

UK Parliament Acts/A/AA-AG/Acquisition of Land Act 1981 (1981 c 67)/Part I General (ss 1-9)/1 Application of Act

Part I General

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 Improvement 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,
 - ...
 - < ... >
 - [[section 530\(1\)](#) of the Education Act 1996],
 - ...
- (3) In this section “enactment” includes any statutory instrument.

NOTES

Derivation

This section derived from the [Acquisition of Land \(Authorisation Procedure\) Act 1946, s 1\(1\)](#).

Initial Commencement

Specified date

Specified date: 30 January 1982: see s 35(2).

Extent

This section does not extend to Scotland: see s 35(3).

Amendment

First words omitted repealed by the [Statute Law \(Repeals\) Act 2004](#).

Date in force: 22 July 2004: (no specific commencement provision).

Sub-s (2): second and final words omitted repealed by the [Water Act 1989, s 190, Sch 27, Pt I](#).

Sub-s (2): words “[section 530\(1\)](#) of the Education Act 1996” in square brackets substituted by the [Education Act 1996, s 582\(1\), Sch 37, para 50](#).

See Further

See further: the High Speed Rail (London—West Midlands) Act 2017, s 49(3).

See further: the [High Speed Rail \(West Midlands—Crewe\) Act 2021, s 45\(3\)](#).

Document information

Acquisition of Land Act 1981

Date made

30/10/1981

UK Parliament Acts/A/AA-AG/Acquisition of Land Act 1981 (1981 c 67)/Part I General (ss 1-9)/2 Procedure for authorisation

Compulsory purchase

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.]

(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

Derivation

This section derived from the [Acquisition of Land \(Authorisation Procedure\) Act 1946, s 1\(1\), Sch 1, paras 1, 7\(1\)](#).

Initial Commencement

Specified date

Specified date: 30 January 1982: see s 35(2).

Extent

This section does not extend to Scotland: see s 35(3).

Amendment

Sub-s (2): substituted by the [Housing and Planning Act 2016, s 181\(1\), \(3\)](#).

Date in force (for certain purposes): 6 April 2018: see [SI 2018/251, reg 4\(b\)](#); for transitional provisions see reg 5.

Date in force (for remaining purposes): 6 April 2019: see [SI 2019/427, reg 3](#); for transitional provisions see reg 4.

See Further

See further: the High Speed Rail (London—West Midlands) Act 2017, s 49(3).

See further: the [High Speed Rail \(West Midlands—Crewe\) Act 2021, s 45\(3\)](#).

Transfer of Functions

Functions of the Minister, so far as exercisable in relation to Wales, transferred to the National Assembly for Wales, by the National Assembly for Wales (Transfer of Functions) Order 1999, [SI 1999/672, art 2, Sch 1](#).

Document information

Acquisition of Land Act 1981

Date made

30/10/1981

UK Parliament Acts/A/AA-AG/Acquisition of Land Act 1981 (1981 c 67)/Part I General (ss 1-9)/[2A Tunnels etc]

[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).]

NOTES

Extent

This section does not extend to Scotland: see s 35(3).

Amendment

Inserted by the [Housing and Planning Act 2016, s 199\(1\), Sch 17, Pt 2, para 9](#).

Date in force: 3 February 2017: see [SI 2017/75, reg 3\(g\)](#).

See Further

See further: the High Speed Rail (London—West Midlands) Act 2017, s 49(3).
See further: the [High Speed Rail \(West Midlands—Crewe\) Act 2021, s 45\(3\)](#).

Document information

Acquisition of Land Act 1981

Date made
30/10/1981

UK Parliament Acts/A/AA-AG/Acquisition of Land Act 1981 (1981 c 67)/Part I General (ss 1-9)/3 Minerals

3 Minerals

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

NOTES

Initial Commencement

Specified date

Specified date: 30 January 1982: see s 35(2).

Extent

This section does not extend to Scotland: see s 35(3).

See Further

See further: the High Speed Rail (London—West Midlands) Act 2017, s 49(3).
See further: the [High Speed Rail \(West Midlands—Crewe\) Act 2021, s 45\(3\)](#).

Document information

Acquisition of Land Act 1981

Date made
30/10/1981

UK Parliament Acts/A/AA-AG/Acquisition of Land Act 1981 (1981 c 67)/Part I General (ss 1-9)/4 Assessment of compensation

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] 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] 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

Derivation

This section derived from the [Acquisition of Land \(Authorisation Procedure\) Act 1946, s 1\(3\), Sch 2, para 8](#), and the [Land Compensation Act 1961, Sch 4, paras 6, 7](#).

Initial Commencement

Specified date

Specified date: 30 January 1982: see s 35(2).

Extent

This section does not extend to Scotland: see s 35(3).

Amendment

Sub-s (2): words “Upper Tribunal” in square brackets in both places they occur substituted by [SI 2009/1307, art 5\(1\), \(2\), Sch 1, paras 149, 150](#).

Date in force: 1 June 2009: see [SI 2009/1307, art 1](#); for transitional and savings provisions see art 5(6), Sch 5 thereto.

See Further

See further: the High Speed Rail (London—West Midlands) Act 2017, ss 4(5), 49(3), Sch 6, para 4(1).

See further: the [High Speed Rail \(West Midlands—Crewe\) Act 2021, ss 4\(5\), 45\(3\), Sch 7, para 4\(1\)](#).

