] Words substituted by Transfer of Tribunal Functions (Lands Tribunal and Miscellaneous Amendments) Order 2009/1307 Sch.1 para.151 (June 1, 2009)

Commencement

Sch. 2(III) para. 3: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Sch. 2(III) para. 3(1)-(4): England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

Law In Force

4.—

(1) If before the expiration of 30 days from the receipt of notice under paragraph 3(1) above the acquiring authority do not state their willingness to treat with the owner for the payment of compensation the owner may work any of the underlying mines for which the acquiring authority has not a greed to pay compensation by proper methods and in the usual manner of working such mines in the district in question.

(2) If any damage or obstruction to the undertaking is caused by improper working of the underlying mines—

(a) the owner of the mines shall forthwith repair or remove the damage or obstruction at his own expense,

(b) the acquiring authority may, without waiting for the owner to perform his duty, or in case of his default, repair or remove the damage or obstruction and recover their expenses from the owner in proceedings in the High Court.

1 2 3

Notes

[1] Act applied with (modifications) by Housing Act 1985 (c.68), s.578 Act applied by Housing Associations Act 1985 (c.69), s.88(3)(a) Act applied by Airports Act 1986 (c.31), s.59(1)(a) Act extended by Airports Act 1986 (c.31), s.58, Sch. 2 para. 1(1) Act applied by Gas Act 1986 (c.44), s.9(3), Sch. 3 Pt. II para. 4 Act extended by Gas Act 1986 (c.44), s.67(1)(3), Sch. 7 para. 2(1)(xiii), Sch. 8 para. 33 Act modified by Gas Act 1986 (c.44), s. 67(1)(3), Sch. 7 para. 2(10)(d) Act applied by Norfolk and Suffolk Broads Act 1988 (c.4), ss. 2(6), 23(2), 27(2), Sch. 3 para. 44(4) Act applied (with modifications) by Education Reform Act 1988 (c.40), ss. 190(6), 201(6) Act applied (with modifications) by Housing Act 1988 (c.50), ss. 77(4), 78(1), Sch. 10 Pt. I para. 1 Act applied by Water Act 1989 (c.15), s.151(4) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act extended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(2)(xxvii) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act modified by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(10)(ix) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act amended by Water Act 1989 (c.15),

s. 190, Sch. 25 para. 1(11)(v) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act applied (with modifications) by Electricity Act 1989 (c.29), ss. 10(1)(2), 112(3), Sch. 3 Pt. II para. 5, Sch. 17 para. 35(1) Act amended by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 2(2)(9)(g), Sch. 17 paras. 33, 35(1) Act modified by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 3(2)(h), Sch. 17 paras. 33, 35(1) Act applied by Town and Country Planning Act 1990 (c.8), ss.226(7), 228(7), 254(2) Act applied by Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9), ss. 47(2), 61(2) Act applied (with modifications) by National Health Service and Community Care Act 1990 (c.19), s.1(2), Sch. 1 Pt. I para. 26(2)(3)

2 Sch. 2 excluded by Water Act 1989 (c.15), s. 159, (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58)

3 Sch.2, Pt. III applied by Channel Tunnel Act 1987 (c.53), s. 37(2), Sch. 5 Pt. III para. 4 Sch.2, Pt. III applied (with modifications) by Dartford-Thurrock Crossing Act 1988 (c.20), s.2(5), Sch. 2 Pt. II para. 4(1)

Commencement

Sch. 2(III) para. 4: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Sch. 2(III) para. 4(1)-(2)(b): England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

Severed mines

Law In Force

5.

(1) If underlying mines in which any protected minerals are situated extend on both sides of the undertaking, the owner of the mines may cut and make any communication works through the protected minerals required for the ventilation, drainage and working of the mines.

(2) The communication works shall not exceed the dimensions or sections prescribed by the compulsory purchase order, and where dimensions are not so prescribed, they shall not be more than eight feet high and eight feet wise.

(3) The communication works shall not be cut or made on any part of the undertaking, or so as to injure it or impede its use.

(4) In this paragraph—

(a) "protected minerals" means mines, measures or strata the working of which is prevented under paragraph 3(3) above,

(b) "communication works" means airways, headings, gateways or water levels.

1 2 3

Notes

1 Act applied with (modifications) by Housing Act 1985 (c.68), s.578 Act applied by Housing Associations Act 1985 (c.69), s.88(3)(a) Act applied by Airports Act 1986 (c.31), s.59(1)(a) Act extended by Airports Act 1986 (c.31), s.58, Sch. 2 para. 1(1) Act applied by Gas Act 1986 (c.44), s.9(3), Sch. 3 Pt. II para. 4 Act extended by Gas Act 1986 (c.44), s.67(1)(3), Sch. 7 para. 2(1)(xiii), Sch. 8 para. 33 Act modified by Gas Act 1986 (c.44), s. 67(1)(3), Sch. 7 para. 2(10)(d) Act applied by Norfolk and Suffolk Broads Act 1988 (c.4), ss. 2(6), 23(2), 27(2), Sch. 3 para.

44(4) Act applied (with modifications) by Education Reform Act 1988 (c.40), ss. 190(6), 201(6) Act applied (with modifications) by Housing Act 1988 (c.50), ss. 77(4), 78(1), Sch. 10 Pt. I para. 1 Act applied by Water Act 1989 (c.15), s.151(4) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act extended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(2)(xxvii) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act modified by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(10)(ix) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act amended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(11)(v) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act applied (with modifications) by Electricity Act 1989 (c.29), ss. 10(1)(2), 112(3), Sch. 3 Pt. II para. 5, Sch. 17 para. 35(1) Act amended by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 2(2)(9)(g), Sch. 17 paras. 33, 35(1) Act modified by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 3(2)(h), Sch. 17 paras. 33, 35(1) Act applied by Town and Country Planning Act 1990 (c.8), ss.226(7), 228(7), 254(2) Act applied by Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9), ss. 47(2), 61(2) Act applied (with modifications) by National Health Service and Community Care Act 1990 (c.19), s.1(2), Sch. 1 Pt. I para. 26(2)(3)

[2] Sch. 2 excluded by Water Act 1989 (c.15), s. 159, (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58)

[3] Sch.2, Pt. III applied by Channel Tunnel Act 1987 (c.53), s. 37(2), Sch. 5 Pt. III para. 4 Sch.2, Pt. III applied (with modifications) by Dartford-Thurrock Crossing Act 1988 (c.20), s.2(5), Sch. 2 Pt. II para. 4(1)

Commencement

Sch. 2(III) para. 5: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Sch. 2(III) para. 5(1)-(4)(b): England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

Law In Force

6.—

(1) If underlying mines extend on both sides of the undertaking, the acquiring authority shall from time to time pay to the owner of the mines (in addition to any compensation under paragraph 3 above) any expenses and losses incurred by him in consequence of—

(a) the severance by the undertaking of the land lying over the mines,

(b) the interruption of continuous working of the mines in consequence of paragraph 3(3) above, and

(c) the mines being worked in such manner and subject to such restrictions as not to prejudice or injure the undertaking,

And for any minerals not purchased by the acquiring authority which cannot be obtained by reason of the making and maintenance of the undertaking.

(2) Any dispute as to the amount payable under this paragraph shall be determined by arbitration. **1 2 3**

Notes

[1] Act applied with (modifications) by Housing Act 1985 (c.68), s.578 Act applied by Housing Associations Act 1985 (c.69), s.88(3)(a) Act applied by Airports Act 1986 (c.31), s.59(1)(a) Act extended by Airports Act 1986 (c.31), s.58, Sch. 2 para. 1(1) Act applied by Gas Act 1986 (c.44), s.9(3), Sch. 3 Pt. II para. 4 Act extended by Gas Act 1986 (c.44), s.67(1)(3), Sch. 7 para. 2(1)(xiii), Sch. 8 para. 33 Act modified by Gas Act 1986 (c.44), s. 67(1)(3),

Sch. 7 para. 2(10)(d) Act applied by Norfolk and Suffolk Broads Act 1988 (c.4), ss. 2(6), 23(2), 27(2), Sch. 3 para. 44(4) Act applied (with modifications) by Education Reform Act 1988 (c.40), ss. 190(6), 201(6) Act applied (with modifications) by Housing Act 1988 (c.50), ss. 77(4), 78(1), Sch. 10 Pt. I para. 1 Act applied by Water Act 1989 (c.15), s.151(4) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act extended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(2)(xxvii) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act modified by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(10)(ix) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act amended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(11)(v) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act applied (with modifications) by Electricity Act 1989 (c.29), ss. 10(1)(2), 112(3), Sch. 3 Pt. II para. 5, Sch. 17 para. 35(1) Act amended by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 2(2)(9)(g), Sch. 17 paras. 33, 35(1) Act modified by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 3(2)(h), Sch. 17 paras. 33, 35(1) Act applied by Town and Country Planning Act 1990 (c.8), ss.226(7), 228(7), 254(2) Act applied by Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9), ss. 47(2), 61(2) Act applied (with modifications) by National Health Service and Community Care Act 1990 (c.19), s.1(2), Sch. 1 Pt. I para. 26(2)(3)

2 Sch. 2 excluded by Water Act 1989 (c.15), s. 159, (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58)

3 Sch.2, Pt. III applied by Channel Tunnel Act 1987 (c.53), s. 37(2), Sch. 5 Pt. III para. 4 Sch.2, Pt. III applied (with modifications) by Dartford-Thurrock Crossing Act 1988 (c.20), s.2(5), Sch. 2 Pt. II para. 4(1)

Commencement

Sch. 2(III) para. 6: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Sch. 2(III) para. 6(1)-(2): England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

Law In Force

7.—

(1) Where works carried out under paragraph 5 above cause loss or damage to the owner or occupier of land lying over the mines the acquiring authority shall pay full compensation to him for the loss or damage.

(2) This paragraph shall not apply where the person sustaining the loss or damage is the owner of the mines.
1 2 3

Notes

1 Act applied with (modifications) by Housing Act 1985 (c.68), s.578 Act applied by Housing Associations Act 1985 (c.69), s.88(3)(a) Act applied by Airports Act 1986 (c.31), s.59(1)(a) Act extended by Airports Act 1986 (c.31), s.58, Sch. 2 para. 1(1) Act applied by Gas Act 1986 (c.44), s.9(3), Sch. 3 Pt. II para. 4 Act extended by Gas Act 1986 (c.44), s.67(1)(3), Sch. 7 para. 2(1)(xiii), Sch. 8 para. 33 Act modified by Gas Act 1986 (c.44), s. 67(1)(3), Sch. 7 para. 2(10)(d) Act applied by Norfolk and Suffolk Broads Act 1988 (c.4), ss. 2(6), 23(2), 27(2), Sch. 3 para. 44(4) Act applied (with modifications) by Education Reform Act 1988 (c.40), ss. 190(6), 201(6) Act applied (with modifications) by Housing Act 1988 (c.50), ss. 77(4), 78(1), Sch. 10 Pt. I para. 1 Act applied by Water Act 1989 (c.15), s.151(4) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act extended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(2)(xxvii) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act

modified by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(10)(ix) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act amended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(11)(v) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act applied (with modifications) by Electricity Act 1989 (c.29), ss. 10(1)(2), 112(3), Sch. 3 Pt. II para. 5, Sch. 17 para. 35(1) Act amended by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 2(2)(9)(g), Sch. 17 paras. 33, 35(1) Act modified by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 3(2)(h), Sch. 17 paras. 33, 35(1) Act applied by Town and Country Planning Act 1990 (c.8), ss.226(7), 228(7), 254(2) Act applied by Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9), ss. 47(2), 61(2) Act applied (with modifications) by National Health Service and Community Care Act 1990 (c.19), s.1(2), Sch. 1 Pt. I para. 26(2)(3)

[2] Sch. 2 excluded by Water Act 1989 (c.15), s. 159, (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58)

[3] Sch.2, Pt. III applied by Channel Tunnel Act 1987 (c.53), s. 37(2), Sch. 5 Pt. III para. 4 Sch.2, Pt. III applied (with modifications) by Dartford-Thurrock Crossing Act 1988 (c.20), s.2(5), Sch. 2 Pt. II para. 4(1)

Commencement

Sch. 2(III) para. 7: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Sch. 2(III) para. 7(1)-(2): England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

Powers of entry

Law In Force

8.—

(1) For the purpose of ascertaining whether underlying mines have been worked so as to damage the undertaking the acquiring authority may, after giving 24 hours notice in writing—

(a) enter on any land in which the mines are, or are thought to be, being worked, and which is in or near to the land where the undertaking is situated, and

(b) enter the mines and any works connected with the mines.

(2) For the said purpose the acquiring authority may make use of any apparatus or machinery belonging to the owner of the mines, and may use all necessary means for discovering the distance from the undertaking to the parts of the mines which are, or are about to be, worked.

(3) If the owner of the mines refuses to allow a person appointed by the acquiring authority for the purpose to enter the mines or works under this paragraph he shall be liable on summary conviction to a sum not exceeding £50.
1 2 3

Notes

[1] Act applied with (modifications) by Housing Act 1985 (c.68), s.578 Act applied by Housing Associations Act 1985 (c.69), s.88(3)(a) Act applied by Airports Act 1986 (c.31), s.59(1)(a) Act extended by Airports Act 1986 (c.31), s.58, Sch. 2 para. 1(1) Act applied by Gas Act 1986 (c.44), s.9(3), Sch. 3 Pt. II para. 4 Act extended by Gas Act 1986 (c.44), s.67(1)(3), Sch. 7 para. 2(1)(xiii), Sch. 8 para. 33 Act modified by Gas Act 1986 (c.44), s. 67(1)(3),

Sch. 7 para. 2(10)(d) Act applied by Norfolk and Suffolk Broads Act 1988 (c.4), ss. 2(6), 23(2), 27(2), Sch. 3 para. 44(4) Act applied (with modifications) by Education Reform Act 1988 (c.40), ss. 190(6), 201(6) Act applied (with modifications) by Housing Act 1988 (c.50), ss. 77(4), 78(1), Sch. 10 Pt. I para. 1 Act applied by Water Act 1989 (c.15), s.151(4) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act extended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(2)(xxvii) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act modified by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(10)(ix) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act amended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(11)(v) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act applied (with modifications) by Electricity Act 1989 (c.29), ss. 10(1)(2), 112(3), Sch. 3 Pt. II para. 5, Sch. 17 para. 35(1) Act amended by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 2(2)(9)(g), Sch. 17 paras. 33, 35(1) Act modified by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 3(2)(h), Sch. 17 paras. 33, 35(1) Act applied by Town and Country Planning Act 1990 (c.8), ss.226(7), 228(7), 254(2) Act applied by Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9), ss. 47(2), 61(2) Act applied (with modifications) by National Health Service and Community Care Act 1990 (c.19), s.1(2), Sch. 1 Pt. I para. 26(2)(3)

2 Sch. 2 excluded by Water Act 1989 (c.15), s. 159, (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58)

3 Sch.2, Pt. III applied by Channel Tunnel Act 1987 (c.53), s. 37(2), Sch. 5 Pt. III para. 4 Sch.2, Pt. III applied (with modifications) by Dartford-Thurrock Crossing Act 1988 (c.20), s.2(5), Sch. 2 Pt. II para. 4(1)

Commencement

Sch. 2(III) para. 8: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Sch. 2(III) para. 8(1)-(3): England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

Remedial works

Law In Force

9.—

(1) If it appears that mines have been worked contrary to the provisions of this Schedule, the acquiring authority may give notice to the owner of the mines to construct such works and adopt such means as may be necessary or proper for making safe the undertaking, and preventing injury to it.

(2) If the owner of the mines does not comply with the notice, the acquiring authority may themselves construct the works, and may recover their expenses from the owner by proceedings in the High Court.
1 2 3

Notes

1 Act applied with (modifications) by Housing Act 1985 (c.68), s.578 Act applied by Housing Associations Act 1985 (c.69), s.88(3)(a) Act applied by Airports Act 1986 (c.31), s.59(1)(a) Act extended by Airports Act 1986 (c.31), s.58, Sch. 2 para. 1(1) Act applied by Gas Act 1986 (c.44), s.9(3), Sch. 3 Pt. II para. 4 Act extended by Gas Act 1986 (c.44), s.67(1)(3), Sch. 7 para. 2(1)(xiii), Sch. 8 para. 33 Act modified by Gas Act 1986 (c.44), s. 67(1)(3),

Sch. 7 para. 2(10)(d) Act applied by Norfolk and Suffolk Broads Act 1988 (c.4), ss. 2(6), 23(2), 27(2), Sch. 3 para. 44(4) Act applied (with modifications) by Education Reform Act 1988 (c.40), ss. 190(6), 201(6) Act applied (with modifications) by Housing Act 1988 (c.50), ss. 77(4), 78(1), Sch. 10 Pt. I para. 1 Act applied by Water Act 1989 (c.15), s.151(4) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act extended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(2)(xxvii) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act modified by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(10)(ix) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act amended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(11)(v) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act applied (with modifications) by Electricity Act 1989 (c.29), ss. 10(1)(2), 112(3), Sch. 3 Pt. II para. 5, Sch. 17 para. 35(1) Act amended by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 2(2)(9)(g), Sch. 17 paras. 33, 35(1) Act modified by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 3(2)(h), Sch. 17 paras. 33, 35(1) Act applied by Town and Country Planning Act 1990 (c.8), ss.226(7), 228(7), 254(2) Act applied by Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9), ss. 47(2), 61(2) Act applied (with modifications) by National Health Service and Community Care Act 1990 (c.19), s.1(2), Sch. 1 Pt. I para. 26(2)(3)

[2] Sch. 2 excluded by Water Act 1989 (c.15), s. 159, (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58)

[3] Sch.2, Pt. III applied by Channel Tunnel Act 1987 (c.53), s. 37(2), Sch. 5 Pt. III para. 4 Sch.2, Pt. III applied (with modifications) by Dartford-Thurrock Crossing Act 1988 (c.20), s.2(5), Sch. 2 Pt. II para. 4(1)

Commencement

Sch. 2(III) para. 9: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Sch. 2(III) para. 9(1)-(2): England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

[SCHEDULE 2A

ENACTMENTS ELIGIBLE FOR DIRECTIONS APPLYING SECTION 14A OF THE LAND COMPENSATION ACT 1961

Section 15A

] [1]

Notes

[1] Added by Levelling-up and Regeneration Act 2023 c. 55 Pt 9 s.190(1)(d) (April 30, 2024: insertion has effect as SI 2024/92 reg.4 subject to transitional provisions specified in SI 2024/92 reg.6(6))

[Enactments authorising acquisitions for purposes including housing] [1]

Notes

[1] Added by Levelling-up and Regeneration Act 2023 c. 55 Pt 9 s.190(1)(d) (April 30, 2024: insertion has effect as SI 2024/92 reg.4 subject to transitional provisions specified in SI 2024/92 reg.6(6))

The text of this provision varies depending on jurisdiction or other application. See parallel texts relating to:
Wales | England

Partially In Force With Amendments Pending

Wales

[NOTE: not yet in force otherwise.]

England

[1
Section 21A(1)(c) and (2)(c) of the Welsh Development Agency Act 1975 (acquisition by Welsh Ministers of land in England for Welsh development purposes).
] [1]

Notes

[1] Added by Levelling-up and Regeneration Act 2023 c. 55 Pt 9 s.190(1)(d) (April 30, 2024: insertion has effect as SI 2024/92 reg.4 subject to transitional provisions specified in SI 2024/92 reg.6(6))

Amendments Pending

Sch. 2A para. 1: added by Levelling-up and Regeneration Act 2023 c. 55, Pt 9 s. 190(1)(d) (date to be appointed: 2023 c.55 s.190 came into force on March 31, 2024 as specified in SI 2024/389 reg.2(l) for the limited purpose of conferring a power to make regulations; not yet in force otherwise)

Extent

Sch. 2A para. 1: England, Wales

The text of this provision varies depending on jurisdiction or other application. See parallel texts relating to:
Wales | England

Partially In Force With Amendments Pending

Wales

[NOTE: not yet in force otherwise.]