Document information

Acquisition of Land Act 1981

Date made

30/10/1981

UK Parliament Acts/A/AA-AG/Acquisition of Land Act 1981 (1981 c 67)/Part I General (ss 1-9)/5 Local inquiries

Supplemental

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,

subsection (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.]

NOTES

Derivation

This section derived from the [Acquisition of Land \(Authorisation Procedure\) Act 1946, s 5](#).

Initial Commencement

Specified date

Specified date: 30 January 1982: see s 35(2).

Extent

This section does not extend to Scotland: see s 35(3).

Amendment

Sub-s (4): inserted by the [Growth and Infrastructure Act 2013, s 3](#).

Date in force: 25 June 2013: see [SI 2013/1488, art 3\(b\)](#); for transitional provisions see art 8 thereof.

See Further

See further: the High Speed Rail (London—West Midlands) Act 2017, s 49(3).

See further: the [High Speed Rail \(West Midlands—Crewe\) Act 2021, s 45\(3\)](#).

Transfer of Functions

Functions of the Minister, so far as exercisable in relation to Wales, transferred to the National Assembly for Wales, by the National Assembly for Wales (Transfer of Functions) Order 1999, [SI 1999/672, art 2, Sch 1](#).

Acquisition of Land Act 1981

Date made
30/10/1981

UK Parliament Acts/A/AA-AG/Acquisition of Land Act 1981 (1981 c 67)/Part I General (ss 1-9)/[5A Power to require information]

[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.]

NOTES

Extent

This section does not extend to Scotland: see s 35(3).

Amendment

Inserted by the [Planning and Compulsory Purchase Act 2004, s 105](#).

Date in force: 31 October 2004: see [SI 2004/2593, art 2\(a\)](#).

See Further

See further: the High Speed Rail (London—West Midlands) Act 2017, s 49(3).

See further: the [High Speed Rail \(West Midlands—Crewe\) Act 2021, ss 4\(5\), 45\(3\), Sch 7, para 4\(2\)](#).

Document information

Acquisition of Land Act 1981

Date made

30/10/1981

UK Parliament Acts/A/AA-AG/Acquisition of Land Act 1981 (1981 c 67)/Part I General (ss 1-9)/[5B Offences relating to information]

[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.]

NOTES**Extent**

This section does not extend to Scotland: see s 35(3).

Amendment

Inserted by the [Planning and Compulsory Purchase Act 2004, s 105](#).

Date in force: 31 October 2004: see [SI 2004/2593, art 2\(a\)](#).

See Further

See further: the High Speed Rail (London—West Midlands) Act 2017, s 49(3).

See further: the [High Speed Rail \(West Midlands—Crewe\) Act 2021, s 45\(3\)](#).

Document information

Acquisition of Land Act 1981

Date made

30/10/1981

UK Parliament Acts/A/AA-AG/Acquisition of Land Act 1981 (1981 c 67)/Part I General (ss 1-9)/6 Service of documents

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] 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"] 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]:

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

NOTES**Derivation**

Sub-s (1) derived from the [Acquisition of Land \(Authorisation Procedure\) Act 1946, Sch 1, para 19\(1\)](#), and the [Recorded Delivery Service Act 1962, s 1\(1\)](#); sub-ss (2), (3) derived from the [Acquisition of Land \(Authorisation Procedure\) Act 1946, Sch 1, para 19\(2\), \(3\)](#); sub-s (4) derived from the [Acquisition of Land \(Authorisation Procedure\) Act 1946, Sch 1, para 19\(4\)](#), and the [Local Government, Planning and Land Act 1980, Sch 23, Pt I, para 1\(d\)](#).

Initial Commencement***Specified date***

Specified date: 30 January 1982: see s 35(2).

Extent

This section does not extend to Scotland: see s 35(3).

Amendment

Sub-s (4): word “, tenant” in square brackets in both places it occurs inserted by the [Planning and Compulsory Purchase Act 2004, s 100\(1\), \(2\)\(a\)](#).

Date in force (for the purpose of making, or making provision by means of, subordinate legislation): 6 August 2004: see [SI 2004/2097, art 2](#); for effect see the [Planning and Compulsory Purchase Act 2004, s 100\(8\)](#).

Date in force (for remaining purposes): 31 October 2004: see [SI 2004/2593, art 2\(a\)](#); for effect see the [Planning and Compulsory Purchase Act 2004, s 100\(8\)](#).

Sub-s (4): word “, “tenant”” in square brackets inserted by the [Planning and Compulsory Purchase Act 2004, s 100\(1\), \(2\)\(b\)](#).

Date in force (for the purpose of making, or making provision by means of, subordinate legislation): 6 August 2004: see [SI 2004/2097, art 2](#); for effect see the [Planning and Compulsory Purchase Act 2004, s 100\(8\)](#).

Date in force (for remaining purposes): 31 October 2004: see [SI 2004/2593, art 2\(a\)](#); for effect see the [Planning and Compulsory Purchase Act 2004, s 100\(8\)](#).

Sub-s (4): words from “land or, if” to “near the land” in square brackets substituted by the [Planning and Compensation Act 1991, s 70, Sch 15, para 8](#).

See Further

See further, in relation to the application of this section, with modifications, for the purposes of the [Crossrail Act 2008](#): the [Crossrail Act 2008, s 2, Sch 2, para 6\(8\)](#).

See further: the High Speed Rail (London—West Midlands) Act 2017, s 49(3).

See further: the [High Speed Rail \(West Midlands—Crewe\) Act 2021, s 45\(3\)](#).

Transfer of Functions

Functions of the Minister, so far as exercisable in relation to Wales, transferred to the National Assembly for Wales, by the National Assembly for Wales (Transfer of Functions) Order 1999, [SI 1999/672, art 2, Sch 1](#).

Document information

Acquisition of Land Act 1981

Date made

30/10/1981

UK Parliament Acts/A/AA-AG/Acquisition of Land Act 1981 (1981 c 67)/Part I General (ss 1-9)/7 Interpretation

Interpretation

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 messuages, 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;

[(a1) 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 paragraph 4A of Schedule 1 is subject to annulment in pursuance of a resolution of either House of Parliament.]

NOTES

Derivation

This section derived from the [Acquisition of Land \(Authorisation Procedure\) Act 1946, s 8\(1\)](#), [Sch 1, para 18](#).

Initial Commencement

Specified date

Specified date: 30 January 1982: see s 35(2).

Extent

This section does not extend to Scotland: see s 35(3).

Amendment

Sub-s (1): definition “local authority” substituted by [SI 1990/776, art 8, Sch 3, para 23](#).

Sub-s (1): in definition “local authority” paras (a), (aa) substituted, for para (a), by the [Local Government Finance Act 1992, s 117\(1\), Sch 13, para 52](#).

Sub-s (1): in definition “local authority” para (a1) substituted by the [Policing and Crime Act 2017, s 9\(3\)\(c\), Sch 2, Pt 2, paras 62, 63](#).

Date in force: 1 April 2018: see [SI 2018/227, reg 4\(b\), \(c\)](#).

Sub-s (1): in definition “local authority” para (aa) further substituted by the [Fire and Rescue Services Act 2004, s 53\(1\), Sch 1, para 53\(1\), \(2\)](#).

Date in force (in relation to England): 1 October 2004: see [SI 2004/2304, art 2\(2\)](#).

Date in force (in relation to Wales): 10 November 2004: see [SI 2004/2917, art 2](#).

Sub-s (1): in definition “local authority” in para (b) words “the [Local Government Finance Act 1988](#)” in square brackets substituted by the [Fire and Rescue Services Act 2004, s 53\(1\), Sch 1, para 53\(1\), \(3\)](#).

Date in force (in relation to England): 1 October 2004: see [SI 2004/2304, art 2\(2\)](#).

Date in force (in relation to Wales): 10 November 2004: see [SI 2004/2917, art 2](#).

Sub-s (1): in definition “owner” words from “and a person” to “order were operative” in square brackets inserted by the [Planning and Compensation Act 1991, s 70, Sch 15, para 9](#).

Sub-s (1): definition “universal service provider” inserted by [SI 2001/1149, art 3\(1\), Sch 1, para 54\(1\), \(2\)](#).

Date in force: 26 March 2001: see [SI 2001/1149, art 1\(2\)](#).

Sub-s (1): in definition “universal service provider” words “[Part 3](#) of the Postal Services Act 2011” in square brackets substituted by the [Postal Services Act 2011, s 91\(1\), \(2\), Sch 12, Pt 3, para 110\(a\)](#).

Date in force: 1 October 2011: see [SI 2011/2329, art 3\(1\)](#).

Sub-s (1): in definition “universal service provider” words “that Part” in square brackets substituted by the [Postal Services Act 2011, s 91\(1\), \(2\), Sch 12, Pt 3, para 110\(b\)](#).

Date in force: 1 October 2011: see [SI 2011/2329, art 3\(1\)](#).

Sub-s (3): inserted by the [Planning and Compulsory Purchase Act 2004, s 100\(1\), \(3\)](#).

Date in force (for the purpose of making, or making provision by means of, subordinate legislation): 6 August 2004: see [SI 2004/2097, art 2](#); for effect see the [Planning and Compulsory Purchase Act 2004, s 100\(8\)](#).

Date in force (for remaining purposes): 31 October 2004: see [SI 2004/2593, art 2\(a\)](#); for effect see the [Planning and Compulsory Purchase Act 2004, s 100\(8\)](#).

See Further

See further: the High Speed Rail (London—West Midlands) Act 2017, s 49(3).

See further: the [High Speed Rail \(West Midlands—Crewe\) Act 2021, s 45\(3\)](#).

Transfer of Functions

Functions of the Minister, the Secretary of State, the acquiring authority and the confirming authority, so far as exercisable in relation to Wales, transferred to the National Assembly for Wales, by the National Assembly for Wales (Transfer of Functions) Order 1999, [SI 1999/672, art 2, Sch 1](#).

Document information

Acquisition of Land Act 1981

Date made
30/10/1981

UK Parliament Acts/A/AA-AG/Acquisition of Land Act 1981 (1981 c 67)/Part I General (ss 1-9)/8 Statutory undertakers

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 . . . , . . . [or hydraulic power], or
 - (b) . . . 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)], or
 - (c) [a universal service provider in connection with the provision of a universal postal service] . . .

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.]

[(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.]

(2) . . .