England

[2
Section 142 of the Local Government, Planning and Land Act 1980 (acquisition by urban development corporation).
] [1]

Notes

[1] Added by Levelling-up and Regeneration Act 2023 c. 55 Pt 9 s.190(1)(d) (April 30, 2024: insertion has effect as SI 2024/92 reg.4 subject to transitional provisions specified in SI 2024/92 reg.6(6))

Amendments Pending

Sch. 2A para. 2: added by Levelling-up and Regeneration Act 2023 c. 55, Pt 9 s. 190(1)(d) (date to be appointed: 2023 c.55 s.190 came into force on March 31, 2024 as specified in SI 2024/389 reg.2(l) for the limited purpose of conferring a power to make regulations; not yet in force otherwise)

Extent

Sch. 2A para. 2: England, Wales

The text of this provision varies depending on jurisdiction or other application. See parallel texts relating to:
Wales | England

Partially In Force With Amendments Pending

Wales

[NOTE: not yet in force otherwise.]

England

[3
Section 17 of the Housing Act 1985 (acquisition by local housing authority).
] [1]

Notes

[1] Added by Levelling-up and Regeneration Act 2023 c. 55 Pt 9 s.190(1)(d) (April 30, 2024: insertion has effect as SI 2024/92 reg.4 subject to transitional provisions specified in SI 2024/92 reg.6(6))

Amendments Pending

Sch. 2A para. 3: added by Levelling-up and Regeneration Act 2023 c. 55, Pt 9 s. 190(1)(d) (date to be appointed: 2023 c.55 s.190 came into force on March 31, 2024 as specified in SI 2024/389 reg.2(l) for the limited purpose of conferring a power to make regulations; not yet in force otherwise)

Extent

Sch. 2A para. 3: England, Wales

The text of this provision varies depending on jurisdiction or other application. See parallel texts relating to:
Wales | England

Partially In Force With Amendments Pending

Wales

[NOTE: not yet in force otherwise.]

England

[4
Section 226 of the Town and Country Planning Act 1990 (acquisition by local authority for development or planning purposes).
] [1]

Notes

[1] Added by Levelling-up and Regeneration Act 2023 c. 55 Pt 9 s.190(1)(d) (April 30, 2024: insertion has effect as SI 2024/92 reg.4 subject to transitional provisions specified in SI 2024/92 reg.6(6))

Amendments Pending

Sch. 2A para. 4: added by Levelling-up and Regeneration Act 2023 c. 55, Pt 9 s. 190(1)(d) (date to be appointed: 2023 c.55 s.190 came into force on March 31, 2024 as specified in SI 2024/389 reg.2(l) for the limited purpose of conferring a power to make regulations; not yet in force otherwise)

Extent

Sch. 2A para. 4: England, Wales

The text of this provision varies depending on jurisdiction or other application. See parallel texts relating to:
Wales | England

Partially In Force With Amendments Pending

Wales

[NOTE: not yet in force otherwise.]

England

[5
Section 333ZA of the Greater London Authority Act 1999 (acquisition by Greater London Authority for housing or regeneration purposes).
] [1]

Notes

[1] Added by Levelling-up and Regeneration Act 2023 c. 55 Pt 9 s.190(1)(d) (April 30, 2024: insertion has effect as SI 2024/92 reg.4 subject to transitional provisions specified in SI 2024/92 reg.6(6))

Amendments Pending

Sch. 2A para. 5: added by Levelling-up and Regeneration Act 2023 c. 55, Pt 9 s. 190(1)(d) (date to be appointed: 2023 c.55 s.190 came into force on March 31, 2024 as specified in SI 2024/389 reg.2(l) for the limited purpose of conferring a power to make regulations; not yet in force otherwise)

Extent

Sch. 2A para. 5: England, Wales

The text of this provision varies depending on jurisdiction or other application. See parallel texts relating to:
Wales | England

Partially In Force With Amendments Pending

Wales

[NOTE: not yet in force otherwise.]

England

[6
Section 9 of the Housing and Regeneration Act 2008 (acquisition by the Homes and Communities Agency).
] [1]

Notes

[1] Added by Levelling-up and Regeneration Act 2023 c. 55 Pt 9 s.190(1)(d) (April 30, 2024: insertion has effect as SI 2024/92 reg.4 subject to transitional provisions specified in SI 2024/92 reg.6(6))

Amendments Pending

Sch. 2A para. 6: added by Levelling-up and Regeneration Act 2023 c. 55, Pt 9 s. 190(1)(d) (date to be appointed: 2023 c.55 s.190 came into force on March 31, 2024 as specified in SI 2024/389 reg.2(l) for the limited purpose of conferring a power to make regulations; not yet in force otherwise)

Extent

Sch. 2A para. 6: England, Wales

The text of this provision varies depending on jurisdiction or other application. See parallel texts relating to:
Wales | England

Partially In Force With Amendments Pending

Wales

[NOTE: not yet in force otherwise.]

England

[7
Section 207 of the Localism Act 2011 (acquisition by mayoral development corporation).
] [1]

Notes

[1] Added by Levelling-up and Regeneration Act 2023 c. 55 Pt 9 s.190(1)(d) (April 30, 2024: insertion has effect as SI 2024/92 reg.4 subject to transitional provisions specified in SI 2024/92 reg.6(6))

Amendments Pending

Sch. 2A para. 7: added by Levelling-up and Regeneration Act 2023 c. 55, Pt 9 s. 190(1)(d) (date to be appointed: 2023 c.55 s.190 came into force on March 31, 2024 as specified in SI 2024/389 reg.2(l) for the limited purpose of conferring a power to make regulations; not yet in force otherwise)

Extent

Sch. 2A para. 7: England, Wales

[Enactments authorising acquisitions for purposes of the NHS] [1]

Notes

[1] Added by Levelling-up and Regeneration Act 2023 c. 55 Pt 9 s.190(1)(d) (April 30, 2024: insertion has effect as SI 2024/92 reg.4 subject to transitional provisions specified in SI 2024/92 reg.6(6))

The text of this provision varies depending on jurisdiction or other application. See parallel texts relating to:
Wales | England

Partially In Force With Amendments Pending

Wales

[NOTE: not yet in force otherwise.]

England

[8
Paragraph 46 of Schedule 4 to the Health and Social Care (Community Health and Standards) Act 2003 (acquisition by NHS foundation trust).
] [1]

Notes

[1] Added by Levelling-up and Regeneration Act 2023 c. 55 Pt 9 s.190(1)(d) (April 30, 2024: insertion has effect as SI 2024/92 reg.4 subject to transitional provisions specified in SI 2024/92 reg.6(6))

Amendments Pending

Sch. 2A para. 8: added by Levelling-up and Regeneration Act 2023 c. 55, Pt 9 s. 190(1)(d) (date to be appointed: 2023 c.55 s.190 came into force on March 31, 2024 as specified in SI 2024/389 reg.2(l) for the limited purpose of conferring a power to make regulations; not yet in force otherwise)

Extent

Sch. 2A para. 8: England, Wales

The text of this provision varies depending on jurisdiction or other application. See parallel texts relating to:
Wales | England

Partially In Force With Amendments Pending

Wales

[NOTE: not yet in force otherwise.]

England

[9
Paragraph 27 of Schedule 4 to the National Health Service Act 2006 (acquisition by NHS trust).
] [1]

Notes

[1] Added by Levelling-up and Regeneration Act 2023 c. 55 Pt 9 s.190(1)(d) (April 30, 2024: insertion has effect as SI 2024/92 reg.4 subject to transitional provisions specified in SI 2024/92 reg.6(6))

Amendments Pending

Sch. 2A para. 9: added by Levelling-up and Regeneration Act 2023 c. 55, Pt 9 s. 190(1)(d) (date to be appointed: 2023 c.55 s.190 came into force on March 31, 2024 as specified in SI 2024/389 reg.2(l) for the limited purpose of conferring a power to make regulations; not yet in force otherwise)

Extent

Sch. 2A para. 9: England, Wales

The text of this provision varies depending on jurisdiction or other application. See parallel texts relating to:
Wales | England

Partially In Force With Amendments Pending

Wales

[NOTE: not yet in force otherwise.]

England

[10
In the National Health Service (Wales) Act 2006—
(a) paragraph 20 of Schedule 2 (acquisition by local health board);
(b) paragraph 27 of Schedule 3 (acquisition by NHS trust).
] [1]

Notes

[1] Added by Levelling-up and Regeneration Act 2023 c. 55 Pt 9 s.190(1)(d) (April 30, 2024: insertion has effect as SI 2024/92 reg.4 subject to transitional provisions specified in SI 2024/92 reg.6(6))

Amendments Pending

Sch. 2A para. 10: added by Levelling-up and Regeneration Act 2023 c. 55, Pt 9 s. 190(1)(d) (date to be appointed: 2023 c.55 s.190 came into force on March 31, 2024 as specified in SI 2024/389 reg.2(l) for the limited purpose of conferring a power to make regulations; not yet in force otherwise)

Extent

Sch. 2A para. 10(a)-(b): England, Wales

[Enactment authorising acquisitions for educational purposes] [1]

Notes

[1] Added by Levelling-up and Regeneration Act 2023 c. 55 Pt 9 s.190(1)(d) (April 30, 2024: insertion has effect as SI 2024/92 reg.4 subject to transitional provisions specified in SI 2024/92 reg.6(6))

The text of this provision varies depending on jurisdiction or other application. See parallel texts relating to:
Wales | England

Partially In Force With Amendments Pending

Wales

[NOTE: not yet in force otherwise.]

England

[11
Section 530 of the Education Act 1996 (acquisition by local authority for purposes of educational institution or function).
] [1]

Notes

[1] Added by Levelling-up and Regeneration Act 2023 c. 55 Pt 9 s.190(1)(d) (April 30, 2024: insertion has effect as SI 2024/92 reg.4 subject to transitional provisions specified in SI 2024/92 reg.6(6))

Amendments Pending

Sch. 2A para. 11: added by Levelling-up and Regeneration Act 2023 c. 55, Pt 9 s. 190(1)(d) (date to be appointed: 2023 c.55 s.190 came into force on March 31, 2024 as specified in SI 2024/389 reg.2(l) for the limited purpose of conferring a power to make regulations; not yet in force otherwise)

Extent

Sch. 2A para. 11: England, Wales

SCHEDULE 3

ACQUISITION OF RIGHTS OVER LAND BY THE CREATION OF NEW RIGHTS

PART I

Law In Force

1.

In this Schedule "right" means a right to which section 28(1) of this Act applies, or any right to which this Schedule is applied by any Act passed after this Act.
[1] [2]

Notes

[1] Act applied with (modifications) by Housing Act 1985 (c.68), s.578 Act applied by Housing Associations Act 1985 (c.69), s.88(3)(a) Act applied by Airports Act 1986 (c.31), s.59(1)(a) Act extended by Airports Act 1986 (c.31), s.58, Sch. 2 para. 1(1) Act applied by Gas Act 1986 (c.44), s.9(3), Sch. 3 Pt. II para. 4 Act extended by Gas Act 1986 (c.44), s.67(1)(3), Sch. 7 para. 2(1)(xiii), Sch. 8 para. 33 Act modified by Gas Act 1986 (c.44), s. 67(1)(3), Sch. 7 para. 2(10)(d) Act applied by Norfolk and Suffolk Broads Act 1988 (c.4), ss. 2(6), 23(2), 27(2), Sch. 3 para. 44(4) Act applied (with modifications) by Education Reform Act 1988 (c.40), ss. 190(6), 201(6) Act applied (with modifications) by Housing Act 1988 (c.50), ss. 77(4), 78(1), Sch. 10 Pt. I para. 1 Act applied by Water Act 1989 (c.15), s.151(4) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act extended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(2)(xxvii) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act modified by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(10)(ix) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act amended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(11)(v) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act applied (with modifications) by Electricity Act 1989 (c.29), ss. 10(1)(2), 112(3), Sch. 3 Pt. II para. 5, Sch. 17 para. 35(1) Act amended by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 2(2)(9)(g), Sch. 17 paras. 33, 35(1) Act modified by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 3(2)(h), Sch. 17 paras. 33, 35(1) Act applied by Town and Country Planning Act 1990 (c.8), ss.226(7), 228(7),

254(2) Act applied by Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9), ss. 47(2), 61(2) Act applied (with modifications) by National Health Service and Community Care Act 1990 (c.19), s.1(2), Sch. 1 Pt. I para. 26(2)(3)

[2] Sch. 3 applied by Housing Act 1988 (c.50), s. 77(5)(6);; by Water Act 1989 (c.15), s. 151(4), (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58); by Electricity Act 1989 (c.29), ss. 10(1), 112(3), Pt. II para. 5, Sch. 17 para. 35(1)Section 28 and (with modifications) by Water Act 1989 (c.15), s. 155(3)(7), Sch. 20 paras. 6(1)(b)(c) (with ss. 58(7), 101(1), 141(6),160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58)

Commencement

Sch. 3(I) para. 1: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Sch. 3(I) para. 1: England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

General modifications

Law In Force

2.—

(1) This Act shall have effect with the modifications necessary to make it apply to the compulsory acquisition of a right as it applies to the compulsory acquisition of land, so that, in appropriate contexts, references in this Act to land are read as referring, or as including references, to the right acquired or to be acquired, or to land over which the right is, or is to be, exercisable, according to the requirements of the particular context.

(2) Without prejudice to the generality of sub-paragraph (1) above, Part II of this Schedule shall apply to the compulsory acquisition of a right in substitution for Part III of this Act.
[1] [2]

Notes

[1] Act applied with (modifications) by Housing Act 1985 (c.68), s.578 Act applied by Housing Associations Act 1985 (c.69), s.88(3)(a) Act applied by Airports Act 1986 (c.31), s.59(1)(a) Act extended by Airports Act 1986 (c.31), s.58, Sch. 2 para. 1(1) Act applied by Gas Act 1986 (c.44), s.9(3), Sch. 3 Pt. II para. 4 Act extended by Gas Act 1986 (c.44), s.67(1)(3), Sch. 7 para. 2(1)(xiii), Sch. 8 para. 33 Act modified by Gas Act 1986 (c.44), s. 67(1)(3), Sch. 7 para. 2(10)(d) Act applied by Norfolk and Suffolk Broads Act 1988 (c.4), ss. 2(6), 23(2), 27(2), Sch. 3 para. 44(4) Act applied (with modifications) by Education Reform Act 1988 (c.40), ss. 190(6), 201(6) Act applied (with modifications) by Housing Act 1988 (c.50), ss. 77(4), 78(1), Sch. 10 Pt. I para. 1 Act applied by Water Act 1989 (c.15), s.151(4) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act extended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(2)(xxvii) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act modified by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(10)(ix) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act amended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(11)(v) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act applied (with modifications) by Electricity Act 1989 (c.29), ss. 10(1)(2), 112(3), Sch. 3 Pt. II para. 5, Sch. 17 para. 35(1) Act amended by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 2(2)(9)(g), Sch. 17 paras. 33, 35(1) Act modified by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para.

3(2)(h), Sch. 17 paras. 33, 35(1) Act applied by Town and Country Planning Act 1990 (c.8), ss.226(7), 228(7), 254(2) Act applied by Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9), ss. 47(2), 61(2) Act applied (with modifications) by National Health Service and Community Care Act 1990 (c.19), s.1(2), Sch. 1 Pt. I para. 26(2)(3)

[2] Sch. 3 applied by Housing Act 1988 (c.50), s. 77(5)(6);; by Water Act 1989 (c.15), s. 151(4), (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58); by Electricity Act 1989 (c.29), ss. 10(1), 112(3), Pt. II para. 5, Sch. 17 para. 35(1)Section 28 and (with modifications) by Water Act 1989 (c.15), s. 155(3)(7), Sch. 20 paras. 6(1)(b)(c) (with ss. 58(7), 101(1), 141(6),160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58)

Commencement

Sch. 3(I) para. 2: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Sch. 3(I) para. 2(1)-(2): England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

PART II

ACQUISITION OF NEW RIGHTS OVER SPECIAL KINDS OF LAND

Statutory undertakers land

Law In Force

3.—

(1) This paragraph applies where the land over which a right is to be acquired by virtue of a compulsory purchase order includes land which has been acquired by statutory undertakers for the purposes of their undertaking and on a representation made to the appropriate Minister before the expiration of the time within which objections to the order can be made he is satisfied—

(a) that any of the said land is used for the purposes of the carrying on of their undertaking, or

(b) that an interest in any of the said land is held for those purposes **[…]**[1]

[and the representation is not withdrawn. **]** [1]

(2) The compulsory purchase order shall not be confirmed or made so as to authorised the compulsory purchase of a right over any land as to which the appropriate Minister is satisfied as aforesaid except land as to which he is satisfied that its nature and situation are such—

(a) that the right can be purchased without serious detriment to the carrying on of the undertaking, or

(b) that any detriment to the carrying on of the undertaking, in consequence of the acquisition of the right, can be made good by the undertakers by the use of other land belonging to or available for acquisition by them,

and certifies accordingly.

Notes

[1] Words added by Planning and Compensation Act 1991 c. 34 Sch.15(I) para.10(1) (September 25, 1991)

Commencement

Sch. 3(II) para. 3: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Sch. 3(II) para. 3(1)-(2)(b): England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

Orders subject to special parliamentary procedure Local authority and statutory undertakers' land

Law In Force

4.—

(1) This paragraph applies to land which—

(a) is the property of a local authority, or

(b) has been acquired by statutory undertakers, who are not a local authority, for the purposes of their undertaking.

(2) Subject to sub-paragraph (3) below, a compulsory purchase order shall, in so far as it authorises the compulsory purchase of rights over land to which this paragraph applies, be subject to special parliamentary procedure in any case where an objection to **[** the compulsory purchase of the rights **]** [1] has been made by the local authority, or as the case may be the statutory undertakers, and has not been withdrawn.

(3) Sub-paragraph (2) above shall not apply to the compulsory acquisition of an interest in land where the person acquiring the interest is a local authority (as defined in sub-paragraph (4) below), **[** a National Park authority, **]** [2] **[** an urban development corporation **[** , a Mayoral development corporation **]** [4] **[…]** [5] , **]** [3] **[…]** [6] **[…]** [7] **[** a Welsh planning board, **]** [8] any statutory undertakers or a Minister.

(4) In sub-paragraph (3) above—

"local authority" means —

(a) in relation to England, the council of a county or **[** county borough **]** [9] , the council of a London borough, the Common Council of the City of London and the Greater London Council,

(b) in relation to Wales, the council of a county or district,

and this definition applies to the Isles of Scilly as if the Council of those Isles were the council of a county;

"statutory undertakers" has the same meaning as in section 17(3) of this Act.