(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

Derivation

Sub-s (1) derived from the [Acquisition of Land \(Authorisation Procedure\) Act 1946, s 8\(1\)](#), the [Post Office Act 1969, s 76, Sch 4, para 93\(1\)\(iv\)](#), the Civil Aviation Act 1971, s 18(1), Sch 5, para 5(b), the Airports Authority Act 1975, [s 19\(1\)](#), and the British Telecommunications Act 1981, s 87(1), Sch 3, para 10(1)(a); sub-s (2) derived from the Airports Authority Act 1975, s 19(1); sub-s (3) derived from the [Post Office Act 1969, Sch 4, para 93\(2\)\(b\)](#), the Secretary of State for the Environment Order 1970, SI 1970/1681, art 5(1), Sch 3, para 15(1), the Ministry of Posts and Telecommunications (Dissolution) Order 1974, [SI 1974/691](#), and the [British Telecommunications Act 1981, Sch 3, para 11\(1\)\(a\)](#); sub-s (4) derived from the [Acquisition of Land \(Authorisation Procedure\) Act 1946, s 8\(2\)](#).

Extent

This section does not extend to Scotland.

Amendment

Sub-s (1): in para (a)(iii) words omitted repealed by the [Electricity Act 1989, s 112\(4\)](#), [Sch 18](#), and the [Gas Act 1986, s 67\(4\)](#), [Sch 9, Pt I](#).

Sub-s (1): in para (a) words “or hydraulic power” in square brackets substituted by the [Water Act 1989, s 190, Sch 25, para 65](#).

Sub-s (1): in para (b) words omitted repealed by the [Airports Act 1986, s 83\(5\)](#), [Sch 6, Pt I](#).

Sub-s (1): in para (b) words from “or a person” to “by the licence” in square brackets inserted by [SI 2001/4050, art 2, Schedule, Pt II, para 5\(a\)\(i\)](#).

Date in force: 21 December 2001: see [SI 2001/4050, art 1](#).

Sub-s (1): in para (c) words “a universal service provider in connection with the provision of a universal postal service” in square brackets substituted by [SI 2001/1149, art 3\(1\)](#), [Sch 1, para 54\(1\), \(2\)\(a\)](#).

Date in force: 26 March 2001: see [SI 2001/1149, art 1\(2\)](#).

Sub-s (1): in para (c) words omitted repealed by the [Telecommunications Act 1984, s 109](#), [Sch 4, para 3, Sch 7, Pt I](#).

Sub-s (1ZA): inserted by [SI 2001/4050, art 2, Schedule, Pt II, para 5\(a\)\(ii\)](#).

Date in force: 21 December 2001: see [SI 2001/4050, art 1](#).

Sub-s (1A): inserted by [SI 2001/1149, art 3\(1\)](#), [Sch 1, para 54\(1\), \(2\)\(b\)](#).

Date in force: 26 March 2001: see [SI 2001/1149, art 1\(2\)](#).

Sub-s (2): repealed by the [Airports Act 1986, s 83\(5\)](#), [Sch 6, Part I](#).

See Further

See further, in relation to statutory undertakers: the [Airports Act 1986, s 58, Sch 2, para 1\(1\)](#), the [Water Act 1989, s 190, Sch 25, para 1](#), the [Electricity Act 1989, s 112\(1\)](#), [Sch 16, paras 2, 3\(2\)](#) and the [Gas Act 1995, s 16\(1\)](#), [Sch 4, para 2\(1\)\(xxxi\), \(11\)\(d\)](#).

See further: the High Speed Rail (London—West Midlands) Act 2017, s 49(3).

See further: the [High Speed Rail \(West Midlands—Crewe\) Act 2021, s 45\(3\)](#).

Transfer of Functions

Functions of the appropriate Minister, so far as exercisable in relation to Wales, transferred to the National Assembly for Wales, by the National Assembly for Wales (Transfer of Functions) Order 1999, [SI 1999/672, art 2, Sch 1](#).

Acquisition of Land Act 1981

Date made
30/10/1981

UK Parliament Acts/A/AA-AG/Acquisition of Land Act 1981 (1981 c 67)/Part I General (ss 1-9)/9 Land held inalienably

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.

NOTES**Derivation**

This section derived from the [Acquisition of Land \(Authorisation Procedure\) Act 1946, s 6\(3\)](#).

Initial Commencement***Specified date***

Specified date: 30 January 1982: see s 35(2).

Extent

This section does not extend to Scotland: see s 35(3).

See Further

See further: the High Speed Rail (London—West Midlands) Act 2017, s 49(3).

See further: the [High Speed Rail \(West Midlands—Crewe\) Act 2021, s 45\(3\)](#).

Document information

Acquisition of Land Act 1981

Date made
30/10/1981

UK Parliament Acts/A/AA-AG/Acquisition of Land Act 1981 (1981 c 67)/Part II Purchases by Local and Other Authorities (ss 10-[15])/10 Preliminary

Part II Purchases by Local and Other Authorities

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.

NOTES

Derivation

This section derived from the [Acquisition of Land \(Authorisation Procedure\) Act 1946, Sch 1, paras 1, 2, 3\(1\)](#).

Initial Commencement

Specified date

Specified date: 30 January 1982: see s 35(2).

Extent

This section does not extend to Scotland: see s 35(3).

See Further

See further: the High Speed Rail (London—West Midlands) Act 2017, s 49(3).

See further: the [High Speed Rail \(West Midlands—Crewe\) Act 2021, s 45\(3\)](#).

Transfer of Functions

Functions of the Minister, so far as exercisable in relation to Wales, transferred to the National Assembly for Wales, by the National Assembly for Wales (Transfer of Functions) Order 1999, [SI 1999/672, art 2, Sch 1](#).

Subordinate Legislation

Opencast Coal (Compulsory Rights, Drainage and Rights of Way) (Forms) Regulations 1994, [SI 1994/3097](#) (made under sub-s (2)).

Compulsory Purchase of Land (Prescribed Forms) (Ministers) Regulations 2004, [SI 2004/2595](#) (made under sub-s (2)).

Compulsory Purchase of Land (Prescribed Forms) (National Assembly for Wales) Regulations 2004, [SI 2004/2732](#) (made under sub-s (2)).

Document information

Acquisition of Land Act 1981

Date made

30/10/1981

UK Parliament Acts/A/AA-AG/Acquisition of Land Act 1981 (1981 c 67)/Part II Purchases by Local and Other Authorities (ss 10-[15]/11 Notices in newspapers

Notices prior to submission of order to confirming authority

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).]

NOTES

Derivation

This section derived from the [Acquisition of Land \(Authorisation Procedure\) Act 1946, Sch 1, para 3\(1\)\(a\)](#).

Initial Commencement

Specified date

Specified date: 30 January 1982: see s 35(2).

Extent

This section does not extend to Scotland: see s 35(3).

Amendment

Sub-ss (3), (4): inserted by the [Planning and Compulsory Purchase Act 2004, s 100\(1\), \(4\)](#).

Date in force (for the purpose of making, or making provision by means of, subordinate legislation): 6 August 2004: see [SI 2004/2097, art 2](#); for effect see the [Planning and Compulsory Purchase Act 2004, s 100\(8\)](#).

Date in force (for remaining purposes): 31 October 2004: see [SI 2004/2593, art 2\(a\)](#); for effect see the [Planning and Compulsory Purchase Act 2004, s 100\(8\)](#).

See Further

See further: the High Speed Rail (London—West Midlands) Act 2017, s 49(3).
See further: the [High Speed Rail \(West Midlands—Crewe\) Act 2021, s 45\(3\)](#).

Subordinate Legislation

Opencast Coal (Compulsory Rights, Drainage and Rights of Way) (Forms) Regulations 1994, [SI 1994/3097](#) (made under sub-s (1)).

Compulsory Purchase of Land (Prescribed Forms) (Ministers) Regulations 2004, [SI 2004/2595](#) (made under sub-ss (1), (3)).

Compulsory Purchase of Land (Prescribed Forms) (National Assembly for Wales) Regulations 2004, [SI 2004/2732](#) (made under sub-ss (1), (3)).

Document information

Acquisition of Land Act 1981

Date made

30/10/1981

UK Parliament Acts/A/AA-AG/Acquisition of Land Act 1981 (1981 c 67)/Part II Purchases by Local and Other Authorities (ss 10-[15]/12 Notices to owners, lessees and occupiers [, occupiers and others])

12 Notices to owners, lessees and occupiers [, 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, 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, or]
 - [(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 [. . .].

NOTES

Derivation

Sub-ss (1), (3) derived from the [Acquisition of Land \(Authorisation Procedure\) Act 1946, Sch 1, para 3\(1\)\(b\), \(2\), \(3\)](#); sub-s (2) derived from the [Housing Repairs and Rents Act 1954, s 50\(1\)](#).

Initial Commencement

Specified date

Specified date: 30 January 1982: see s 35(2).

Extent

This section does not extend to Scotland: see s 35(3).

Amendment

Section heading: words “and occupiers” in italics repealed and subsequent words in square brackets substituted by the [Environment Act 2021, s 139, Sch 20, paras 1, 2\(1\), \(2\)](#).

Date in force: 30 September 2022: see [SI 2022/48, reg 5\(d\)](#).

Sub-s (1): words “qualifying person” in square brackets substituted by the [Planning and Compulsory Purchase Act 2004, s 100\(1\), \(5\)\(a\)](#).

Date in force (for the purpose of making, or making provision by means of, subordinate legislation): 6 August 2004: see [SI 2004/2097, art 2](#); for effect see the [Planning and Compulsory Purchase Act 2004, s 100\(8\)](#).

Date in force (for remaining purposes): 31 October 2004: see [SI 2004/2593, art 2\(a\)](#); for effect see the [Planning and Compulsory Purchase Act 2004, s 100\(8\)](#).

Sub-ss (2), (2A), (2B): substituted, for sub-s (2) as originally enacted, by the [Planning and Compulsory Purchase Act 2004, s 100\(1\), \(5\)\(b\)](#).

Date in force (for the purpose of making, or making provision by means of, subordinate legislation): 6 August 2004: see [SI 2004/2097, art 2](#); for effect see the [Planning and Compulsory Purchase Act 2004, s 100\(8\)](#).

Date in force (for remaining purposes): 31 October 2004: see [SI 2004/2593, art 2\(a\)](#); for effect see the [Planning and Compulsory Purchase Act 2004, s 100\(8\)](#).

Sub-s (2): in para (a) word “or” in italics repealed by the [Environment Act 2021, s 139, Sch 20, paras 1, 2\(1\), \(3\)\(a\)](#).