["a Welsh planning board" means a board constituted under—

(a) section 2(1B) of the Town and Country Planning Act 1990 **[** . **]** [11]

(b) **[…]**[11]

][10]

Notes

1 Words substituted by Growth and Infrastructure Act 2013 c. 27 s.25(7)(b) (June 25, 2013: substitution has effect subject to transitional and saving provisions specified in SI 2013/1488 art.8(3))

2 Words inserted by Environment Act 1995 c. 25 Sch.10 para.21(2) (November 23, 1995)

3 Words added by Planning and Compensation Act 1991 c. 34 Sch.15(I) para.11 (September 25, 1991)

4 Words inserted by Localism Act 2011 c. 20 Sch.22 para.7(4) (January 15, 2012)

5 Words repealed by Welsh Development Agency (Transfer of Functions to the National Assembly for Wales and Abolition) Order 2005/3226 Sch.2(1) para.9(2) (April 1, 2006: repeal has effect subject to transitional provisions specified in SI 2005/3226 art.3)

6 Words repealed by Government of Wales Act 1998 c. 38 Sch.18(V) para.1 (October 1, 1998)

7 Words repealed by Environment Act 1995 c. 25 Sch.24 para. (April 1, 1997 as SI 1996/2560)

8 Words inserted by Local Government (Wales) Act 1994 c. 19 Sch.6(II) para.17(2)(a) (April 1, 1996)

9 Words substituted by Local Government (Wales) Act 1994 c. 19 Sch.16 para.64(2) (April 1, 1996)

10 Definition inserted by Local Government (Wales) Act 1994 c. 19 Sch.6(II) para.17(2)(b) (April 1, 1996)

11 Repealed by Environment Act 1995 c. 25 Sch.24 para. (April 1, 1997 as SI 1996/2560)

Commencement

Sch. 3(II) para. 4: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Sch. 3(II) para. 4(1)-(4) definition of "statutory undertakers": England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

Sch. 3(II) para. 4(4) definition of "a Welsh planning board"-(4) definition of "a Welsh planning board" (a): England, Wales

National Trust land

Law In Force

5.—

(1) This paragraph applies to land belonging to the National Trust which is held by the Trust inalienably.

(2) A compulsory purchase order shall, in so far as it authorises the compulsory purchase of rights over land to which this paragraph applies, be subject to special parliamentary procedure in any case where an objection to **[** the compulsory purchase of the rights **]**[1] has been duly made by the National Trust and has not been withdrawn.

(3) In this paragraph "held inalienably", in relation to land belonging to the National Trust, means that the land is inalienable under section 21 of the National Trust Act 1907 or section 8 of the National Trust Act 1939.

Notes

[1] Words substituted by Growth and Infrastructure Act 2013 c. 27 s.25(7)(b) (June 25, 2013: substitution has effect subject to transitional and saving provisions specified in SI 2013/1488 art.8(3))

Commencement

Sch. 3(II) para. 5: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Sch. 3(II) para. 5(1)-(3): England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

Commons, open spaces etc.

Law In Force

6.—

(1) In so far as a compulsory purchase order authorises the acquisition of a right over land forming part of a common, open space or fuel or field garden allotment, it shall be subject to special parliamentary procedure unless the Secretary of State is satisfied—

(a) that the land, when burdened with that right, will be no less advantageous to those persons in whom it is vested and other persons, if any, entitled to rights of common or other rights, and to the public, than it was before, or

[(aa) that the right is being acquired in order to secure the preservation or improve the management of the land **]** [1]

(b) that there has been or will be given in exchange for the right additional land which will as respects the persons in whom there is vested the land over which the right is to be acquired, the persons, if any, entitled to rights of common or other rights over that land, and the public, be adequate to compensate them for the disadvantages which result from the acquisition of the right, and that the additional land has been or will be vested in the persons in whom there is vested the land over which the right is to be acquired, and subject to the like rights, trusts and incidents as attach to that land apart from the compulsory purchase order, or

(c) that the land affected by the right to be acquired does not exceed 250 square yards in extent, and that the giving of other land in exchange for the right is unnecessary, whether in the interests of the persons, if any, entitled to rights of common or other rights or in the interests of the public,

and certifies accordingly.

(2) In the case of a compulsory purchase order under the Highways Act 1980 sub-paragraph (1)(c) above shall have effect as if after the words "extent" there were inserted the words "or the right is required in connection with the widening or drainage of an existing highway or in connection partly with the widening and partly with the drainage of such a highway".

(3) Where it is proposed to give a certificate under this paragraph, the Secretary of State shall **[** direct the acquiring authority to **]** [2] give public notice of his intention so to do, and—

(a) after affording opportunity to all persons interested to make representations and objections in relation thereto, and

(b) after causing a public local inquiry to be held in any case where it appears to him to be expedient so to do, having regard to any representations or objections made,

the Secretary of State may, after considering any representations and objections made and, if any inquiry has been held, the report of the person who held the inquiry, give the certificate.

[(3A) Notice under sub-paragraph (3) above shall be given in such form and manner as the Secretary of State may direct. **]** [3]

(4) A compulsory purchase order may provide for vesting land given in exchange as mentioned in sub-paragraph (1) above in the persons, and subject to the rights, trusts and incidents, therein mentioned, and **[** except where the Secretary of State has given his certificate under sub-paragraph (1)(aa) above, **]** [4] for discharging the land over which any right is to be acquired from all rights, trusts and incidents to which it has previously been subject so far as their continuance would be inconsistent with the exercise of that right.

(5) In this paragraph—

"common" includes any land subject to be enclosed under the Inclosure Acts 1845 to 1882, and any town or village green,

"fuel or field garden allotment" means any allotment set out as a fuel allotment, or a field garden allotment, under an Inclosure Act,

"open space" means any land laid out as a public garden, or used for the purpose of public recreation, or land being a disused burial ground.

Notes

1 Added by Planning and Compensation Act 1991 c. 34 Sch.15(I) para.12(2)(a) (September 25, 1991)

2 Words added by Planning and Compensation Act 1991 c. 34 Sch.15(I) para.12(2)(b) (September 25, 1991)

3 Added by Planning and Compensation Act 1991 c. 34 Sch.15(I) para.12(2)(c) (September 25, 1991)

4 Words added by Planning and Compensation Act 1991 c. 34 Sch.15(I) para.12(2)(d) (September 25, 1991)

Commencement

Sch. 3(II) para. 6: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Sch. 3(II) para. 6(1)-(5) definition of "open space": England, Wales

Ancient monuments

Repealed

7.— […] [1]

Notes

1 Repealed by Planning and Compensation Act 1991 c. 34 Sch.19(III) para.1 (September 25, 1991 as SI 1991/2067)

Land within more than one provision in this Schedule

Law In Force

8.

In the case of land falling within more than one of paragraphs 4 to 7 above, a compulsory purchase order shall be subject to special parliamentary procedure if required to be subject thereto by any of those paragraphs.
1 2

Notes

1 Act applied with (modifications) by Housing Act 1985 (c.68), s.578 Act applied by Housing Associations Act 1985 (c.69), s.88(3)(a) Act applied by Airports Act 1986 (c.31), s.59(1)(a) Act extended by Airports Act 1986 (c.31), s.58, Sch. 2 para. 1(1) Act applied by Gas Act 1986 (c.44), s.9(3), Sch. 3 Pt. II para. 4 Act extended by Gas Act 1986 (c.44), s.67(1)(3), Sch. 7 para. 2(1)(xiii), Sch. 8 para. 33 Act modified by Gas Act 1986 (c.44), s. 67(1)(3), Sch. 7 para. 2(10)(d) Act applied by Norfolk and Suffolk Broads Act 1988 (c.4), ss. 2(6), 23(2), 27(2), Sch. 3 para. 44(4) Act applied (with modifications) by Education Reform Act 1988 (c.40), ss. 190(6), 201(6) Act applied (with modifications) by Housing Act 1988 (c.50), ss. 77(4), 78(1), Sch. 10 Pt. I para. 1 Act applied by Water Act 1989 (c.15), s.151(4) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act extended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(2)(xxvii) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act modified by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(10)(ix) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act amended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(11)(v) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act applied (with modifications) by Electricity Act 1989 (c.29), ss. 10(1)(2), 112(3), Sch. 3 Pt. II para. 5, Sch. 17 para. 35(1) Act amended by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 2(2)(9)(g), Sch. 17 paras. 33, 35(1) Act modified by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 3(2)(h), Sch. 17 paras. 33, 35(1) Act applied by Town and Country Planning Act 1990 (c.8), ss.226(7), 228(7), 254(2) Act applied by Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9), ss. 47(2), 61(2) Act applied (with modifications) by National Health Service and Community Care Act 1990 (c.19), s.1(2), Sch. 1 Pt. I para. 26(2)(3)

2 Sch. 3 applied by Housing Act 1988 (c.50), s. 77(5)(6);; by Water Act 1989 (c.15), s. 151(4), (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58); by Electricity Act 1989 (c.29), ss. 10(1), 112(3), Pt. II para. 5, Sch. 17 para. 35(1)Section 28 and (with modifications) by Water Act 1989 (c.15), s. 155(3)(7), Sch. 20 paras. 6(1)(b)(c) (with ss. 58(7), 101(1), 141(6),160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58)

Commencement

Sch. 3(II) para. 8: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Sch. 3(II) para. 8: England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

Notice of giving of certificate

The text of this provision varies depending on jurisdiction or other application. See parallel texts relating to:
Wales | England

Law In Force With Amendments Pending

Wales

9.
As soon as may be after the giving of a certificate under this Schedule, the acquiring authority shall publish in one or more local newspapers circulating in the locality in which the land comprised in the order is situated a notice in the prescribed form stating that the certificate has been given.

England

[9.
As soon as may be after the giving of a certificate under this Schedule, the acquiring authority shall publish—

(a) in one or more local newspapers circulating in the locality in which the land comprised in the order is situated, and

(b) on an appropriate website, until the end of the period of 6 weeks beginning with the day on which the certificate is given,

a notice in the prescribed form stating that the certificate has been given.
] [1]

Notes

[1] Existing text renumbered as Sch.3 para.9(a) and Sch.3 para.9(b) inserted by Levelling-up and Regeneration Act 2023 c. 55 Pt 9 s.181(8) (January 31, 2024: 2023 c.55 s.181(8) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(j) for the limited purpose of making regulations; April 30, 2024 as SI 2024/389 reg.3(a) subject to transitional provision specified in SI 2024/389 reg.4 otherwise)

Amendments Pending

Sch. 3(II) para. 9: existing text renumbered as Sch.3 para.9(a) and Sch.3 para.9(b) inserted by Levelling-up and Regeneration Act 2023 c. 55, Pt 9 s. 181(8) (date to be appointed: 2023 c.55 s.181(8) came into force on January 31, 2024 as specified in SI 2024/92 reg.2(j) for the limited purpose of making regulations; not yet in force otherwise)

Commencement

Sch. 3(II) para. 9: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Sch. 3(II) para. 9(a)-(b): England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

SCHEDULE 4

Law In Force With Amendments Pending

1. […][1]
2

Notes

1 Amends Metropolitan Police Act 1886 (c. 22), s. 4(11);Small Holdings and Allotments Act 1908 (c. 36), s. 25(1);Fire Services Act 1947 (c. 41), s. 3(5);Agriculture Act 1947 (c. 48), ss. 92(1), 93(1)(b);Coast Protection Act 1949 (c. 74), ss. 14(1)(3), 27(3)(6);Prison Act 1952 (c. 52), s. 36(2);Atomic Energy Authority Act 1954 (c. 32), ss. 5(1), 9(3);Caravan Sites and Control of Development Act 1960 (c. 62), s. 24(6);Transport Act 1962 (c. 46), s. 15(1)(3)(4);Agriculture Act 1967 (c. 22), s. 51(7);Leasehold Reform Act 1967 (c. 88), Sch. 4 para. 3(4);Post Office Act 1969 (c. 48), s. 55(1)–(3);Courts Act 1971 (c. 23), Sch. 3 para. 12(1);Slaughterhouses Act 1974 (c. 3), s. 30(2);Welsh Development Agency Act 1975 (c. 70), s. 22(5);Land Drainage Act 1976 (c. 70), s. 37(2)(4);Development of Rural Wales Act 1976 (c. 75), s. 28(1);Refuse Disposal (Amenity) Act 1978 (c. 3), s. 7;Ancient Monuments and Archaeological Areas Act 1979 (c. 46), ss. 10(2), 16(9);Underground Works (London) Act 1956 (c. 59), s. 6(6);Entry relating to the Electricity (Supply) Act 1919 repealed by Energy Act 1983 (c.25), Sch. 4 Pt. I;Entry relating to the Electricity Act 1947repealed by Electricity Act 1989 (c.29), s. 112(4), Sch. 18;Entry relating to Public Works (Festival of Britain) Act 1949 the repealed by Statute Law (Repeals) Act 1986 (c.12), s. 1, Sch. 1 Pt. VII;Entry relating to Mineral Workings Act 1951 repealed by Mineral Workings Act 1985 (c.12), Sch. 2;Entry relating to the Food and Drugs Act 1955 repealed by Food Act 1984 (c.30), Sch. 11;Entry relating to the Housing Act 1957 repealed by Housing (Consequential Provisions) Act 1985 (c.71), s. 3, Sch. 1 Pt. I;Entry relating to the Water Resources Act 1963 repealed by Water Act 1989 (c.15), s. 190, Sch. 27 Pt. I (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58);Entry relating to the Road Traffic Regulation Act 1967 repealed by Road Traffic Regulation Act 1984 (c.27), s. 146, Sch. 14;Entry relating to the Housing Act 1969 repealed by Housing (Consequential Provisions) Act 1985 (c.71), s. 3, Sch. 1 Pt. I;Entry relating to the Town and Country Planning Act 1971 repealed by Planning (Consequential Provisions) Act 1990 (c.11), s. 3, Sch. 1;Entry relating to the Housing Act 1974 repealed by Housing (Consequential Provisions) Act 1985 (c.71), s. 3, Sch. 1 Pt. I;Entry relating to Local Government Act 1972 (c.70), ss. 121(4), 125(4)(7)Repealed in part by Housing and Planning Act 1986 (c.63), s. 49(2), Sch. 12, Pt. III; Entry relating to the Land Drainage Act 1976 (c. 70) repealed on December 1, 1991 by Water Consolidation (Consequential Provisions) Act 1991 (c. 60), s. 3, Sch. 3; Entry relating to the Welsh Development Agency Act 1975 (c. 70) repealed on October 1, 1998 by Government of Wales Act 1998 (c. 38), s. 152, Sch. 18; Entry relating to the Rural Wales Act 1976 (c. 75) repealed on October 1, 1998 by Government of Wales Act 1998 (c. 38), s. 152, Sch. 18; Entry relating to the Post Office Act 1969 (c. 48) repealed on March 26, 2001 by Postal Services Act 2000 (Consequential Modifications No. 1) Order 2001 S.I. 2001/1149 art. 3(2), art. 4; Entry relating to s. 92(1) of the Agriculture Act 1947 (c. 48) repealed on July 22, 2004 by Statute Law Repeals Act (c. 14), s. 1(3), Sch. 1

2 Act applied with (modifications) by Housing Act 1985 (c.68), s.578 Act applied by Housing Associations Act 1985 (c.69), s.88(3)(a) Act applied by Airports Act 1986 (c.31), s.59(1)(a) Act extended by Airports Act 1986 (c.31), s.58, Sch. 2 para. 1(1) Act applied by Gas Act 1986 (c.44), s.9(3), Sch. 3 Pt. II para. 4 Act extended by Gas Act 1986 (c.44), s.67(1)(3), Sch. 7 para. 2(1)(xiii), Sch. 8 para. 33 Act modified by Gas Act 1986 (c.44), s. 67(1)(3), Sch. 7 para. 2(10)(d) Act applied by Norfolk and Suffolk Broads Act 1988 (c.4), ss. 2(6), 23(2), 27(2), Sch. 3 para. 44(4) Act applied (with modifications) by Education Reform Act 1988 (c.40), ss. 190(6), 201(6) Act applied (with modifications) by Housing Act 1988 (c.50), ss. 77(4), 78(1), Sch. 10 Pt. I para. 1 Act applied by Water Act 1989 (c.15), s.151(4) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act extended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(2)(xxvii) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act modified by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(10)(ix) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act amended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(11)(v) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act applied (with modifications) by Electricity Act 1989 (c.29), ss. 10(1)(2),

112(3), Sch. 3 Pt. II para. 5, Sch. 17 para. 35(1) Act amended by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 2(2)(9)(g), Sch. 17 paras. 33, 35(1) Act modified by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 3(2)(h), Sch. 17 paras. 33, 35(1) Act applied by Town and Country Planning Act 1990 (c.8), ss.226(7), 228(7), 254(2) Act applied by Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9), ss. 47(2), 61(2) Act applied (with modifications) by National Health Service and Community Care Act 1990 (c.19), s.1(2), Sch. 1 Pt. I para. 26(2)(3)

Amendments Pending

Sch. 4 para. 1: entry repealed by Local Government and Housing Act 1989 c. 42 Sch. 12(II) para. (date to be appointed)

Commencement

Sch. 4 para. 1: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Sch. 4 para. 1: England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

Law In Force

2. […][1]
[2]

Notes

[1] Amends Lands Settlement Facilities Act 1919 (c. 59), s. 2(1)

[2] Act applied with (modifications) by Housing Act 1985 (c.68), s.578 Act applied by Housing Associations Act 1985 (c.69), s.88(3)(a) Act applied by Airports Act 1986 (c.31), s.59(1)(a) Act extended by Airports Act 1986 (c.31), s.58, Sch. 2 para. 1(1) Act applied by Gas Act 1986 (c.44), s.9(3), Sch. 3 Pt. II para. 4 Act extended by Gas Act 1986 (c.44), s.67(1)(3), Sch. 7 para. 2(1)(xiii), Sch. 8 para. 33 Act modified by Gas Act 1986 (c.44), s. 67(1)(3), Sch. 7 para. 2(10)(d) Act applied by Norfolk and Suffolk Broads Act 1988 (c.4), ss. 2(6), 23(2), 27(2), Sch. 3 para. 44(4) Act applied (with modifications) by Education Reform Act 1988 (c.40), ss. 190(6), 201(6) Act applied (with modifications) by Housing Act 1988 (c.50), ss. 77(4), 78(1), Sch. 10 Pt. I para. 1 Act applied by Water Act 1989 (c.15), s.151(4) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act extended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(2)(xxvii) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act modified by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(10)(ix) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act amended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(11)(v) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act applied (with modifications) by Electricity Act 1989 (c.29), ss. 10(1)(2), 112(3), Sch. 3 Pt. II para. 5, Sch. 17 para. 35(1) Act amended by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 2(2)(9)(g), Sch. 17 paras. 33, 35(1) Act modified by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 3(2)(h), Sch. 17 paras. 33, 35(1) Act applied by Town and Country Planning Act 1990 (c.8), ss.226(7), 228(7), 254(2) Act applied by Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9), ss. 47(2), 61(2) Act applied (with modifications) by National Health Service and Community Care Act 1990 (c.19), s.1(2), Sch. 1 Pt. I para. 26(2)(3)

Commencement

Sch. 4 para. 2: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Sch. 4 para. 2: England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

Law In Force

3.

(1) **[...]**[1]

(2) **[...]**[1]

(3) **[...]**[2]

(4) **[...]**[3]
[4]

Notes

1 Amends Agriculture Act 1947 (c. 48), s. 86(4)(b)

2 Amends Agriculture Act 1947 (c. 48), s. 92(2)

3 Substitutes Agriculture Act 1947 (c. 48), new s. 92(2)(a)(b)(c)

4 Act applied with (modifications) by Housing Act 1985 (c.68), s.578 Act applied by Housing Associations Act 1985 (c.69), s.88(3)(a) Act applied by Airports Act 1986 (c.31), s.59(1)(a) Act extended by Airports Act 1986 (c.31), s.58, Sch. 2 para. 1(1) Act applied by Gas Act 1986 (c.44), s.9(3), Sch. 3 Pt. II para. 4 Act extended by Gas Act 1986 (c.44), s.67(1)(3), Sch. 7 para. 2(1)(xiii), Sch. 8 para. 33 Act modified by Gas Act 1986 (c.44), s. 67(1)(3), Sch. 7 para. 2(10)(d) Act applied by Norfolk and Suffolk Broads Act 1988 (c.4), ss. 2(6), 23(2), 27(2), Sch. 3 para. 44(4) Act applied (with modifications) by Education Reform Act 1988 (c.40), ss. 190(6), 201(6) Act applied (with modifications) by Housing Act 1988 (c.50), ss. 77(4), 78(1), Sch. 10 Pt. I para. 1 Act applied by Water Act 1989 (c.15), s.151(4) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act extended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(2)(xxvii) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act modified by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(10)(ix) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act amended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(11)(v) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act applied (with modifications) by Electricity Act 1989 (c.29), ss. 10(1)(2), 112(3), Sch. 3 Pt. II para. 5, Sch. 17 para. 35(1) Act amended by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 2(2)(9)(g), Sch. 17 paras. 33, 35(1) Act modified by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 3(2)(h), Sch. 17 paras. 33, 35(1) Act applied by Town and Country Planning Act 1990 (c.8), ss.226(7), 228(7), 254(2) Act applied by Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9), ss. 47(2), 61(2) Act applied (with modifications) by National Health Service and Community Care Act 1990 (c.19), s.1(2), Sch. 1 Pt. I para. 26(2)(3)

Commencement

Sch. 4 para. 3: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Sch. 4 para. 3(1)-(4): England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

Repealed

4. […][1]
[2]

Notes

1 Repealed by Water Act 1989 (c.15), s. 190, Sch. 27 Pt. I (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58)

2 Act applied with (modifications) by Housing Act 1985 (c.68), s.578 Act applied by Housing Associations Act 1985 (c.69), s.88(3)(a) Act applied by Airports Act 1986 (c.31), s.59(1)(a) Act extended by Airports Act 1986 (c.31), s.58, Sch. 2 para. 1(1) Act applied by Gas Act 1986 (c.44), s.9(3), Sch. 3 Pt. II para. 4 Act extended by Gas Act 1986 (c.44), s.67(1)(3), Sch. 7 para. 2(1)(xiii), Sch. 8 para. 33 Act modified by Gas Act 1986 (c.44), s. 67(1)(3), Sch. 7 para. 2(10)(d) Act applied by Norfolk and Suffolk Broads Act 1988 (c.4), ss. 2(6), 23(2), 27(2), Sch. 3 para. 44(4) Act applied (with modifications) by Education Reform Act 1988 (c.40), ss. 190(6), 201(6) Act applied (with modifications) by Housing Act 1988 (c.50), ss. 77(4), 78(1), Sch. 10 Pt. I para. 1 Act applied by Water Act 1989 (c.15), s.151(4) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act extended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(2)(xxvii) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act modified by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(10)(ix) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act amended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(11)(v) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act applied (with modifications) by Electricity Act 1989 (c.29), ss. 10(1)(2), 112(3), Sch. 3 Pt. II para. 5, Sch. 17 para. 35(1) Act amended by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 2(2)(9)(g), Sch. 17 paras. 33, 35(1) Act modified by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 3(2)(h), Sch. 17 paras. 33, 35(1) Act applied by Town and Country Planning Act 1990 (c.8), ss.226(7), 228(7), 254(2) Act applied by Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9), ss. 47(2), 61(2) Act applied (with modifications) by National Health Service and Community Care Act 1990 (c.19), s.1(2), Sch. 1 Pt. I para. 26(2)(3)

Repealed

5 […][1]
[2]

Notes

1 Repealed by Statute Law (Repeals) Act 1986 (c.12), s. 1(1), Sch. 1 Pt. VII

2 Act applied with (modifications) by Housing Act 1985 (c.68), s.578 Act applied by Housing Associations Act 1985 (c.69), s.88(3)(a) Act applied by Airports Act 1986 (c.31), s.59(1)(a) Act extended by Airports Act 1986 (c.31), s.58, Sch. 2 para. 1(1) Act applied by Gas Act 1986 (c.44), s.9(3), Sch. 3 Pt. II para. 4 Act extended by Gas Act 1986 (c.44), s.67(1)(3), Sch. 7 para. 2(1)(xiii), Sch. 8 para. 33 Act modified by Gas Act 1986 (c.44), s. 67(1)(3), Sch. 7 para. 2(10)(d) Act applied by Norfolk and Suffolk Broads Act 1988 (c.4), ss. 2(6), 23(2), 27(2), Sch. 3 para. 44(4) Act applied (with modifications) by Education Reform Act 1988 (c.40), ss. 190(6), 201(6) Act applied (with modifications) by Housing Act 1988 (c.50), ss. 77(4), 78(1), Sch. 10 Pt. I para. 1 Act applied by Water Act 1989 (c.15), s.151(4) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act extended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(2)(xxvii) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act modified by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(10)(ix) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act amended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(11)(v) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act applied (with modifications) by Electricity Act 1989 (c.29), ss. 10(1)(2), 112(3), Sch. 3 Pt. II para. 5, Sch. 17 para. 35(1) Act amended by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 2(2)(9)(g), Sch. 17 paras. 33, 35(1) Act modified by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 3(2)(h), Sch. 17 paras. 33, 35(1) Act applied by Town and Country Planning Act 1990 (c.8), ss.226(7), 228(7), 254(2) Act applied by Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9), ss. 47(2), 61(2) Act

applied (with modifications) by National Health Service and Community Care Act 1990 (c.19), s.1(2), Sch. 1 Pt. I para. 26(2)(3)

Repealed

6. […][1]
[2]

Notes

1 Repealed by Civil Aviation Act 1982 (c.16), s. 109(3), Sch. 16

2 Act applied with (modifications) by Housing Act 1985 (c.68), s.578 Act applied by Housing Associations Act 1985 (c.69), s.88(3)(a) Act applied by Airports Act 1986 (c.31), s.59(1)(a) Act extended by Airports Act 1986 (c.31), s.58, Sch. 2 para. 1(1) Act applied by Gas Act 1986 (c.44), s.9(3), Sch. 3 Pt. II para. 4 Act extended by Gas Act 1986 (c.44), s.67(1)(3), Sch. 7 para. 2(1)(xiii), Sch. 8 para. 33 Act modified by Gas Act 1986 (c.44), s. 67(1)(3), Sch. 7 para. 2(10)(d) Act applied by Norfolk and Suffolk Broads Act 1988 (c.4), ss. 2(6), 23(2), 27(2), Sch. 3 para. 44(4) Act applied (with modifications) by Education Reform Act 1988 (c.40), ss. 190(6), 201(6) Act applied (with modifications) by Housing Act 1988 (c.50), ss. 77(4), 78(1), Sch. 10 Pt. I para. 1 Act applied by Water Act 1989 (c.15), s.151(4) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act extended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(2)(xxvii) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act modified by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(10)(ix) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act amended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(11)(v) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act applied (with modifications) by Electricity Act 1989 (c.29), ss. 10(1)(2), 112(3), Sch. 3 Pt. II para. 5, Sch. 17 para. 35(1) Act amended by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 2(2)(9)(g), Sch. 17 paras. 33, 35(1) Act modified by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 3(2)(h), Sch. 17 paras. 33, 35(1) Act applied by Town and Country Planning Act 1990 (c.8), ss.226(7), 228(7), 254(2) Act applied by Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9), ss. 47(2), 61(2) Act applied (with modifications) by National Health Service and Community Care Act 1990 (c.19), s.1(2), Sch. 1 Pt. I para. 26(2)(3)

Law In Force

7.

(1) **[…][1]**

(2) **[…][2]**
[3]

Notes

1 Amends Coast Protection Act 1949 (c. 74), s. 14(2)

2 Amends Coast Protection Act 1949 (c. 74), s. 14(3)

3 Act applied with (modifications) by Housing Act 1985 (c.68), s.578 Act applied by Housing Associations Act 1985 (c.69), s.88(3)(a) Act applied by Airports Act 1986 (c.31), s.59(1)(a) Act extended by Airports Act 1986 (c.31), s.58, Sch. 2 para. 1(1) Act applied by Gas Act 1986 (c.44), s.9(3), Sch. 3 Pt. II para. 4 Act extended by Gas Act 1986 (c.44), s.67(1)(3), Sch. 7 para. 2(1)(xiii), Sch. 8 para. 33 Act modified by Gas Act 1986 (c.44), s. 67(1)(3), Sch. 7 para. 2(10)(d) Act applied by Norfolk and Suffolk Broads Act 1988 (c.4), ss. 2(6), 23(2), 27(2), Sch. 3 para. 44(4) Act applied (with modifications) by Education Reform Act 1988 (c.40), ss. 190(6), 201(6) Act applied (with modifications) by Housing Act 1988 (c.50), ss. 77(4), 78(1), Sch. 10 Pt. I para. 1 Act applied by Water Act 1989 (c.15), s.151(4) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2),

17, 40(4), 57(6), 58) Act extended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(2)(xxvii) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act modified by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(10)(ix) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act amended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(11)(v) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act applied (with modifications) by Electricity Act 1989 (c.29), ss. 10(1)(2), 112(3), Sch. 3 Pt. II para. 5, Sch. 17 para. 35(1) Act amended by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 2(2)(9)(g), Sch. 17 paras. 33, 35(1) Act modified by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 3(2)(h), Sch. 17 paras. 33, 35(1) Act applied by Town and Country Planning Act 1990 (c.8), ss.226(7), 228(7), 254(2) Act applied by Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9), ss. 47(2), 61(2) Act applied (with modifications) by National Health Service and Community Care Act 1990 (c.19), s.1(2), Sch. 1 Pt. I para. 26(2)(3)

Commencement

Sch. 4 para. 7: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Sch. 4 para. 7(1)-(2): England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

Law In Force

8. […][1]
[2]

Notes

[1] Inserts s. 103(1A) in National Parks and Access to the Countryside Act 1949 (c. 97)

[2] Act applied with (modifications) by Housing Act 1985 (c.68), s.578 Act applied by Housing Associations Act 1985 (c.69), s.88(3)(a) Act applied by Airports Act 1986 (c.31), s.59(1)(a) Act extended by Airports Act 1986 (c.31), s.58, Sch. 2 para. 1(1) Act applied by Gas Act 1986 (c.44), s.9(3), Sch. 3 Pt. II para. 4 Act extended by Gas Act 1986 (c.44), s.67(1)(3), Sch. 7 para. 2(1)(xiii), Sch. 8 para. 33 Act modified by Gas Act 1986 (c.44), s. 67(1)(3), Sch. 7 para. 2(10)(d) Act applied by Norfolk and Suffolk Broads Act 1988 (c.4), ss. 2(6), 23(2), 27(2), Sch. 3 para. 44(4) Act applied (with modifications) by Education Reform Act 1988 (c.40), ss. 190(6), 201(6) Act applied (with modifications) by Housing Act 1988 (c.50), ss. 77(4), 78(1), Sch. 10 Pt. I para. 1 Act applied by Water Act 1989 (c.15), s.151(4) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act extended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(2)(xxvii) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act modified by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(10)(ix) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act amended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(11)(v) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act applied (with modifications) by Electricity Act 1989 (c.29), ss. 10(1)(2), 112(3), Sch. 3 Pt. II para. 5, Sch. 17 para. 35(1) Act amended by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 2(2)(9)(g), Sch. 17 paras. 33, 35(1) Act modified by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 3(2)(h), Sch. 17 paras. 33, 35(1) Act applied by Town and Country Planning Act 1990 (c.8), ss.226(7), 228(7), 254(2) Act applied by Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9), ss. 47(2), 61(2) Act applied (with modifications) by National Health Service and Community Care Act 1990 (c.19), s.1(2), Sch. 1 Pt. I para. 26(2)(3)

Commencement

Sch. 4 para. 8: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Sch. 4 para. 8: England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

Law In Force

9. […][1]
[2]

Notes

[1] Substitutes new s. 50 in Housing Repairs and Rents Act 1954 (c.53)

[2] Act applied with (modifications) by Housing Act 1985 (c.68), s.578 Act applied by Housing Associations Act 1985 (c.69), s.88(3)(a) Act applied by Airports Act 1986 (c.31), s.59(1)(a) Act extended by Airports Act 1986 (c.31), s.58, Sch. 2 para. 1(1) Act applied by Gas Act 1986 (c.44), s.9(3), Sch. 3 Pt. II para. 4 Act extended by Gas Act 1986 (c.44), s.67(1)(3), Sch. 7 para. 2(1)(xiii), Sch. 8 para. 33 Act modified by Gas Act 1986 (c.44), s. 67(1)(3), Sch. 7 para. 2(10)(d) Act applied by Norfolk and Suffolk Broads Act 1988 (c.4), ss. 2(6), 23(2), 27(2), Sch. 3 para. 44(4) Act applied (with modifications) by Education Reform Act 1988 (c.40), ss. 190(6), 201(6) Act applied (with modifications) by Housing Act 1988 (c.50), ss. 77(4), 78(1), Sch. 10 Pt. I para. 1 Act applied by Water Act 1989 (c.15), s.151(4) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act extended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(2)(xxvii) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act modified by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(10)(ix) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act amended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(11)(v) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act applied (with modifications) by Electricity Act 1989 (c.29), ss. 10(1)(2), 112(3), Sch. 3 Pt. II para. 5, Sch. 17 para. 35(1) Act amended by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 2(2)(9)(g), Sch. 17 paras. 33, 35(1) Act modified by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 3(2)(h), Sch. 17 paras. 33, 35(1) Act applied by Town and Country Planning Act 1990 (c.8), ss.226(7), 228(7), 254(2) Act applied by Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9), ss. 47(2), 61(2) Act applied (with modifications) by National Health Service and Community Care Act 1990 (c.19), s.1(2), Sch. 1 Pt. I para. 26(2)(3)

Commencement

Sch. 4 para. 9: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Sch. 4 para. 9: England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

Repealed

10. […][1]
[2]

Notes

[1] Repealed by Housing (Consequential Provisions) Act 1985 (c.71), s. 3, Sch. 1 Pt. I

[2] Act applied with (modifications) by Housing Act 1985 (c.68), s.578 Act applied by Housing Associations Act 1985 (c.69), s.88(3)(a) Act applied by Airports Act 1986 (c.31), s.59(1)(a) Act extended by Airports Act 1986 (c.31), s.58, Sch. 2 para. 1(1) Act applied by Gas Act 1986 (c.44), s.9(3), Sch. 3 Pt. II para. 4 Act extended by Gas Act 1986 (c.44), s.67(1)(3), Sch. 7 para. 2(1)(xiii), Sch. 8 para. 33 Act modified by Gas Act 1986 (c.44), s. 67(1)(3),

Sch. 7 para. 2(10)(d) Act applied by Norfolk and Suffolk Broads Act 1988 (c.4), ss. 2(6), 23(2), 27(2), Sch. 3 para. 44(4) Act applied (with modifications) by Education Reform Act 1988 (c.40), ss. 190(6), 201(6) Act applied (with modifications) by Housing Act 1988 (c.50), ss. 77(4), 78(1), Sch. 10 Pt. I para. 1 Act applied by Water Act 1989 (c.15), s.151(4) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act extended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(2)(xxvii) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act modified by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(10)(ix) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act amended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(11)(v) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act applied (with modifications) by Electricity Act 1989 (c.29), ss. 10(1)(2), 112(3), Sch. 3 Pt. II para. 5, Sch. 17 para. 35(1) Act amended by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 2(2)(9)(g), Sch. 17 paras. 33, 35(1) Act modified by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 3(2)(h), Sch. 17 paras. 33, 35(1) Act applied by Town and Country Planning Act 1990 (c.8), ss.226(7), 228(7), 254(2) Act applied by Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9), ss. 47(2), 61(2) Act applied (with modifications) by National Health Service and Community Care Act 1990 (c.19), s.1(2), Sch. 1 Pt. I para. 26(2)(3)

Law In Force

11.

(1) **[...]**[1]

(2) **[...]**[1]

(3) **[...]**[2]

(4) **[...]**[3]

(5) **[...]**[4]

(6) **[...]**[5]

[6]

Notes

1 Inserts s. 4(4A) in Opencast Coal Act 1958 (c. 69)

2 Amends Opencast Coal Act 1958 (c. 69), s. 4(7)

3 Inserts Opencast Coal Act 1958 (c. 69), s. 16(4A)

4 Repealed by Housing and Planning Act 1986 (c.63), s. 39(4), Sch. 12 Pt. II

5 Amends Opencast Coal Act 1958 (c. 69), Sch. 9 para. 3(2)

6 Act applied with (modifications) by Housing Act 1985 (c.68), s.578 Act applied by Housing Associations Act 1985 (c.69), s.88(3)(a) Act applied by Airports Act 1986 (c.31), s.59(1)(a) Act extended by Airports Act 1986 (c.31), s.58, Sch. 2 para. 1(1) Act applied by Gas Act 1986 (c.44), s.9(3), Sch. 3 Pt. II para. 4 Act extended by Gas Act 1986 (c.44), s.67(1)(3), Sch. 7 para. 2(1)(xiii), Sch. 8 para. 33 Act modified by Gas Act 1986 (c.44), s. 67(1)(3), Sch. 7 para. 2(10)(d) Act applied by Norfolk and Suffolk Broads Act 1988 (c.4), ss. 2(6), 23(2), 27(2), Sch. 3 para. 44(4) Act applied (with modifications) by Education Reform Act 1988 (c.40), ss. 190(6), 201(6) Act applied (with modifications) by Housing Act 1988 (c.50), ss. 77(4), 78(1), Sch. 10 Pt. I para. 1 Act applied by Water Act 1989 (c.15), s.151(4) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act extended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(2)(xxvii) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act modified by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(10)(ix) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act amended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(11)(v) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act applied (with modifications) by Electricity Act 1989 (c.29), ss. 10(1)(2),

112(3), Sch. 3 Pt. II para. 5, Sch. 17 para. 35(1) Act amended by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 2(2)(9)(g), Sch. 17 paras. 33, 35(1) Act modified by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 3(2)(h), Sch. 17 paras. 33, 35(1) Act applied by Town and Country Planning Act 1990 (c.8), ss.226(7), 228(7), 254(2) Act applied by Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9), ss. 47(2), 61(2) Act applied (with modifications) by National Health Service and Community Care Act 1990 (c.19), s.1(2), Sch. 1 Pt. I para. 26(2)(3)

Commencement

Sch. 4 para. 11: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Sch. 4 para. 11(1)-(6): England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

Repealed

12. […][1][2]

Notes

[1] Repealed by Water Act 1989 (c.15), s. 190, Sch. 27 Pt. I (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58)

[2] Act applied with (modifications) by Housing Act 1985 (c.68), s.578 Act applied by Housing Associations Act 1985 (c.69), s.88(3)(a) Act applied by Airports Act 1986 (c.31), s.59(1)(a) Act extended by Airports Act 1986 (c.31), s.58, Sch. 2 para. 1(1) Act applied by Gas Act 1986 (c.44), s.9(3), Sch. 3 Pt. II para. 4 Act extended by Gas Act 1986 (c.44), s.67(1)(3), Sch. 7 para. 2(1)(xiii), Sch. 8 para. 33 Act modified by Gas Act 1986 (c.44), s. 67(1)(3), Sch. 7 para. 2(10)(d) Act applied by Norfolk and Suffolk Broads Act 1988 (c.4), ss. 2(6), 23(2), 27(2), Sch. 3 para. 44(4) Act applied (with modifications) by Education Reform Act 1988 (c.40), ss. 190(6), 201(6) Act applied (with modifications) by Housing Act 1988 (c.50), ss. 77(4), 78(1), Sch. 10 Pt. I para. 1 Act applied by Water Act 1989 (c.15), s.151(4) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act extended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(2)(xxvii) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act modified by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(10)(ix) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act amended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(11)(v) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act applied (with modifications) by Electricity Act 1989 (c.29), ss. 10(1)(2), 112(3), Sch. 3 Pt. II para. 5, Sch. 17 para. 35(1) Act amended by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 2(2)(9)(g), Sch. 17 paras. 33, 35(1) Act modified by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 3(2)(h), Sch. 17 paras. 33, 35(1) Act applied by Town and Country Planning Act 1990 (c.8), ss.226(7), 228(7), 254(2) Act applied by Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9), ss. 47(2), 61(2) Act applied (with modifications) by National Health Service and Community Care Act 1990 (c.19), s.1(2), Sch. 1 Pt. I para. 26(2)(3)

Law In Force

13. […][1][2]

Notes

[1] Amends Police Act 1964 (c.48), s. 9(2)

[2] Act applied with (modifications) by Housing Act 1985 (c.68), s.578 Act applied by Housing Associations Act 1985 (c.69), s.88(3)(a) Act applied by Airports Act 1986 (c.31), s.59(1)(a) Act extended by Airports Act 1986 (c.31), s.58, Sch. 2 para. 1(1) Act applied by Gas Act 1986 (c.44), s.9(3), Sch. 3 Pt. II para. 4 Act extended by Gas Act 1986 (c.44), s.67(1)(3), Sch. 7 para. 2(1)(xiii), Sch. 8 para. 33 Act modified by Gas Act 1986 (c.44), s. 67(1)(3), Sch. 7 para. 2(10)(d) Act applied by Norfolk and Suffolk Broads Act 1988 (c.4), ss. 2(6), 23(2), 27(2), Sch. 3 para. 44(4) Act applied (with modifications) by Education Reform Act 1988 (c.40), ss. 190(6), 201(6) Act applied (with modifications) by Housing Act 1988 (c.50), ss. 77(4), 78(1), Sch. 10 Pt. I para. 1 Act applied by Water Act 1989 (c.15), s.151(4) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act extended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(2)(xxvii) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act modified by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(10)(ix) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act amended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(11)(v) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act applied (with modifications) by Electricity Act 1989 (c.29), ss. 10(1)(2), 112(3), Sch. 3 Pt. II para. 5, Sch. 17 para. 35(1) Act amended by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 2(2)(9)(g), Sch. 17 paras. 33, 35(1) Act modified by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 3(2)(h), Sch. 17 paras. 33, 35(1) Act applied by Town and Country Planning Act 1990 (c.8), ss.226(7), 228(7), 254(2) Act applied by Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9), ss. 47(2), 61(2) Act applied (with modifications) by National Health Service and Community Care Act 1990 (c.19), s.1(2), Sch. 1 Pt. I para. 26(2)(3)

Commencement

Sch. 4 para. 13: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Sch. 4 para. 13: England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

Law In Force

14.