Date in force: 30 September 2022: see [SI 2022/48, reg 5\(d\)](#).

Sub-s (2): para (c) and word “, or” immediately preceding it inserted by the [Environment Act 2021, s 139, Sch 20, paras 1, 2\(1\), \(3\)\(b\)](#).

Date in force: 30 September 2022: see [SI 2022/48, reg 5\(d\)](#).

Sub-s (3): words “Diocesan Board of Finance for the diocese in which the land is situated” in square brackets substituted by the [Church of England \(Miscellaneous Provisions\) Measure 2006, s 14, Sch 5, para 24\(1\)\(a\)](#).

Date in force: 1 October 2006: see s 16(2) thereof and the Instrument made by the Archbishops of Canterbury and York dated 11 September 2006.

Sub-s (3): words “of the Church of England” in square brackets in both places they occur inserted by the [Church of England \(Miscellaneous Provisions\) Measure 2006, s 14, Sch 5, para 24\(1\)\(b\)](#).

Date in force: 1 October 2006: see s 16(2) thereof and the Instrument made by the Archbishops of Canterbury and York dated 11 September 2006.

Sub-s (3): words omitted repealed by the [Church of England \(Miscellaneous Provisions\) Measure 2006, s 14, Sch 5, para 24\(1\)\(c\)](#).

Date in force: 1 October 2006: see s 16(2) thereof and the Instrument made by the Archbishops of Canterbury and York dated 11 September 2006.

See Further

See further: the High Speed Rail (London—West Midlands) Act 2017, s 49(3).

See further: the [High Speed Rail \(West Midlands—Crewe\) Act 2021, s 45\(3\)](#).

Subordinate Legislation

Opencast Coal (Compulsory Rights, Drainage and Rights of Way) (Forms) Regulations 1994, [SI 1994/3097](#).

Compulsory Purchase of Land (Prescribed Forms) (Ministers) Regulations 2004, [SI 2004/2595](#) (made under sub-s (1)).

Compulsory Purchase of Land (Prescribed Forms) (National Assembly for Wales) Regulations 2004, [SI 2004/2732](#) (made under sub-s (1)).

Document information

Acquisition of Land Act 1981

Date made

30/10/1981

UK Parliament Acts/A/AA-AG/Acquisition of Land Act 1981 (1981 c 67)/Part II Purchases by Local and Other Authorities (ss 10-[15])/[13 Confirmation of order: no objections]

Confirmation of order

[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.]

NOTES**Derivation**

Sub-ss (1)–(4) as originally enacted derived from the [Acquisition of Land \(Authorisation Procedure\) Act 1946, Sch 1, para 4](#).

Extent

This section does not extend to Scotland: see s 35(3).

Amendment

Substituted, together with ss 13A–13C, for this section as originally enacted, by the [Planning and Compulsory Purchase Act 2004, s 100\(1\), \(6\)](#).

Date in force (for the purpose of making, or making provision by means of, subordinate legislation): 6 August 2004: see [SI 2004/2097, art 2](#); for effect see the [Planning and Compulsory Purchase Act 2004, s 100\(8\)](#).

Date in force (for remaining purposes): 31 October 2004: see [SI 2004/2593, art 2\(a\)](#); for effect see the [Planning and Compulsory Purchase Act 2004, s 100\(8\)](#).

See Further

See further: the High Speed Rail (London—West Midlands) Act 2017, s 49(3).

See further: the [High Speed Rail \(West Midlands—Crewe\) Act 2021, s 45\(3\)](#).

Document information

Acquisition of Land Act 1981

Date made
30/10/1981

UK Parliament Acts/A/AA-AG/Acquisition of Land Act 1981 (1981 c 67)/Part II Purchases by Local and Other Authorities (ss 10-[15]/[13A Confirmation of order: remaining objections]

[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.]

NOTES

Extent

This section does not extend to Scotland: see s 35(3).

Amendment

Substituted, together with ss 13, 13B, 13C, for s 13 as originally enacted, by the [Planning and Compulsory Purchase Act 2004, s 100\(1\), \(6\)](#).

Date in force (for the purpose of making, or making provision by means of, subordinate legislation): 6 August 2004: see [SI 2004/2097, art 2](#); for effect see the [Planning and Compulsory Purchase Act 2004, s 100\(8\)](#).

Date in force (for remaining purposes): 31 October 2004: see [SI 2004/2593, art 2\(a\)](#); for effect see the [Planning and Compulsory Purchase Act 2004, s 100\(8\)](#).

See Further

See further: the High Speed Rail (London—West Midlands) Act 2017, s 49(3).

See further: the [High Speed Rail \(West Midlands—Crewe\) Act 2021, s 45\(3\)](#).

Subordinate Legislation

Compulsory Purchase of Land (Written Representations Procedure) (Ministers) Regulations 2004, [SI 2004/2594](#) (made under sub-ss (2), (6)).

Compulsory Purchase of Land (Written Representations Procedure) (National Assembly for Wales) Regulations 2004, [SI 2004/2730](#) (made under sub-ss (2), (6)).

Compulsory Purchase of Land (Written Representations Procedure) (Ministers) (Miscellaneous Amendments and Electronic Communications) Regulations 2018, [SI 2018/253](#) (made under sub-ss (2), (6)).