(1) **[...]**[1]

(2) **[...]**[1]

(3) **[...]**[2]

(4) **[...]**[3]

(5) **[...]**[4]

(6) **[...]**[5]

(7) **[...]**[6]

(8) **[...]**[7]

(9) **[...]**[8]

[9]

Notes

[1] Substitutes new s. 1(1) in Compulsory Purchase Act 1965 (c. 56)

[2] Amends Compulsory Purchase Act 1965 (c. 56), s. 11(1)

[3] Substitutes Compulsory Purchase Act 1965 (c. 56), new s. 30

[4] Amends Compulsory Purchase Act 1965 (c. 56), s. 31

[5] Amends Compulsory Purchase Act 1965 (c. 56), s. 32

[6] Amends Compulsory Purchase Act 1965 (c. 56), ss. 33(1), 34(1), 37(1), 38(1) and repealed in part by Housing (Consequential Provisions) Act 1985 (c.71), s. 3 Pt. I and by Water Act 1989 (c.15), s. 190, Sch. 27 Pt. I (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58)

[7] Repealed by Water Act 1989 (c. 15), s. 190, Sch. 27 Pt. I (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58)

[8] Amends Compulsory Purchase Act 1965 (c. 56), s. 39(2)

[9] Act applied with (modifications) by Housing Act 1985 (c.68), s.578 Act applied by Housing Associations Act 1985 (c.69), s.88(3)(a) Act applied by Airports Act 1986 (c.31), s.59(1)(a) Act extended by Airports Act 1986 (c.31), s.58, Sch. 2 para. 1(1) Act applied by Gas Act 1986 (c.44), s.9(3), Sch. 3 Pt. II para. 4 Act extended by Gas Act 1986 (c.44), s.67(1)(3), Sch. 7 para. 2(1)(xiii), Sch. 8 para. 33 Act modified by Gas Act 1986 (c.44), s. 67(1)(3), Sch. 7 para. 2(10)(d) Act applied by Norfolk and Suffolk Broads Act 1988 (c.4), ss. 2(6), 23(2), 27(2), Sch. 3 para. 44(4) Act applied (with modifications) by Education Reform Act 1988 (c.40), ss. 190(6), 201(6) Act applied (with modifications) by Housing Act 1988 (c.50), ss. 77(4), 78(1), Sch. 10 Pt. I para. 1 Act applied by Water Act 1989 (c.15), s.151(4) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act extended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(2)(xxvii) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act modified by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(10)(ix) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act amended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(11)(v) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act applied (with modifications) by Electricity Act 1989 (c.29), ss. 10(1)(2), 112(3), Sch. 3 Pt. II para. 5, Sch. 17 para. 35(1) Act amended by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 2(2)(9)(g), Sch. 17 paras. 33, 35(1) Act modified by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 3(2)(h), Sch. 17 paras. 33, 35(1) Act applied by Town and Country Planning Act 1990 (c.8), ss.226(7), 228(7), 254(2) Act applied by Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9), ss. 47(2), 61(2) Act applied (with modifications) by National Health Service and Community Care Act 1990 (c.19), s.1(2), Sch. 1 Pt. I para. 26(2)(3)

Commencement

Sch. 4 para. 14: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Sch. 4 para. 14(1)-(9): England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

Law In Force

15.

(1) **[...]**[1]

(2) **[...]**[1]

(3) **[...]**[2]
[3]

Notes

[1] Amends Agriculture Act 1967 (c. 22), s. 50(7)

[2] Inserts Agriculture Act 1967 (c. 22), Sch. 5 para. 6A

[3] Act applied with (modifications) by Housing Act 1985 (c.68), s.578 Act applied by Housing Associations Act 1985 (c.69), s.88(3)(a) Act applied by Airports Act 1986 (c.31), s.59(1)(a) Act extended by Airports Act 1986 (c.31), s.58, Sch. 2 para. 1(1) Act applied by Gas Act 1986 (c.44), s.9(3), Sch. 3 Pt. II para. 4 Act extended by Gas Act 1986 (c.44), s.67(1)(3), Sch. 7 para. 2(1)(xiii), Sch. 8 para. 33 Act modified by Gas Act 1986 (c.44), s. 67(1)(3), Sch. 7 para. 2(10)(d) Act applied by Norfolk and Suffolk Broads Act 1988 (c.4), ss. 2(6), 23(2), 27(2), Sch. 3 para. 44(4) Act applied (with modifications) by Education Reform Act 1988 (c.40), ss. 190(6), 201(6) Act applied (with modifications) by Housing Act 1988 (c.50), ss. 77(4), 78(1), Sch. 10 Pt. I para. 1 Act applied by Water Act 1989 (c.15), s.151(4) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act extended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(2)(xxvii) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act modified by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(10)(ix) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act amended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(11)(v) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act applied (with modifications) by Electricity Act 1989 (c.29), ss. 10(1)(2), 112(3), Sch. 3 Pt. II para. 5, Sch. 17 para. 35(1) Act amended by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 2(2)(9)(g), Sch. 17 paras. 33, 35(1) Act modified by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 3(2)(h), Sch. 17 paras. 33, 35(1) Act applied by Town and Country Planning Act 1990 (c.8), ss.226(7), 228(7), 254(2) Act applied by Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9), ss. 47(2), 61(2) Act applied (with modifications) by National Health Service and Community Care Act 1990 (c.19), s.1(2), Sch. 1 Pt. I para. 26(2)(3)

Commencement

Sch. 4 para. 15: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Sch. 4 para. 15(1)-(3): England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

Law In Force

16.

(1) **[...]**[1]

(2) **[...]**[1]

(3) **[...]**[2]
[3]

Notes

[1] Amends Leasehold Reform Act 1967 (c.88), Sch. 4 para. 4

[2] Substitutes Leasehold Reform Act 1967 (c.88), new Sch. 4 paras. 5(2), 6(2)

[3] Act applied with (modifications) by Housing Act 1985 (c.68), s.578 Act applied by Housing Associations Act 1985 (c.69), s.88(3)(a) Act applied by Airports Act 1986 (c.31), s.59(1)(a) Act extended by Airports Act 1986 (c.31), s.58, Sch. 2 para. 1(1) Act applied by Gas Act 1986 (c.44), s.9(3), Sch. 3 Pt. II para. 4 Act extended by Gas Act 1986 (c.44), s.67(1)(3), Sch. 7 para. 2(1)(xiii), Sch. 8 para. 33 Act modified by Gas Act 1986 (c.44), s. 67(1)(3), Sch. 7 para. 2(10)(d) Act applied by Norfolk and Suffolk Broads Act 1988 (c.4), ss. 2(6), 23(2), 27(2), Sch. 3 para. 44(4) Act applied (with modifications) by Education Reform Act 1988 (c.40), ss. 190(6), 201(6) Act applied (with modifications) by Housing Act 1988 (c.50), ss. 77(4), 78(1), Sch. 10 Pt. I para. 1 Act applied by Water Act 1989 (c.15), s.151(4) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act extended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(2)(xxvii) (with ss. 58(7),

101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act modified by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(10)(ix) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act amended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(11)(v) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act applied (with modifications) by Electricity Act 1989 (c.29), ss. 10(1)(2), 112(3), Sch. 3 Pt. II para. 5, Sch. 17 para. 35(1) Act amended by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 2(2)(9)(g), Sch. 17 paras. 33, 35(1) Act modified by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 3(2)(h), Sch. 17 paras. 33, 35(1) Act applied by Town and Country Planning Act 1990 (c.8), ss.226(7), 228(7), 254(2) Act applied by Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9), ss. 47(2), 61(2) Act applied (with modifications) by National Health Service and Community Care Act 1990 (c.19), s.1(2), Sch. 1 Pt. I para. 26(2)(3)

Commencement

Sch. 4 para. 16: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Sch. 4 para. 16(1)-(3): England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

Law In Force

17.

(1) **[...]**[1]

(2) **[...]**[1]

(3) **[...]**[2]

(4) **[...]**[3]

(5) **[...]**[4]

[5]

Notes

1 Amends Countryside Act 1968 (c.41), Sch. 2 para. 3(2)

2 Amends Countryside Act 1968 (c.41), Sch. 2 para. 3(3)

3 Amends Countryside Act 1968 (c.41), Sch. 2 para. 3(4)(a)

4 Amends Countryside Act 1968 (c.41), Sch. 2 para. 3(6)

5 Act applied with (modifications) by Housing Act 1985 (c.68), s.578 Act applied by Housing Associations Act 1985 (c.69), s.88(3)(a) Act applied by Airports Act 1986 (c.31), s.59(1)(a) Act extended by Airports Act 1986 (c.31), s.58, Sch. 2 para. 1(1) Act applied by Gas Act 1986 (c.44), s.9(3), Sch. 3 Pt. II para. 4 Act extended by Gas Act 1986 (c.44), s.67(1)(3), Sch. 7 para. 2(1)(xiii), Sch. 8 para. 33 Act modified by Gas Act 1986 (c.44), s. 67(1)(3), Sch. 7 para. 2(10)(d) Act applied by Norfolk and Suffolk Broads Act 1988 (c.4), ss. 2(6), 23(2), 27(2), Sch. 3 para. 44(4) Act applied (with modifications) by Education Reform Act 1988 (c.40), ss. 190(6), 201(6) Act applied (with modifications) by Housing Act 1988 (c.50), ss. 77(4), 78(1), Sch. 10 Pt. I para. 1 Act applied by Water Act 1989 (c.15), s.151(4) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act extended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(2)(xxvii) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act modified by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(10)(ix) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act amended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(11)(v) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26

paras. 3(1)(2), 17, 40(4), 57(6), 58) Act applied (with modifications) by Electricity Act 1989 (c.29), ss. 10(1)(2), 112(3), Sch. 3 Pt. II para. 5, Sch. 17 para. 35(1) Act amended by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 2(2)(9)(g), Sch. 17 paras. 33, 35(1) Act modified by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 3(2)(h), Sch. 17 paras. 33, 35(1) Act applied by Town and Country Planning Act 1990 (c.8), ss.226(7), 228(7), 254(2) Act applied by Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9), ss. 47(2), 61(2) Act applied (with modifications) by National Health Service and Community Care Act 1990 (c.19), s.1(2), Sch. 1 Pt. I para. 26(2)(3)

Commencement

Sch. 4 para. 17: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Sch. 4 para. 17(1)-(5): England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

Law In Force

18.

(1) **[...]**[1]

(2) **[...]**[1]

(3)

(a) **[...]**[2]

(b) **[...]**[3]

[4]

Notes

1 Amends Transport Act 1968 (c. 73), s. 10(3)

2 Amends Transport Act 1968 (c. 73), s. 10(4)

3 Amends Transport Act 1968 (c. 73), s. 10(9)(a)

4 Act applied with (modifications) by Housing Act 1985 (c.68), s.578 Act applied by Housing Associations Act 1985 (c.69), s.88(3)(a) Act applied by Airports Act 1986 (c.31), s.59(1)(a) Act extended by Airports Act 1986 (c.31), s.58, Sch. 2 para. 1(1) Act applied by Gas Act 1986 (c.44), s.9(3), Sch. 3 Pt. II para. 4 Act extended by Gas Act 1986 (c.44), s.67(1)(3), Sch. 7 para. 2(1)(xiii), Sch. 8 para. 33 Act modified by Gas Act 1986 (c.44), s. 67(1)(3), Sch. 7 para. 2(10)(d) Act applied by Norfolk and Suffolk Broads Act 1988 (c.4), ss. 2(6), 23(2), 27(2), Sch. 3 para. 44(4) Act applied (with modifications) by Education Reform Act 1988 (c.40), ss. 190(6), 201(6) Act applied (with modifications) by Housing Act 1988 (c.50), ss. 77(4), 78(1), Sch. 10 Pt. I para. 1 Act applied by Water Act 1989 (c.15), s.151(4) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act extended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(2)(xxvii) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act modified by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(10)(ix) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act amended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(11)(v) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act applied (with modifications) by Electricity Act 1989 (c.29), ss. 10(1)(2), 112(3), Sch. 3 Pt. II para. 5, Sch. 17 para. 35(1) Act amended by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 2(2)(9)(g), Sch. 17 paras. 33, 35(1) Act modified by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 3(2)(h), Sch. 17 paras. 33, 35(1) Act applied by Town and Country Planning Act 1990 (c.8), ss.226(7), 228(7), 254(2) Act applied by Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9), ss. 47(2), 61(2) Act applied (with modifications) by National Health Service and Community Care Act 1990 (c.19), s.1(2), Sch. 1 Pt. I para. 26(2)(3)

Commencement

Sch. 4 para. 18: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Sch. 4 para. 18(1)-(3)(b): England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

Repealed

19.

(a) **[...]**[1]

(b) **[...]**[2]

[3]

Notes

[1] Amends Courts Act 1971 (c. 23), Sch. 3 para. 3(2) and subsequently repealed on April 1, 2005 by Courts Act 2003 (c. 39), s. 109(3), Sch. 10

[2] Amends Courts Act 1971 (c. 23), Sch. 3 para. 3(3) and subsequently repealed on April 1, 2005 by Courts Act 2003 (c. 39), s. 109(3), Sch. 10

[3] Act applied with (modifications) by Housing Act 1985 (c.68), s.578 Act applied by Housing Associations Act 1985 (c.69), s.88(3)(a) Act applied by Airports Act 1986 (c.31), s.59(1)(a) Act extended by Airports Act 1986 (c.31), s.58, Sch. 2 para. 1(1) Act applied by Gas Act 1986 (c.44), s.9(3), Sch. 3 Pt. II para. 4 Act extended by Gas Act 1986 (c.44), s.67(1)(3), Sch. 7 para. 2(1)(xiii), Sch. 8 para. 33 Act modified by Gas Act 1986 (c.44), s. 67(1)(3), Sch. 7 para. 2(10)(d) Act applied by Norfolk and Suffolk Broads Act 1988 (c.4), ss. 2(6), 23(2), 27(2), Sch. 3 para. 44(4) Act applied (with modifications) by Education Reform Act 1988 (c.40), ss. 190(6), 201(6) Act applied (with modifications) by Housing Act 1988 (c.50), ss. 77(4), 78(1), Sch. 10 Pt. I para. 1 Act applied by Water Act 1989 (c.15), s.151(4) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act extended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(2)(xxvii) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act modified by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(10)(ix) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act amended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(11)(v) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act applied (with modifications) by Electricity Act 1989 (c.29), ss. 10(1)(2), 112(3), Sch. 3 Pt. II para. 5, Sch. 17 para. 35(1) Act amended by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 2(2)(9)(g), Sch. 17 paras. 33, 35(1) Act modified by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 3(2)(h), Sch. 17 paras. 33, 35(1) Act applied by Town and Country Planning Act 1990 (c.8), ss.226(7), 228(7), 254(2) Act applied by Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9), ss. 47(2), 61(2) Act applied (with modifications) by National Health Service and Community Care Act 1990 (c.19), s.1(2), Sch. 1 Pt. I para. 26(2)(3)

Repealed

20. [...][1]

[2]

Notes

[1] Repealed by Civil Aviation Act 1982 (c. 16), s. 109(3), Sch. 16

[2] Act applied with (modifications) by Housing Act 1985 (c.68), s.578 Act applied by Housing Associations Act 1985 (c.69), s.88(3)(a) Act applied by Airports Act 1986 (c.31), s.59(1)(a) Act extended by Airports Act 1986

(c.31), s.58, Sch. 2 para. 1(1) Act applied by Gas Act 1986 (c.44), s.9(3), Sch. 3 Pt. II para. 4 Act extended by Gas Act 1986 (c.44), s.67(1)(3), Sch. 7 para. 2(1)(xiii), Sch. 8 para. 33 Act modified by Gas Act 1986 (c.44), s. 67(1)(3), Sch. 7 para. 2(10)(d) Act applied by Norfolk and Suffolk Broads Act 1988 (c.4), ss. 2(6), 23(2), 27(2), Sch. 3 para. 44(4) Act applied (with modifications) by Education Reform Act 1988 (c.40), ss. 190(6), 201(6) Act applied (with modifications) by Housing Act 1988 (c.50), ss. 77(4), 78(1), Sch. 10 Pt. I para. 1 Act applied by Water Act 1989 (c.15), s.151(4) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act extended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(2)(xxvii) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act modified by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(10)(ix) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act amended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(11)(v) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act applied (with modifications) by Electricity Act 1989 (c.29), ss. 10(1)(2), 112(3), Sch. 3 Pt. II para. 5, Sch. 17 para. 35(1) Act amended by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 2(2)(9)(g), Sch. 17 paras. 33, 35(1) Act modified by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 3(2)(h), Sch. 17 paras. 33, 35(1) Act applied by Town and Country Planning Act 1990 (c.8), ss.226(7), 228(7), 254(2) Act applied by Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9), ss. 47(2), 61(2) Act applied (with modifications) by National Health Service and Community Care Act 1990 (c.19), s.1(2), Sch. 1 Pt. I para. 26(2)(3)

Repealed

21. […][1]
[2]

Notes

[1] Repealed by Planning (Consequential Provisions) Act 1990 (c.11), s. 3, Sch. 1 Pt. I

[2] Act applied with (modifications) by Housing Act 1985 (c.68), s.578 Act applied by Housing Associations Act 1985 (c.69), s.88(3)(a) Act applied by Airports Act 1986 (c.31), s.59(1)(a) Act extended by Airports Act 1986 (c.31), s.58, Sch. 2 para. 1(1) Act applied by Gas Act 1986 (c.44), s.9(3), Sch. 3 Pt. II para. 4 Act extended by Gas Act 1986 (c.44), s.67(1)(3), Sch. 7 para. 2(1)(xiii), Sch. 8 para. 33 Act modified by Gas Act 1986 (c.44), s. 67(1)(3), Sch. 7 para. 2(10)(d) Act applied by Norfolk and Suffolk Broads Act 1988 (c.4), ss. 2(6), 23(2), 27(2), Sch. 3 para. 44(4) Act applied (with modifications) by Education Reform Act 1988 (c.40), ss. 190(6), 201(6) Act applied (with modifications) by Housing Act 1988 (c.50), ss. 77(4), 78(1), Sch. 10 Pt. I para. 1 Act applied by Water Act 1989 (c.15), s.151(4) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act extended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(2)(xxvii) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act modified by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(10)(ix) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act amended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(11)(v) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act applied (with modifications) by Electricity Act 1989 (c.29), ss. 10(1)(2), 112(3), Sch. 3 Pt. II para. 5, Sch. 17 para. 35(1) Act amended by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 2(2)(9)(g), Sch. 17 paras. 33, 35(1) Act modified by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 3(2)(h), Sch. 17 paras. 33, 35(1) Act applied by Town and Country Planning Act 1990 (c.8), ss.226(7), 228(7), 254(2) Act applied by Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9), ss. 47(2), 61(2) Act applied (with modifications) by National Health Service and Community Care Act 1990 (c.19), s.1(2), Sch. 1 Pt. I para. 26(2)(3)

Repealed

22. […][1]
[2]

Notes

[1] Repealed by Industrial Development Act 1982 (c.52), s. 19, Sch. 3

[2] Act applied with (modifications) by Housing Act 1985 (c.68), s.578 Act applied by Housing Associations Act 1985 (c.69), s.88(3)(a) Act applied by Airports Act 1986 (c.31), s.59(1)(a) Act extended by Airports Act 1986 (c.31), s.58, Sch. 2 para. 1(1) Act applied by Gas Act 1986 (c.44), s.9(3), Sch. 3 Pt. II para. 4 Act extended by Gas Act 1986 (c.44), s.67(1)(3), Sch. 7 para. 2(1)(xiii), Sch. 8 para. 33 Act modified by Gas Act 1986 (c.44), s. 67(1)(3), Sch. 7 para. 2(10)(d) Act applied by Norfolk and Suffolk Broads Act 1988 (c.4), ss. 2(6), 23(2), 27(2), Sch. 3 para. 44(4) Act applied (with modifications) by Education Reform Act 1988 (c.40), ss. 190(6), 201(6) Act applied (with modifications) by Housing Act 1988 (c.50), ss. 77(4), 78(1), Sch. 10 Pt. I para. 1 Act applied by Water Act 1989 (c.15), s.151(4) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act extended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(2)(xxvii) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act modified by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(10)(ix) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act amended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(11)(v) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act applied (with modifications) by Electricity Act 1989 (c.29), ss. 10(1)(2), 112(3), Sch. 3 Pt. II para. 5, Sch. 17 para. 35(1) Act amended by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 2(2)(9)(g), Sch. 17 paras. 33, 35(1) Act modified by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 3(2)(h), Sch. 17 paras. 33, 35(1) Act applied by Town and Country Planning Act 1990 (c.8), ss.226(7), 228(7), 254(2) Act applied by Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9), ss. 47(2), 61(2) Act applied (with modifications) by National Health Service and Community Care Act 1990 (c.19), s.1(2), Sch. 1 Pt. I para. 26(2)(3)

Law In Force

23. […][1]
[2]

Notes

[1] Inserts new Sch. 2 para. 4 in Gas Act 1972 (c. 60)

[2] Act applied with (modifications) by Housing Act 1985 (c.68), s.578 Act applied by Housing Associations Act 1985 (c.69), s.88(3)(a) Act applied by Airports Act 1986 (c.31), s.59(1)(a) Act extended by Airports Act 1986 (c.31), s.58, Sch. 2 para. 1(1) Act applied by Gas Act 1986 (c.44), s.9(3), Sch. 3 Pt. II para. 4 Act extended by Gas Act 1986 (c.44), s.67(1)(3), Sch. 7 para. 2(1)(xiii), Sch. 8 para. 33 Act modified by Gas Act 1986 (c.44), s. 67(1)(3), Sch. 7 para. 2(10)(d) Act applied by Norfolk and Suffolk Broads Act 1988 (c.4), ss. 2(6), 23(2), 27(2), Sch. 3 para. 44(4) Act applied (with modifications) by Education Reform Act 1988 (c.40), ss. 190(6), 201(6) Act applied (with modifications) by Housing Act 1988 (c.50), ss. 77(4), 78(1), Sch. 10 Pt. I para. 1 Act applied by Water Act 1989 (c.15), s.151(4) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act extended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(2)(xxvii) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act modified by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(10)(ix) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act amended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(11)(v) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act applied (with modifications) by Electricity Act 1989 (c.29), ss. 10(1)(2), 112(3), Sch. 3 Pt. II para. 5, Sch. 17 para. 35(1) Act amended by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 2(2)(9)(g), Sch. 17 paras. 33, 35(1) Act modified by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 3(2)(h), Sch. 17 paras. 33, 35(1) Act applied by Town and Country Planning Act 1990 (c.8), ss.226(7), 228(7), 254(2) Act applied by Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9), ss. 47(2), 61(2) Act applied (with modifications) by National Health Service and Community Care Act 1990 (c.19), s.1(2), Sch. 1 Pt. I para. 26(2)(3)

Commencement

Sch. 4 para. 23: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Sch. 4 para. 23: England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

Repealed

24. […][1] [2]

Notes

1 Repealed by Iron and Steel Act 1982 (c.25), s. 38, Sch. 7

2 Act applied with (modifications) by Housing Act 1985 (c.68), s.578 Act applied by Housing Associations Act 1985 (c.69), s.88(3)(a) Act applied by Airports Act 1986 (c.31), s.59(1)(a) Act extended by Airports Act 1986 (c.31), s.58, Sch. 2 para. 1(1) Act applied by Gas Act 1986 (c.44), s.9(3), Sch. 3 Pt. II para. 4 Act extended by Gas Act 1986 (c.44), s.67(1)(3), Sch. 7 para. 2(1)(xiii), Sch. 8 para. 33 Act modified by Gas Act 1986 (c.44), s. 67(1)(3), Sch. 7 para. 2(10)(d) Act applied by Norfolk and Suffolk Broads Act 1988 (c.4), ss. 2(6), 23(2), 27(2), Sch. 3 para. 44(4) Act applied (with modifications) by Education Reform Act 1988 (c.40), ss. 190(6), 201(6) Act applied (with modifications) by Housing Act 1988 (c.50), ss. 77(4), 78(1), Sch. 10 Pt. I para. 1 Act applied by Water Act 1989 (c.15), s.151(4) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act extended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(2)(xxvii) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act modified by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(10)(ix) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act amended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(11)(v) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act applied (with modifications) by Electricity Act 1989 (c.29), ss. 10(1)(2), 112(3), Sch. 3 Pt. II para. 5, Sch. 17 para. 35(1) Act amended by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 2(2)(9)(g), Sch. 17 paras. 33, 35(1) Act modified by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 3(2)(h), Sch. 17 paras. 33, 35(1) Act applied by Town and Country Planning Act 1990 (c.8), ss.226(7), 228(7), 254(2) Act applied by Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9), ss. 47(2), 61(2) Act applied (with modifications) by National Health Service and Community Care Act 1990 (c.19), s.1(2), Sch. 1 Pt. I para. 26(2)(3)

Repealed

25. […][1] [2]

Notes

1 Repealed by Airports Act 1986 (c.31), s. 83(5), Sch. 6 Pt. I

2 Act applied with (modifications) by Housing Act 1985 (c.68), s.578 Act applied by Housing Associations Act 1985 (c.69), s.88(3)(a) Act applied by Airports Act 1986 (c.31), s.59(1)(a) Act extended by Airports Act 1986 (c.31), s.58, Sch. 2 para. 1(1) Act applied by Gas Act 1986 (c.44), s.9(3), Sch. 3 Pt. II para. 4 Act extended by Gas Act 1986 (c.44), s.67(1)(3), Sch. 7 para. 2(1)(xiii), Sch. 8 para. 33 Act modified by Gas Act 1986 (c.44), s. 67(1)(3), Sch. 7 para. 2(10)(d) Act applied by Norfolk and Suffolk Broads Act 1988 (c.4), ss. 2(6), 23(2), 27(2), Sch. 3 para. 44(4) Act applied (with modifications) by Education Reform Act 1988 (c.40), ss. 190(6), 201(6) Act applied (with modifications) by Housing Act 1988 (c.50), ss. 77(4), 78(1), Sch. 10 Pt. I para. 1 Act applied by Water Act 1989 (c.15), s.151(4) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2),

17, 40(4), 57(6), 58) Act extended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(2)(xxvii) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act modified by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(10)(ix) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act amended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(11)(v) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act applied (with modifications) by Electricity Act 1989 (c.29), ss. 10(1)(2), 112(3), Sch. 3 Pt. II para. 5, Sch. 17 para. 35(1) Act amended by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 2(2)(9)(g), Sch. 17 paras. 33, 35(1) Act modified by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 3(2)(h), Sch. 17 paras. 33, 35(1) Act applied by Town and Country Planning Act 1990 (c.8), ss.226(7), 228(7), 254(2) Act applied by Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9), ss. 47(2), 61(2) Act applied (with modifications) by National Health Service and Community Care Act 1990 (c.19), s.1(2), Sch. 1 Pt. I para. 26(2)(3)

Law In Force

26. […][1]
[2]

Notes

[1] Substitutes new s. 13(5) in Local Government (Miscellaneous Provisions) Act 1976 (c. 57)

[2] Act applied with (modifications) by Housing Act 1985 (c.68), s.578 Act applied by Housing Associations Act 1985 (c.69), s.88(3)(a) Act applied by Airports Act 1986 (c.31), s.59(1)(a) Act extended by Airports Act 1986 (c.31), s.58, Sch. 2 para. 1(1) Act applied by Gas Act 1986 (c.44), s.9(3), Sch. 3 Pt. II para. 4 Act extended by Gas Act 1986 (c.44), s.67(1)(3), Sch. 7 para. 2(1)(xiii), Sch. 8 para. 33 Act modified by Gas Act 1986 (c.44), s. 67(1)(3), Sch. 7 para. 2(10)(d) Act applied by Norfolk and Suffolk Broads Act 1988 (c.4), ss. 2(6), 23(2), 27(2), Sch. 3 para. 44(4) Act applied (with modifications) by Education Reform Act 1988 (c.40), ss. 190(6), 201(6) Act applied (with modifications) by Housing Act 1988 (c.50), ss. 77(4), 78(1), Sch. 10 Pt. I para. 1 Act applied by Water Act 1989 (c.15), s.151(4) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act extended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(2)(xxvii) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act modified by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(10)(ix) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act amended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(11)(v) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act applied (with modifications) by Electricity Act 1989 (c.29), ss. 10(1)(2), 112(3), Sch. 3 Pt. II para. 5, Sch. 17 para. 35(1) Act amended by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 2(2)(9)(g), Sch. 17 paras. 33, 35(1) Act modified by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 3(2)(h), Sch. 17 paras. 33, 35(1) Act applied by Town and Country Planning Act 1990 (c.8), ss.226(7), 228(7), 254(2) Act applied by Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9), ss. 47(2), 61(2) Act applied (with modifications) by National Health Service and Community Care Act 1990 (c.19), s.1(2), Sch. 1 Pt. I para. 26(2)(3)

Commencement

Sch. 4 para. 26: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Sch. 4 para. 26: England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

Law In Force

27.

(1) **[...]**[1]

(2) **[...]**[1]

(3) **[...]**[2]
[3]

Notes

1 Amends Development of Rural Wales Act 1976 (c. 75), s. 6(2)(b)

2 Amends Development of Rural Wales Act 1976 (c. 75), s. 6(5)

3 Act applied with (modifications) by Housing Act 1985 (c.68), s.578 Act applied by Housing Associations Act 1985 (c.69), s.88(3)(a) Act applied by Airports Act 1986 (c.31), s.59(1)(a) Act extended by Airports Act 1986 (c.31), s.58, Sch. 2 para. 1(1) Act applied by Gas Act 1986 (c.44), s.9(3), Sch. 3 Pt. II para. 4 Act extended by Gas Act 1986 (c.44), s.67(1)(3), Sch. 7 para. 2(1)(xiii), Sch. 8 para. 33 Act modified by Gas Act 1986 (c.44), s. 67(1)(3), Sch. 7 para. 2(10)(d) Act applied by Norfolk and Suffolk Broads Act 1988 (c.4), ss. 2(6), 23(2), 27(2), Sch. 3 para. 44(4) Act applied (with modifications) by Education Reform Act 1988 (c.40), ss. 190(6), 201(6) Act applied (with modifications) by Housing Act 1988 (c.50), ss. 77(4), 78(1), Sch. 10 Pt. I para. 1 Act applied by Water Act 1989 (c.15), s.151(4) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act extended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(2)(xxvii) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act modified by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(10)(ix) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act amended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(11)(v) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act applied (with modifications) by Electricity Act 1989 (c.29), ss. 10(1)(2), 112(3), Sch. 3 Pt. II para. 5, Sch. 17 para. 35(1) Act amended by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 2(2)(9)(g), Sch. 17 paras. 33, 35(1) Act modified by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 3(2)(h), Sch. 17 paras. 33, 35(1) Act applied by Town and Country Planning Act 1990 (c.8), ss.226(7), 228(7), 254(2) Act applied by Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9), ss. 47(2), 61(2) Act applied (with modifications) by National Health Service and Community Care Act 1990 (c.19), s.1(2), Sch. 1 Pt. I para. 26(2)(3)

Commencement

Sch. 4 para. 27: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Sch. 4 para. 27(1)-(3): England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

Law In Force

28. [...][1]
[2]

Notes

1 Substitutes new s. 87(4) in National Health Service Act 1977 (c. 49) and repealed on March 1, 2007 by National Health Service (Consequential Provisions) Act (c. 43) s. 6 and Sch. 4

2 Act applied with (modifications) by Housing Act 1985 (c.68), s.578 Act applied by Housing Associations Act 1985 (c.69), s.88(3)(a) Act applied by Airports Act 1986 (c.31), s.59(1)(a) Act extended by Airports Act 1986 (c.31), s.58, Sch. 2 para. 1(1) Act applied by Gas Act 1986 (c.44), s.9(3), Sch. 3 Pt. II para. 4 Act extended by Gas

Act 1986 (c.44), s.67(1)(3), Sch. 7 para. 2(1)(xiii), Sch. 8 para. 33 Act modified by Gas Act 1986 (c.44), s. 67(1)(3), Sch. 7 para. 2(10)(d) Act applied by Norfolk and Suffolk Broads Act 1988 (c.4), ss. 2(6), 23(2), 27(2), Sch. 3 para. 44(4) Act applied (with modifications) by Education Reform Act 1988 (c.40), ss. 190(6), 201(6) Act applied (with modifications) by Housing Act 1988 (c.50), ss. 77(4), 78(1), Sch. 10 Pt. I para. 1 Act applied by Water Act 1989 (c.15), s.151(4) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act extended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(2)(xxvii) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act modified by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(10)(ix) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act amended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(11)(v) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act applied (with modifications) by Electricity Act 1989 (c.29), ss. 10(1)(2), 112(3), Sch. 3 Pt. II para. 5, Sch. 17 para. 35(1) Act amended by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 2(2)(9)(g), Sch. 17 paras. 33, 35(1) Act modified by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 3(2)(h), Sch. 17 paras. 33, 35(1) Act applied by Town and Country Planning Act 1990 (c.8), ss.226(7), 228(7), 254(2) Act applied by Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9), ss. 47(2), 61(2) Act applied (with modifications) by National Health Service and Community Care Act 1990 (c.19), s.1(2), Sch. 1 Pt. I para. 26(2)(3)

Commencement

Sch. 4 para. 28: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Sch. 4 para. 28: England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

Law In Force

29. […][1]
[2]

Notes

[1] Amends Ancient Monuments and Archaeological Areas Act 1979 (c. 46), Sch. 5

[2] Act applied with (modifications) by Housing Act 1985 (c.68), s.578 Act applied by Housing Associations Act 1985 (c.69), s.88(3)(a) Act applied by Airports Act 1986 (c.31), s.59(1)(a) Act extended by Airports Act 1986 (c.31), s.58, Sch. 2 para. 1(1) Act applied by Gas Act 1986 (c.44), s.9(3), Sch. 3 Pt. II para. 4 Act extended by Gas Act 1986 (c.44), s.67(1)(3), Sch. 7 para. 2(1)(xiii), Sch. 8 para. 33 Act modified by Gas Act 1986 (c.44), s. 67(1)(3), Sch. 7 para. 2(10)(d) Act applied by Norfolk and Suffolk Broads Act 1988 (c.4), ss. 2(6), 23(2), 27(2), Sch. 3 para. 44(4) Act applied (with modifications) by Education Reform Act 1988 (c.40), ss. 190(6), 201(6) Act applied (with modifications) by Housing Act 1988 (c.50), ss. 77(4), 78(1), Sch. 10 Pt. I para. 1 Act applied by Water Act 1989 (c.15), s.151(4) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act extended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(2)(xxvii) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act modified by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(10)(ix) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act amended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(11)(v) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act applied (with modifications) by Electricity Act 1989 (c.29), ss. 10(1)(2), 112(3), Sch. 3 Pt. II para. 5, Sch. 17 para. 35(1) Act amended by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 2(2)(9)(g), Sch. 17 paras. 33, 35(1) Act modified by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 3(2)(h), Sch. 17 paras. 33, 35(1) Act applied by Town and Country Planning Act 1990 (c.8), ss.226(7), 228(7), 254(2) Act applied by Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9), ss. 47(2), 61(2) Act applied (with modifications) by National Health Service and Community Care Act 1990 (c.19), s.1(2), Sch. 1 Pt. I para. 26(2)(3)

Commencement

Sch. 4 para. 29: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Sch. 4 para. 29: England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

Law In Force

30.