Document information

Acquisition of Land Act 1981

Date made

30/10/1981

UK Parliament Acts/A/AA-AG/Acquisition of Land Act 1981 (1981 c 67)/Part II Purchases by Local and Other Authorities (ss 10-[15])/[13B Written representations procedure: supplementary]

[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.]

NOTES

Extent

This section does not extend to Scotland: see s 35(3).

Amendment

Substituted, together with ss 13, 13A, 13C, for s 13 as originally enacted, by the [Planning and Compulsory Purchase Act 2004, s 100\(1\), \(6\)](#).

Date in force (for the purpose of making, or making provision by means of, subordinate legislation): 6 August 2004: see [SI 2004/2097, art 2](#); for effect see the [Planning and Compulsory Purchase Act 2004, s 100\(8\)](#).

Date in force (for remaining purposes): 31 October 2004: see [SI 2004/2593, art 2\(a\)](#); for effect see the [Planning and Compulsory Purchase Act 2004, s 100\(8\)](#).

See Further

See further: the High Speed Rail (London—West Midlands) Act 2017, s 49(3).

See further: the [High Speed Rail \(West Midlands—Crewe\) Act 2021, s 45\(3\)](#).

Subordinate Legislation

Compulsory Purchase of Land (Written Representations Procedure) (Ministers) Regulations 2004, [SI 2004/2594](#) (made under sub-s (7)).

Compulsory Purchase of Land (Written Representations Procedure) (National Assembly for Wales) Regulations 2004, [SI 2004/2730](#) (made under sub-s (7)).

Compulsory Purchase of Land (Written Representations Procedure) (Ministers) (Miscellaneous Amendments and Electronic Communications) Regulations 2018, [SI 2018/253](#) (made under sub-s (7)).

Document information

Acquisition of Land Act 1981

Date made

30/10/1981

UK Parliament Acts/A/AA-AG/Acquisition of Land Act 1981 (1981 c 67)/Part II Purchases by Local and Other Authorities (ss 10-[15])/[13C Confirmation in stages]

[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.]

NOTES**Extent**

This section does not extend to Scotland: see s 35(3).

Amendment

Substituted, together with ss 13, 13A, 13B, for s 13 as originally enacted, by the [Planning and Compulsory Purchase Act 2004, s 100\(1\), \(6\)](#).

Date in force (for the purpose of making, or making provision by means of, subordinate legislation): 6 August 2004: see [SI 2004/2097, art 2](#); for effect see the [Planning and Compulsory Purchase Act 2004, s 100\(8\)](#).

Date in force (for remaining purposes): 31 October 2004: see [SI 2004/2593, art 2\(a\)](#); for effect see the [Planning and Compulsory Purchase Act 2004, s 100\(8\)](#).

See Further

See further: the High Speed Rail (London—West Midlands) Act 2017, s 49(3).

See further: the [High Speed Rail \(West Midlands—Crewe\) Act 2021, s 45\(3\)](#).

Document information

Acquisition of Land Act 1981

Date made

30/10/1981

UK Parliament Acts/A/AA-AG/Acquisition of Land Act 1981 (1981 c 67)/Part II Purchases by Local and Other Authorities (ss 10-[15]/14 Land not originally included in order

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.

NOTES**Derivation**

This section derived from the [Acquisition of Land \(Authorisation Procedure\) Act 1946, Sch 1, para 5](#).

Initial Commencement***Specified date***

Specified date: 30 January 1982: see s 35(2).

Extent

This section does not extend to Scotland: see s 35(3).

See Further

See further: the High Speed Rail (London—West Midlands) Act 2017, s 49(3).

See further: the [High Speed Rail \(West Midlands—Crewe\) Act 2021, s 45\(3\)](#).

Document information

Acquisition of Land Act 1981

Date made

30/10/1981

UK Parliament Acts/A/AA-AG/Acquisition of Land Act 1981 (1981 c 67)/Part II Purchases by Local and Other Authorities (ss 10-[15]/[14A Confirmation by acquiring authority])

[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.]

NOTES**Amendment**

Inserted by the [Planning and Compulsory Purchase Act 2004, s 102\(1\), \(2\)](#).

Date in force: 31 October 2004: see [SI 2004/2593, art 2\(a\)](#); for effect see the [Planning and Compulsory Purchase Act 2004, s 102\(3\)](#).

See Further

See further: the High Speed Rail (London—West Midlands) Act 2017, s 49(3).

See further: the [High Speed Rail \(West Midlands—Crewe\) Act 2021, s 45\(3\)](#).

Document information

Acquisition of Land Act 1981

Date made
30/10/1981

UK Parliament Acts/A/AA-AG/Acquisition of Land Act 1981 (1981 c 67)/Part II Purchases by Local and Other Authorities (ss 10-[15])/[14B Timetables for confirmation of CPOs except by Welsh Ministers]

[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.]

NOTES

Extent

This section does not extend to Scotland: see s 35(3).

Amendment

Inserted by the [Housing and Planning Act 2016, s 180](#).

Date in force: 6 April 2018: see [SI 2018/251, reg 4\(a\)](#); for transitional provisions see reg 5.

See Further

See further: the High Speed Rail (London—West Midlands) Act 2017, s 49(3).

See further: the [High Speed Rail \(West Midlands—Crewe\) Act 2021, s 45\(3\)](#).