(1) **[...]**[1]

(2) **[...]**[1]

(3) **[...]**[2]

(4) **[...]**[3]

(5) **[...]**[4]

(6) **[...]**[5]

(7) **[...]**[6]

(8) **[...]**[7]

(9) **[...]**[8]

(10)

(a) **[...]**[9]
(b) **[...]**[10]
(c) **[...]**[11]
(d) **[...]**[12]
(e) **[...]**[13]

(11) **[...]**[14]

(12) **[...]**[15]
[16]

Notes

1 Amends Local Government, Planning and Land Act 1980 (c. 65), s. 104(3)(4)(a)

2 Amends Local Government, Planning and Land Act 1980 (c. 65), s. 109

3 Amends Local Government, Planning and Land Act 1980 (c. 65), s. 120(1)

4 Inserts Local Government, Planning and Land Act 1980 (c. 65), s. 142(2A)

5 Amends Local Government, Planning and Land Act 1980 (c. 65), s. 142(5)

6 Inserts Local Government, Planning and Land Act 1980 (c. 65), s. 143(3A)

7 Amends Local Government, Planning and Land Act 1980 (c. 65), s. 144(2)

8 Amends Local Government, Planning and Land Act 1980 (c. 65), s. 171

9 Amends Local Government, Planning and Land Act 1980 (c. 65), Sch. 20 Pt. I para. 1

10 Amends Local Government, Planning and Land Act 1980 (c. 65), Sch. 20 Pt. I para. 2(1)

[11] Amends Local Government, Planning and Land Act 1980 (c. 65), Sch. 20 Pt. I para. 2(2)

[12] Amends Local Government, Planning and Land Act 1980 (c. 65), Sch. 20 Pt. I para. 4(a)

[13] Amends Local Government, Planning and Land Act 1980 (c. 65), Sch. 21 Pt. I para. 4(c)

[14] Amends Local Government, Planning and Land Act 1980 (c. 65), Sch. 21 para. 1

[15] Amends Local Government, Planning and Land Act 1980 (c. 65), Sch. 28 para. 1

[16] Act applied with (modifications) by Housing Act 1985 (c.68), s.578 Act applied by Housing Associations Act 1985 (c.69), s.88(3)(a) Act applied by Airports Act 1986 (c.31), s.59(1)(a) Act extended by Airports Act 1986 (c.31), s.58, Sch. 2 para. 1(1) Act applied by Gas Act 1986 (c.44), s.9(3), Sch. 3 Pt. II para. 4 Act extended by Gas Act 1986 (c.44), s.67(1)(3), Sch. 7 para. 2(1)(xiii), Sch. 8 para. 33 Act modified by Gas Act 1986 (c.44), s. 67(1)(3), Sch. 7 para. 2(10)(d) Act applied by Norfolk and Suffolk Broads Act 1988 (c.4), ss. 2(6), 23(2), 27(2), Sch. 3 para. 44(4) Act applied (with modifications) by Education Reform Act 1988 (c.40), ss. 190(6), 201(6) Act applied (with modifications) by Housing Act 1988 (c.50), ss. 77(4), 78(1), Sch. 10 Pt. I para. 1 Act applied by Water Act 1989 (c.15), s.151(4) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act extended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(2)(xxvii) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act modified by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(10)(ix) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act amended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(11)(v) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act applied (with modifications) by Electricity Act 1989 (c.29), ss. 10(1)(2), 112(3), Sch. 3 Pt. II para. 5, Sch. 17 para. 35(1) Act amended by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 2(2)(9)(g), Sch. 17 paras. 33, 35(1) Act modified by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 3(2)(h), Sch. 17 paras. 33, 35(1) Act applied by Town and Country Planning Act 1990 (c.8), ss.226(7), 228(7), 254(2) Act applied by Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9), ss. 47(2), 61(2) Act applied (with modifications) by National Health Service and Community Care Act 1990 (c.19), s.1(2), Sch. 1 Pt. I para. 26(2)(3)

Commencement

Sch. 4 para. 30: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Sch. 4 para. 30(1)-(12): England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

Law In Force

31.

(1) **[...]**[1]

(2) **[...]**[1]

(3) **[...]**[2]

(4) **[...]**[3]

(5) **[...]**[4]

(6) **[...]**[5]

(7) **[...]**[6]

(8) **[...]**[7]

(9) **[...]**[8]

(10) **[...]**[9]

(11) **[...]**[10]

(12) **[...]**[11]

(13) **[...]**[12]

(14) **[...]**[13]

[14]

Notes

1 Amends Highways Act 1980 (c. 66), s. 238(2)

2 Amends Highways Act 1980 (c. 66), s. 246(4)(a)

3 Substitutes Highways Act 1980 (c. 66), new s. 247(2) for s. 247(2)–(4)

4 Amends Highways Act 1980 (c. 66), s. 247(5)

5 Inserts Highways Act 1980 (c. 66), new s. 250(3A)

6 Substitutes Highways Act 1980 (c. 66), new s. 250(5)(a) for s. 250(5)(a)(b)

7 Amends Highways Act 1980 (c. 66), s. 254(1)

8 Amends Highways Act 1980 (c. 66), s. 254(6)

9 Amends Highways Act 1980 (c. 66), s. 257(1)(2)(4)

10 Amends Highways Act 1980 (c. 66), s. 258(1)

11 Amends Highways Act 1980 (c. 66), s. 259(1)

12 Amends Highways Act 1980 (c. 66), s. 259(2)

13 Amends Highways Act 1980 (c. 66), s. 322(5)(a)

14 Act applied with (modifications) by Housing Act 1985 (c.68), s.578 Act applied by Housing Associations Act 1985 (c.69), s.88(3)(a) Act applied by Airports Act 1986 (c.31), s.59(1)(a) Act extended by Airports Act 1986 (c.31), s.58, Sch. 2 para. 1(1) Act applied by Gas Act 1986 (c.44), s.9(3), Sch. 3 Pt. II para. 4 Act extended by Gas Act 1986 (c.44), s.67(1)(3), Sch. 7 para. 2(1)(xiii), Sch. 8 para. 33 Act modified by Gas Act 1986 (c.44), s. 67(1)(3), Sch. 7 para. 2(10)(d) Act applied by Norfolk and Suffolk Broads Act 1988 (c.4), ss. 2(6), 23(2), 27(2), Sch. 3 para. 44(4) Act applied (with modifications) by Education Reform Act 1988 (c.40), ss. 190(6), 201(6) Act applied (with modifications) by Housing Act 1988 (c.50), ss. 77(4), 78(1), Sch. 10 Pt. I para. 1 Act applied by Water Act 1989 (c.15), s.151(4) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act extended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(2)(xxvii) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act modified by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(10)(ix) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act amended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(11)(v) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act applied (with modifications) by Electricity Act 1989 (c.29), ss. 10(1)(2), 112(3), Sch. 3 Pt. II para. 5, Sch. 17 para. 35(1) Act amended by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 2(2)(9)(g), Sch. 17 paras. 33, 35(1) Act modified by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 3(2)(h), Sch. 17 paras. 33, 35(1) Act applied by Town and Country Planning Act 1990 (c.8), ss.226(7), 228(7), 254(2) Act applied by Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9), ss. 47(2), 61(2) Act applied (with modifications) by National Health Service and Community Care Act 1990 (c.19), s.1(2), Sch. 1 Pt. I para. 26(2)(3)

Commencement

Sch. 4 para. 31: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Sch. 4 para. 31(1)-(14): England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

Law In Force

32. […][1][2]

Notes

1 Amends Animal Health Act 1981 (c. 22), s. 55(2)

2 Act applied with (modifications) by Housing Act 1985 (c.68), s.578 Act applied by Housing Associations Act 1985 (c.69), s.88(3)(a) Act applied by Airports Act 1986 (c.31), s.59(1)(a) Act extended by Airports Act 1986 (c.31), s.58, Sch. 2 para. 1(1) Act applied by Gas Act 1986 (c.44), s.9(3), Sch. 3 Pt. II para. 4 Act extended by Gas Act 1986 (c.44), s.67(1)(3), Sch. 7 para. 2(1)(xiii), Sch. 8 para. 33 Act modified by Gas Act 1986 (c.44), s. 67(1)(3), Sch. 7 para. 2(10)(d) Act applied by Norfolk and Suffolk Broads Act 1988 (c.4), ss. 2(6), 23(2), 27(2), Sch. 3 para. 44(4) Act applied (with modifications) by Education Reform Act 1988 (c.40), ss. 190(6), 201(6) Act applied (with modifications) by Housing Act 1988 (c.50), ss. 77(4), 78(1), Sch. 10 Pt. I para. 1 Act applied by Water Act 1989 (c.15), s.151(4) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act extended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(2)(xxvii) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act modified by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(10)(ix) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act amended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(11)(v) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act applied (with modifications) by Electricity Act 1989 (c.29), ss. 10(1)(2), 112(3), Sch. 3 Pt. II para. 5, Sch. 17 para. 35(1) Act amended by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 2(2)(9)(g), Sch. 17 paras. 33, 35(1) Act modified by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 3(2)(h), Sch. 17 paras. 33, 35(1) Act applied by Town and Country Planning Act 1990 (c.8), ss.226(7), 228(7), 254(2) Act applied by Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9), ss. 47(2), 61(2) Act applied (with modifications) by National Health Service and Community Care Act 1990 (c.19), s.1(2), Sch. 1 Pt. I para. 26(2)(3)

Commencement

Sch. 4 para. 32: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Sch. 4 para. 32: England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

Law In Force

33. […][1][2]

Notes

1 Amends New Towns Act 1981 (c. 64), s. 72(2)

2 Act applied with (modifications) by Housing Act 1985 (c.68), s.578 Act applied by Housing Associations Act 1985 (c.69), s.88(3)(a) Act applied by Airports Act 1986 (c.31), s.59(1)(a) Act extended by Airports Act 1986 (c.31), s.58, Sch. 2 para. 1(1) Act applied by Gas Act 1986 (c.44), s.9(3), Sch. 3 Pt. II para. 4 Act extended by Gas Act 1986 (c.44), s.67(1)(3), Sch. 7 para. 2(1)(xiii), Sch. 8 para. 33 Act modified by Gas Act 1986 (c.44), s. 67(1)(3),

Sch. 7 para. 2(10)(d) Act applied by Norfolk and Suffolk Broads Act 1988 (c.4), ss. 2(6), 23(2), 27(2), Sch. 3 para. 44(4) Act applied (with modifications) by Education Reform Act 1988 (c.40), ss. 190(6), 201(6) Act applied (with modifications) by Housing Act 1988 (c.50), ss. 77(4), 78(1), Sch. 10 Pt. I para. 1 Act applied by Water Act 1989 (c.15), s.151(4) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act extended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(2)(xxvii) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act modified by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(10)(ix) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act amended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(11)(v) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act applied (with modifications) by Electricity Act 1989 (c.29), ss. 10(1)(2), 112(3), Sch. 3 Pt. II para. 5, Sch. 17 para. 35(1) Act amended by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 2(2)(9)(g), Sch. 17 paras. 33, 35(1) Act modified by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 3(2)(h), Sch. 17 paras. 33, 35(1) Act applied by Town and Country Planning Act 1990 (c.8), ss.226(7), 228(7), 254(2) Act applied by Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9), ss. 47(2), 61(2) Act applied (with modifications) by National Health Service and Community Care Act 1990 (c.19), s.1(2), Sch. 1 Pt. I para. 26(2)(3)

Commencement

Sch. 4 para. 33: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Sch. 4 para. 33: England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

SCHEDULE 5

TRANSITIONAL

Section 34

References to old law to include new law

Law In Force

1.—

(1) This paragraph is without prejudice to section 17(2)(a) of the Interpretation Act 1978 as extended to the interpretation of subordinate legislation and instruments and documents by section 23(2) and (3) of that Act.

(2) Any document made, served or issued before the passing of this Act or at any time thereafter (whether before or after the commencement of this Act) and containing a reference to an enactment repealed by this Act shall, except in so far as a contrary intention appears, be construed as referring, or as the context requires, as including a reference, to the corresponding provision of this Act.
1

Notes

[1] Act applied with (modifications) by Housing Act 1985 (c.68), s.578 Act applied by Housing Associations Act 1985 (c.69), s.88(3)(a) Act applied by Airports Act 1986 (c.31), s.59(1)(a) Act extended by Airports Act 1986 (c.31), s.58, Sch. 2 para. 1(1) Act applied by Gas Act 1986 (c.44), s.9(3), Sch. 3 Pt. II para. 4 Act extended by Gas Act 1986 (c.44), s.67(1)(3), Sch. 7 para. 2(1)(xiii), Sch. 8 para. 33 Act modified by Gas Act 1986 (c.44), s. 67(1)(3), Sch. 7 para. 2(10)(d) Act applied by Norfolk and Suffolk Broads Act 1988 (c.4), ss. 2(6), 23(2), 27(2), Sch. 3 para. 44(4) Act applied (with modifications) by Education Reform Act 1988 (c.40), ss. 190(6), 201(6) Act applied (with modifications) by Housing Act 1988 (c.50), ss. 77(4), 78(1), Sch. 10 Pt. I para. 1 Act applied by Water Act 1989 (c.15), s.151(4) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act extended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(2)(xxvii) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act modified by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(10)(ix) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act amended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(11)(v) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act applied (with modifications) by Electricity Act 1989 (c.29), ss. 10(1)(2), 112(3), Sch. 3 Pt. II para. 5, Sch. 17 para. 35(1) Act amended by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 2(2)(9)(g), Sch. 17 paras. 33, 35(1) Act modified by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 3(2)(h), Sch. 17 paras. 33, 35(1) Act applied by Town and Country Planning Act 1990 (c.8), ss.226(7), 228(7), 254(2) Act applied by Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9), ss. 47(2), 61(2) Act applied (with modifications) by National Health Service and Community Care Act 1990 (c.19), s.1(2), Sch. 1 Pt. I para. 26(2)(3)

Commencement

Sch. 5 para. 1: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Sch. 5 para. 1(1)-(2): England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

References to new law to include old law

Law In Force

2.

Any reference, whether express or implied, in any enactment, instrument or document (including this Act and any enactment amended by Schedule 4 to this Act) to, or to things done or falling to be done under or for the purposes of, any provision of this Act shall, if and so far as the nature of the reference permits, be construed as including, in relation to the circumstances or purposes in relation to which the corresponding provision in the enactments repealed by this Act has or had effect, a reference to, or as the case may be to things done or falling to be done under or for the purpose of, that corresponding provision.
[1]

Notes

[1] Act applied with (modifications) by Housing Act 1985 (c.68), s.578 Act applied by Housing Associations Act 1985 (c.69), s.88(3)(a) Act applied by Airports Act 1986 (c.31), s.59(1)(a) Act extended by Airports Act 1986 (c.31), s.58, Sch. 2 para. 1(1) Act applied by Gas Act 1986 (c.44), s.9(3), Sch. 3 Pt. II para. 4 Act extended by Gas

Act 1986 (c.44), s.67(1)(3), Sch. 7 para. 2(1)(xiii), Sch. 8 para. 33 Act modified by Gas Act 1986 (c.44), s. 67(1)(3), Sch. 7 para. 2(10)(d) Act applied by Norfolk and Suffolk Broads Act 1988 (c.4), ss. 2(6), 23(2), 27(2), Sch. 3 para. 44(4) Act applied (with modifications) by Education Reform Act 1988 (c.40), ss. 190(6), 201(6) Act applied (with modifications) by Housing Act 1988 (c.50), ss. 77(4), 78(1), Sch. 10 Pt. I para. 1 Act applied by Water Act 1989 (c.15), s.151(4) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act extended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(2)(xxvii) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act modified by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(10)(ix) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act amended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(11)(v) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act applied (with modifications) by Electricity Act 1989 (c.29), ss. 10(1)(2), 112(3), Sch. 3 Pt. II para. 5, Sch. 17 para. 35(1) Act amended by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 2(2)(9)(g), Sch. 17 paras. 33, 35(1) Act modified by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 3(2)(h), Sch. 17 paras. 33, 35(1) Act applied by Town and Country Planning Act 1990 (c.8), ss.226(7), 228(7), 254(2) Act applied by Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9), ss. 47(2), 61(2) Act applied (with modifications) by National Health Service and Community Care Act 1990 (c.19), s.1(2), Sch. 1 Pt. I para. 26(2)(3)

Commencement

Sch. 5 para. 2: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Sch. 5 para. 2: England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

Periods of time

Law In Force

3.

Where a period of time specified in any enactment repealed by this Act is current at the commencement of this Act, this Act has effect as if the corresponding provisions of this Act had been in force when that period began to run.
[1]

Notes

[1] Act applied with (modifications) by Housing Act 1985 (c.68), s.578 Act applied by Housing Associations Act 1985 (c.69), s.88(3)(a) Act applied by Airports Act 1986 (c.31), s.59(1)(a) Act extended by Airports Act 1986 (c.31), s.58, Sch. 2 para. 1(1) Act applied by Gas Act 1986 (c.44), s.9(3), Sch. 3 Pt. II para. 4 Act extended by Gas Act 1986 (c.44), s.67(1)(3), Sch. 7 para. 2(1)(xiii), Sch. 8 para. 33 Act modified by Gas Act 1986 (c.44), s. 67(1)(3), Sch. 7 para. 2(10)(d) Act applied by Norfolk and Suffolk Broads Act 1988 (c.4), ss. 2(6), 23(2), 27(2), Sch. 3 para. 44(4) Act applied (with modifications) by Education Reform Act 1988 (c.40), ss. 190(6), 201(6) Act applied (with modifications) by Housing Act 1988 (c.50), ss. 77(4), 78(1), Sch. 10 Pt. I para. 1 Act applied by Water Act 1989 (c.15), s.151(4) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act extended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(2)(xxvii) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act modified by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(10)(ix) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act amended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(11)(v) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26

paras. 3(1)(2), 17, 40(4), 57(6), 58) Act applied (with modifications) by Electricity Act 1989 (c.29), ss. 10(1)(2), 112(3), Sch. 3 Pt. II para. 5, Sch. 17 para. 35(1) Act amended by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 2(2)(9)(g), Sch. 17 paras. 33, 35(1) Act modified by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 3(2)(h), Sch. 17 paras. 33, 35(1) Act applied by Town and Country Planning Act 1990 (c.8), ss.226(7), 228(7), 254(2) Act applied by Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9), ss. 47(2), 61(2) Act applied (with modifications) by National Health Service and Community Care Act 1990 (c.19), s.1(2), Sch. 1 Pt. I para. 26(2)(3)

Commencement

Sch. 5 para. 3: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Sch. 5 para. 3: England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

Successor authorities

Law In Force

4.—

(1) Any reference in this Act (whether express or implied) to a thing done by a Minister, or by a local authority, under a provision of this Act includes, except where the context otherwise requires, a reference to the corresponding thing done by a predecessor authority under the corresponding enactment repealed by this Act.

(2) In this paragraph "predecessor authority" means—

(a) where the relevant function has been transferred from one Minister to another, the Minister from whom the function was transferred,

(b) where the relevant function has been transferred from one local authority to another, under any enactment (including in particular the London Government Act 1963, the Local Government Act 1972 and the Water Act 1973) the authority from whom the function was transferred.

[1]

Notes

[1] Act applied with (modifications) by Housing Act 1985 (c.68), s.578 Act applied by Housing Associations Act 1985 (c.69), s.88(3)(a) Act applied by Airports Act 1986 (c.31), s.59(1)(a) Act extended by Airports Act 1986 (c.31), s.58, Sch. 2 para. 1(1) Act applied by Gas Act 1986 (c.44), s.9(3), Sch. 3 Pt. II para. 4 Act extended by Gas Act 1986 (c.44), s.67(1)(3), Sch. 7 para. 2(1)(xiii), Sch. 8 para. 33 Act modified by Gas Act 1986 (c.44), s. 67(1)(3), Sch. 7 para. 2(10)(d) Act applied by Norfolk and Suffolk Broads Act 1988 (c.4), ss. 2(6), 23(2), 27(2), Sch. 3 para. 44(4) Act applied (with modifications) by Education Reform Act 1988 (c.40), ss. 190(6), 201(6) Act applied (with modifications) by Housing Act 1988 (c.50), ss. 77(4), 78(1), Sch. 10 Pt. I para. 1 Act applied by Water Act 1989 (c.15), s.151(4) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act extended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(2)(xxvii) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act modified by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(10)(ix) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act amended by Water Act 1989 (c.15),

s. 190, Sch. 25 para. 1(11)(v) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act applied (with modifications) by Electricity Act 1989 (c.29), ss. 10(1)(2), 112(3), Sch. 3 Pt. II para. 5, Sch. 17 para. 35(1) Act amended by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 2(2)(9)(g), Sch. 17 paras. 33, 35(1) Act modified by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 3(2)(h), Sch. 17 paras. 33, 35(1) Act applied by Town and Country Planning Act 1990 (c.8), ss.226(7), 228(7), 254(2) Act applied by Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9), ss. 47(2), 61(2) Act applied (with modifications) by National Health Service and Community Care Act 1990 (c.19), s.1(2), Sch. 1 Pt. I para. 26(2)(3)

Commencement

Sch. 5 para. 4: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Sch. 5 para. 4(1)-(2)(b): England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

Construction of enactments applying the 1946 Act

Law In Force

5.

Section 1(1)(a) of this Act includes in particular a compulsory purchase "in relation to" which this Act applies or has effect by virtue of any enactment in which this Act substitutes a reference to this Act for a reference to the Acquisition of Land (Authorisation Procedure) Act 1946.
[1]

Notes

[1] Act applied with (modifications) by Housing Act 1985 (c.68), s.578 Act applied by Housing Associations Act 1985 (c.69), s.88(3)(a) Act applied by Airports Act 1986 (c.31), s.59(1)(a) Act extended by Airports Act 1986 (c.31), s.58, Sch. 2 para. 1(1) Act applied by Gas Act 1986 (c.44), s.9(3), Sch. 3 Pt. II para. 4 Act extended by Gas Act 1986 (c.44), s.67(1)(3), Sch. 7 para. 2(1)(xiii), Sch. 8 para. 33 Act modified by Gas Act 1986 (c.44), s. 67(1)(3), Sch. 7 para. 2(10)(d) Act applied by Norfolk and Suffolk Broads Act 1988 (c.4), ss. 2(6), 23(2), 27(2), Sch. 3 para. 44(4) Act applied (with modifications) by Education Reform Act 1988 (c.40), ss. 190(6), 201(6) Act applied (with modifications) by Housing Act 1988 (c.50), ss. 77(4), 78(1), Sch. 10 Pt. I para. 1 Act applied by Water Act 1989 (c.15), s.151(4) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act extended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(2)(xxvii) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act modified by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(10)(ix) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act amended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(11)(v) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act applied (with modifications) by Electricity Act 1989 (c.29), ss. 10(1)(2), 112(3), Sch. 3 Pt. II para. 5, Sch. 17 para. 35(1) Act amended by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 2(2)(9)(g), Sch. 17 paras. 33, 35(1) Act modified by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 3(2)(h), Sch. 17 paras. 33, 35(1) Act applied by Town and Country Planning Act 1990 (c.8), ss.226(7), 228(7), 254(2) Act applied by Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9), ss. 47(2), 61(2) Act applied (with modifications) by National Health Service and Community Care Act 1990 (c.19), s.1(2), Sch. 1 Pt. I para. 26(2)(3)

Commencement

Sch. 5 para. 5: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Sch. 5 para. 5: England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

Local authority and statutory undertaken land excluded from compulsory purchase

Law In Force

6.

Section 17(3) and paragraph 4(3) of Schedule 3 above—

(a) shall not apply where the notice of the making or preparation in draft of the compulsory purchase order was first duly published before 6th April 1976,

(b) shall have effect, in relation to the period before 13th November 1980, as if the persons there mentioned included a development corporation as defined in section 3(1) of the New Towns Act 1981 and a joint Board established (in England) under section 2 of the Community Land Act 1975.

[1]

Notes

[1] Act applied with (modifications) by Housing Act 1985 (c.68), s.578 Act applied by Housing Associations Act 1985 (c.69), s.88(3)(a) Act applied by Airports Act 1986 (c.31), s.59(1)(a) Act extended by Airports Act 1986 (c.31), s.58, Sch. 2 para. 1(1) Act applied by Gas Act 1986 (c.44), s.9(3), Sch. 3 Pt. II para. 4 Act extended by Gas Act 1986 (c.44), s.67(1)(3), Sch. 7 para. 2(1)(xiii), Sch. 8 para. 33 Act modified by Gas Act 1986 (c.44), s. 67(1)(3), Sch. 7 para. 2(10)(d) Act applied by Norfolk and Suffolk Broads Act 1988 (c.4), ss. 2(6), 23(2), 27(2), Sch. 3 para. 44(4) Act applied (with modifications) by Education Reform Act 1988 (c.40), ss. 190(6), 201(6) Act applied (with modifications) by Housing Act 1988 (c.50), ss. 77(4), 78(1), Sch. 10 Pt. I para. 1 Act applied by Water Act 1989 (c.15), s.151(4) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act extended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(2)(xxvii) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act modified by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(10)(ix) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act amended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(11)(v) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act applied (with modifications) by Electricity Act 1989 (c.29), ss. 10(1)(2), 112(3), Sch. 3 Pt. II para. 5, Sch. 17 para. 35(1) Act amended by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 2(2)(9)(g), Sch. 17 paras. 33, 35(1) Act modified by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 3(2)(h), Sch. 17 paras. 33, 35(1) Act applied by Town and Country Planning Act 1990 (c.8), ss.226(7), 228(7), 254(2) Act applied by Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9), ss. 47(2), 61(2) Act applied (with modifications) by National Health Service and Community Care Act 1990 (c.19), s.1(2), Sch. 1 Pt. I para. 26(2)(3)

Commencement

Sch. 5 para. 6: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Sch. 5 para. 6(a)-(b): England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

Extinguishment of certain public rights of way

Law In Force

7.

The repeal by this Act of section 3 of the Acquisition of Land (Authorisation Procedure) Act 1946 shall not affect any order under that section if—

(a) it was made before 3rd August 1968, or

(b) a notice relating to the order was published pursuant to subsection (2) of the said Section 3 before that date,

and Part VI of this Act shall not apply to the order.
[1]

Notes

[1] Act applied with (modifications) by Housing Act 1985 (c.68), s.578 Act applied by Housing Associations Act 1985 (c.69), s.88(3)(a) Act applied by Airports Act 1986 (c.31), s.59(1)(a) Act extended by Airports Act 1986 (c.31), s.58, Sch. 2 para. 1(1) Act applied by Gas Act 1986 (c.44), s.9(3), Sch. 3 Pt. II para. 4 Act extended by Gas Act 1986 (c.44), s.67(1)(3), Sch. 7 para. 2(1)(xiii), Sch. 8 para. 33 Act modified by Gas Act 1986 (c.44), s. 67(1)(3), Sch. 7 para. 2(10)(d) Act applied by Norfolk and Suffolk Broads Act 1988 (c.4), ss. 2(6), 23(2), 27(2), Sch. 3 para. 44(4) Act applied (with modifications) by Education Reform Act 1988 (c.40), ss. 190(6), 201(6) Act applied (with modifications) by Housing Act 1988 (c.50), ss. 77(4), 78(1), Sch. 10 Pt. I para. 1 Act applied by Water Act 1989 (c.15), s.151(4) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act extended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(2)(xxvii) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act modified by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(10)(ix) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act amended by Water Act 1989 (c.15), s. 190, Sch. 25 para. 1(11)(v) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) Act applied (with modifications) by Electricity Act 1989 (c.29), ss. 10(1)(2), 112(3), Sch. 3 Pt. II para. 5, Sch. 17 para. 35(1) Act amended by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 2(2)(9)(g), Sch. 17 paras. 33, 35(1) Act modified by Electricity Act 1989 (c.29), s. 112(1)(3), Sch. 16 para. 3(2)(h), Sch. 17 paras. 33, 35(1) Act applied by Town and Country Planning Act 1990 (c.8), ss.226(7), 228(7), 254(2) Act applied by Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9), ss. 47(2), 61(2) Act applied (with modifications) by National Health Service and Community Care Act 1990 (c.19), s.1(2), Sch. 1 Pt. I para. 26(2)(3)

Commencement

Sch. 5 para. 7: January 30, 1982 (1981 c. 67 Pt VII s. 35(2))

Extent

Sch. 5 para. 7(a)-(b): England, Wales (this Act extends to England and Wales only, except so far as Schedule 4 amends any enactment which extends to Scotland or Northern Ireland)

SCHEDULE 6

REPEALS

PART I […][1]

Notes

[1] Specifies enactments and instruments repealed by s. 21(3); the repeals by this Act in section 13 of the Local Government (Miscellaneous Provisions) Act 1976 shall not affect section 82(1) of that Act (power to make consequential repeals or amendments).

PART II […][1]

Notes

[1] Specifies enactments and instruments repealed by s. 21(3)

PART III […][1]

Notes

[1] Specifies enactments and instruments repealed by s. 21(3)

Modifications

Provision	Modification	Notes	Further Information
Whole Document	National Assembly for Wales (Transfer of Functions) Order 1999/672, Sch. 1 para. 1	Modified in relation to the transfer of functions to the National Assembly of Wales	
Pt I s. 4	Channel Tunnel Rail Link (Thames Tunnel Approach) Order 2002/1943, art. 7		
	Crossrail Act 2008 c. 18, Sch. 6(3) para. 20		s. 6
	Severn Bridges Act 1992 c. 3, Sch. 2(II) para. 5	Modified in relation to a compulsory acquisition under 1992 c.3 s.2	Pt I s. 2
	Tamar Bridge Act 1998 c. iv, Pt II s. 9		
	Water Resources Act 1991 c. 57, Sch. 19 para. 6(1)(b)	Modified in relation to so much of a compulsory works order as confers powers of compulsory acquisition	
Pt I s. 6(4)	Channel Tunnel Rail Link Act 1996 c. 61, Sch. 2 para. 7(8)		Pt I s. 2Sch. 2 para. 6(8)
	Crossrail Act 2008 c. 18, Sch. 2 para. 5(8)		s. 2
	Crossrail Act 2008 c. 18, Sch. 2 para. 6(8)		s. 2
Pt II	Acquisition of Land Act 1981 c. 67, Pt V s. 29(2)	Modified in relation to its application to compulsory rights orders 1958 c.69 s.4	
	Midland Metro (Wednesbury to Brierley Hill and Miscellaneous Amendments) Order 2005/927, Pt 5 art. 50(2)		
	Railtrack (Luton Parkway Station: Land Acquisition) Order 1999/1555, art. 9(1)		
	Railtrack (Luton Parkway Station: Land Acquisition) Order 1999/1555, art. 9(2)		
Pt II s. 12	Acquisition of Land Act 1981 c. 67, Pt V s. 29(4)	Modified in relation to its application to compulsory rights orders 1958 c.69 s.4	
	Education Act 1993 c. 35, Pt II c. III s. 42(6)	Modified in relation to the compulsory purchase of land under 1993 c.35 s.42(5)	
	Education Act 1996 c. 56, Pt III c. III s. 205(6)		
	Further and Higher Education Act 1992 c. 13, Pt I c. II s. 40(6)	Modified in relation to the compulsory purchase of land under 1992 c.13 s.40(5)	

Pt II s. 12(2)	Opencast Coal Act 1958 c. 69, Pt I s. 16	Modified in relation to the service of a notice under 1958 c.69 s.16 as respects any land in England and Wales	
Pt II s. 12(3)	Opencast Coal Act 1958 c. 69, Pt I s. 16	Modified in relation to the service of a notice under 1958 c.69 s.16 as respects any land in England and Wales	
Pt II s. 12A	Education Act 1993 c. 35, Pt II c. III s. 42(6)	Modified in relation to the compulsory purchase of land under 1993 c.35 s.42(5)	
	Education Act 1996 c. 56, Pt III c. III s. 205(6)		
	Further and Higher Education Act 1992 c. 13, Pt I c. II s. 40(6)	Modified in relation to the compulsory purchase of land under 1992 c.13 s.40(5)	
Pt II s. 13	Acquisition of Land Act 1981 c. 67, Pt V s. 29	Modified in relation to its application to compulsory rights orders 1958 c.69 s.4	
	Acquisition of Land Act 1981 c. 67, Pt V s. 29(5)	Modified in relation to its application to compulsory rights orders 1958 c.69 s.4	
	Education Act 1993 c. 35, Pt II c. III s. 42(6)	Modified in relation to the compulsory purchase of land under 1993 c.35 s.42(5)	
	Education Act 1996 c. 56, Pt III c. III s. 205(6)		
	Further and Higher Education Act 1992 c. 13, Pt I c. II s. 40(6)	Modified in relation to the compulsory purchase of land under 1992 c.13 s.40(5)	
Pt III	Acquisition of Land Act 1981 c. 67, Pt V s. 29(2)	Modified in relation to its application to compulsory rights orders 1958 c.69 s.4	
	Midland Metro (Wednesbury to Brierley Hill and Miscellaneous Amendments) Order 2005/927, Pt 5 art. 50(2)		
	Railtrack (Luton Parkway Station: Land Acquisition) Order 1999/1555, art. 9(1)		
	Railtrack (Luton Parkway Station: Land Acquisition) Order 1999/1555, art. 9(2)		
	Water Resources Act 1991 c. 57, Sch. 19 para. 6(1)(b)	Modified in relation to so much of a compulsory works order as confers powers of compulsory acquisition	
Pt III s. 17	Acquisition of Land Act 1981 c. 67, Pt V s. 29	Modified in relation to its application to compulsory rights orders 1958 c.69 s.4	

Pt III s. 17(3)	Housing and Regeneration Act 2008 c. 17, Sch. 2(1) para. 1(2)		Pt 1 c. 2 s. 9(6)
	Regional Development Agencies Act 1998 c. 45, Sch. 5(I) para. 2		Pt I s. 20
Pt III s. 19	Acquisition of Land Act 1981 c. 67, Pt V s. 29(7)	Modified in relation to its application to compulsory rights orders 1958 c.69 s.4	
	Ashton Vale to Temple Meads and Bristol City Centre Rapid Transit Order 2013/3244, Pt 3 art. 34(4)	Modified in relation to any open space within the meaning of SI 2013/3244 art.34(4)	
Pt IV	Acquisition of Land Act 1981 c. 67, Pt V s. 29(2)	Modified in relation to its application to compulsory rights orders 1958 c.69 s.4	
Pt IV s. 23	Acquisition of Land Act 1981 c. 67, Pt V s. 29(8)	Modified in relation to its application to compulsory rights orders 1958 c.69 s.4	
Pt V s. 29(4)	Opencast Coal Act 1958 c. 69, Pt I s. 16	Modified for the purposes of any order conferring rights exercisable under this section on any land in England and Wales	
Pt V s. 29(5)	Opencast Coal Act 1958 c. 69, Pt I s. 16	Modified for the purposes of any order conferring rights exercisable under this section on any land in England and Wales	
Sch. 2	Water Industry Act 1991 c. 56, Pt VI c. III s. 188	Modified in the case of the compulsory acquisition of land by virtue of 1991 c.56	
Sch. 2(I) para. 1	Crossrail Act 2008 c. 18, Sch. 6(3) para. 17(1)		s. 6
Sch. 2(I) para. 1(3)	Tamar Bridge Act 1998 c. iv, Pt II s. 7(2)		
Sch. 2(II)	A1 in Northumberland: Morpeth to Ellingham Development Consent Order 2024/733, Pt 5 art. 28	Words substituted	
	Able Marine Energy Park Development Consent Order 2014/2935, Pt 5 art. 32	Modified as incorporated into SI 2014/2935	
	Channel Tunnel Rail Link (Thames Tunnel Approach) Order 2002/1943, art. 6		
	Channel Tunnel Rail Link Act 1996 c. 61, Sch. 4(III) para. 13(1)		Pt I s. 3
	Channel Tunnel Rail Link Act 1996 c. 61, Sch. 4(III) para. 13(2)(a)		Pt I s. 4
	Channel Tunnel Rail Link Act 1996 c. 61, Sch. 4(III) para. 13(2)(b)		Pt I s. 4

	Chester Guided Busway Order 2002/412, Pt V art. 39		
	Crossrail Act 2008 c. 18, Sch. 6(3) para. 17(2)		s. 6
	Dogger Bank Creyke Beck Offshore Wind Farm Order 2015/318, Pt 5 art. 22		
	East Midlands Parkway Station (Land Acquisition) Order 2005/8, Pt 2 art. 11(2)		
	Leeds Supertram (Extension) Order 2001/1347, Pt V art. 36		
	Leeds Supertram (Land Acquisition and Road Works) Order 2001/1348, Pt II art. 12(1)		
	Leeds Supertram (Land Acquisition and Road Works) Order 2001/1348, Pt II art. 12(2)		
	Midland Metro (Wednesbury to Brierley Hill and Miscellaneous Amendments) Order 2005/927, Pt 5 art. 50(1)		
	National Grid (North London Reinforcement Project) Order 2014/1052, Pt 5 art. 23(b)	Modified in relation to SI 2014/1052	
	North Blyth Biomass Power Station Order 2013/1873, art. 14(b)	Modified as incorporated in SI 2013/1873	
	Northumberland County Council (A1 - South East Northumberland Link Road (Morpeth Northern Bypass)) Development Consent Order 2015/23, art. 21		
	Severn Bridges Act 1992 c. 3, Sch. 2(II) para. 3(1)	Modified in relation to land within the limits of land to be acquired	Pt I s. 2
	Tamar Bridge Act 1998 c. iv, Pt II s. 7(1)		
	Thames Water Utilities Limited (Thames Tideway Tunnel) Order 2014/2384, Pt 3 art. 40	Modified for incorporation in SI 2014/2384	
Sch. 2(II) para. 2	Crossrail Act 2008 c. 18, Sch. 6(3) para. 17(1)		s. 6
Sch. 2(III)	Able Marine Energy Park Development Consent Order 2014/2935, Pt 5 art. 32	Modified as incorporated into SI 2014/2935	
	Channel Tunnel Rail Link (Thames Tunnel Approach) Order 2002/1943, art. 6		
	Channel Tunnel Rail Link Act 1996 c. 61, Sch. 3 para. 3(5)(a)		Pt I s. 3

	Channel Tunnel Rail Link Act 1996 c. 61, Sch. 4(III) para. 13(1)		Pt I s. 3
	Channel Tunnel Rail Link Act 1996 c. 61, Sch. 4(III) para. 13(2)(a)		Pt I s. 4
	Channel Tunnel Rail Link Act 1996 c. 61, Sch. 4(III) para. 13(2)(b)		Pt I s. 4
	Chester Guided Busway Order 2002/412, Pt V art. 39		
	Crossrail Act 2008 c. 18, Sch. 3 para. 3(5)(a)		s. 3
	Crossrail Act 2008 c. 18, Sch. 6(3) para. 17(2)		s. 6
	East Midlands Parkway Station (Land Acquisition) Order 2005/8, Pt 2 art. 11(2)		
	Leeds Supertram (Extension) Order 2001/1347, Pt V art. 36		
	Leeds Supertram (Land Acquisition and Road Works) Order 2001/1348, Pt II art. 12(1)		
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	Midland Metro (Wednesbury to Brierley Hill and Miscellaneous Amendments) Order 2005/927, Pt 5 art. 50(1)		
	National Grid (North London Reinforcement Project) Order 2014/1052, Pt 5 art. 23(b)	Modified in relation to SI 2014/1052	
	North Blyth Biomass Power Station Order 2013/1873, art. 14(b)	Modified as incorporated in SI 2013/1873	
	Northumberland County Council (A1 - South East Northumberland Link Road (Morpeth Northern Bypass)) Development Consent Order 2015/23, art. 21		
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	Thames Water Utilities Limited (Thames Tideway Tunnel) Order 2014/2384, Pt 3 art. 40	Modified for incorporation in SI 2014/2384	
Sch. 2(III) para. 3	Channel Tunnel Rail Link Act 1996 c. 61, Sch. 3 para. 3(5)(b)		Pt I s. 3
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Sch. 2(III) para. 4	Channel Tunnel Rail Link Act 1996 c. 61, Sch. 3 para. 3(5)(b)		Pt I s. 3
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Sch. 2(III) para. 5	Channel Tunnel Rail Link Act 1996 c. 61, Sch. 3 para. 3(5)(b)		Pt I s. 3
	Crossrail Act 2008 c. 18, Sch. 3 para. 3(5)(b)		s. 3
Sch. 2(III) para. 6	Crossrail Act 2008 c. 18, Sch. 3 para. 3(5)(c)		s. 3
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