Document information

Acquisition of Land Act 1981

Date made

30/10/1981

UK Parliament Acts/A/AA-AG/Acquisition of Land Act 1981 (1981 c 67)/Part II Purchases by Local and Other Authorities (ss 10-[15])/[14C Timetables for confirmation of CPOs by Welsh Ministers]

[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.]

NOTES

Extent

This section does not extend to Scotland: see s 35(3).

Amendment

Inserted by the [Housing and Planning Act 2016, s 180](#).

Date in force: 6 April 2018: see [SI 2018/251, reg 4\(a\)](#); for transitional provisions see reg 5.

See Further

See further: the High Speed Rail (London—West Midlands) Act 2017, s 49(3).

See further, in relation to the renaming of the National Assembly for Wales as the Senedd Cymru or the Welsh Parliament: the [Government of Wales Act 2006, s 150A](#) (as amended by the Senedd and Elections (Wales) Act 2020, s 9, Sch 1, para 2(1), (7)).

See further: the [High Speed Rail \(West Midlands—Crewe\) Act 2021, s 45\(3\)](#).

Document information

Acquisition of Land Act 1981

Date made

30/10/1981

UK Parliament Acts/A/AA-AG/Acquisition of Land Act 1981 (1981 c 67)/Part II Purchases by Local and Other Authorities (ss 10-[15]/[14D Power to appoint inspector]

[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.]

NOTES**Extent**

This section does not extend to Scotland: see s 35(3).

Amendment

Inserted by the [Housing and Planning Act 2016, s 181\(1\), \(2\)](#).

Date in force (for certain purposes): 6 April 2018: see [SI 2018/251, reg 4\(b\)](#); for transitional provisions see reg 5.

Date in force (for remaining purposes): 6 April 2019: see [SI 2019/427, reg 3](#); for transitional provisions see reg 4.

See Further

See further: the High Speed Rail (London—West Midlands) Act 2017, s 49(3).

See further: the [High Speed Rail \(West Midlands—Crewe\) Act 2021, s 45\(3\)](#).

Document information

Acquisition of Land Act 1981

Date made

30/10/1981

UK Parliament Acts/A/AA-AG/Acquisition of Land Act 1981 (1981 c 67)/Part II Purchases by Local and Other Authorities (ss 10-[15]/[15 Notices after confirmation of order]

[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.]
- (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;
 - [(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].
- (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.]

NOTES

Derivation

This section as originally enacted derived from the [Acquisition of Land \(Authorisation Procedure\) Act 1946, Sch 1, para 6](#).

Extent

This section does not extend to Scotland: see s 35(3).

Amendment

Substituted by the [Planning and Compulsory Purchase Act 2004, s 100\(1\), \(7\)](#).

Date in force (for the purpose of making, or making provision by means of, subordinate legislation): 6 August 2004: see [SI 2004/2097, art 2](#); for effect see the [Planning and Compulsory Purchase Act 2004, s 100\(8\)](#).

Date in force (for remaining purposes): 31 October 2004: see [SI 2004/2593, art 2\(a\)](#); for effect see the [Planning and Compulsory Purchase Act 2004, s 100\(8\)](#).

Sub-ss (3A), (3B): inserted by the [Neighbourhood Planning Act 2017, s 34\(1\)](#); for effect see s 34(2).

Date in force: 22 September 2017: see [SI 2017/936, reg 3\(d\)](#).

Sub-s (4): paras (e), (f) inserted by the [Housing and Planning Act 2016, s 183, Sch 15, paras 1, 2\(1\), \(2\)](#).

Date in force (for certain purposes): 1 October 2016: see [SI 2016/956, reg 2\(b\)\(i\)](#).

Date in force (for certain purposes): 3 February 2017: see [SI 2017/75, reg 3\(i\)](#); for transitional provisions see reg 5(1), (2)(c), (3).

Date in force (for remaining purposes): 6 April 2017: see [SI 2017/281, reg 4\(j\)](#); for transitional provisions see reg 8.

Sub-s (6): inserted by the [Housing and Planning Act 2016, s 183, Sch 15, paras 1, 2\(1\), \(3\)](#).

Date in force (for certain purposes): 3 February 2017: see [SI 2017/75, reg 3\(i\)](#); for transitional provisions see reg 5(1), (2)(c), (3).

Date in force (for remaining purposes): 6 April 2017: see [SI 2017/281, reg 4\(j\)](#); for transitional provisions see reg 8.

See Further

See further: the High Speed Rail (London—West Midlands) Act 2017, s 49(3).

See further: the [High Speed Rail \(West Midlands—Crewe\) Act 2021, s 45\(3\)](#).

Subordinate Legislation

Opencast Coal (Compulsory Rights, Drainage and Rights of Way) (Forms) Regulations 1994, [SI 1994/3097](#).

Compulsory Purchase of Land (Prescribed Forms) (Ministers) Regulations 2004, [SI 2004/2595](#) (made under sub-s (5)).

Compulsory Purchase of Land (Prescribed Forms) (National Assembly for Wales) Regulations 2004, [SI 2004/2732](#) (made under sub-s (5)).

Compulsory Purchase of Land (Prescribed Forms) (Ministers) (Amendment) Regulations 2017, [SI 2017/2](#) (made under sub-ss (4)(e), (f), (5)).

Compulsory Purchase of Land (Prescribed Forms) (National Assembly for Wales) (Amendment) Regulations 2017, [SI 2017/357](#).

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Date made

30/10/1981