

Status:  Law In Force**Acquisition of Land Act 1981 c. 67****Part II PURCHASES BY LOCAL AND OTHER AUTHORITIES**This version in force from: **January 30, 1982 to present**

(version 1 of 1)

**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.

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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)

**Modifications**

Whole Document	Modified in relation to the transfer of functions to the National Assembly of Wales by <a href="#">National Assembly for Wales (Transfer of Functions) Order 1999/672, Sch. 1 para. 1</a>
Pt II	Modified in relation to its application to compulsory rights orders 1958 c.69 s.4 by <a href="#">Acquisition of Land Act 1981 c. 67, Pt V s. 29(2)</a>
	Modified by <a href="#">Midland Metro (Wednesbury to Brierley Hill and Miscellaneous Amendments) Order 2005/927, Pt 5 art. 50(2)</a>
	Modified by <a href="#">Railtrack (Luton Parkway Station: Land Acquisition) Order 1999/1555, art. 9(1)</a>
	Modified by <a href="#">Railtrack (Luton Parkway Station: Land Acquisition) Order 1999/1555, art. 9(2)</a>

**Subject:** Local government **Other related subjects:** Planning; Real property

**Keywords:** Compulsory purchase orders; Local authorities

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Status:  Law In Force

## Acquisition of Land Act 1981 c. 67

### Part II PURCHASES BY LOCAL AND OTHER AUTHORITIES

#### Notices prior to submission of order to confirming authority

This version in force from: **August 6, 2004** to **present**

(version 2 of 2)

#### 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).

] <sup>1</sup>

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#### Notes

<sup>1</sup>. 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)

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Whole Document	Modified in relation to the transfer of functions to the National Assembly of Wales by <a href="#">National Assembly for Wales (Transfer of Functions) Order 1999/672, Sch. 1 para. 1</a>
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	Modified by <a href="#">Railtrack (Luton Parkway Station: Land Acquisition) Order 1999/1555, art. 9(1)</a>
	Modified by <a href="#">Railtrack (Luton Parkway Station: Land Acquisition) Order 1999/1555, art. 9(2)</a>

**Subject:** Local government **Other related subjects:** Planning; Real property

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Status:  Law In Force

## Acquisition of Land Act 1981 c. 67

### Part II PURCHASES BY LOCAL AND OTHER AUTHORITIES

#### Notices prior to submission of order to confirming authority

This version in force from: **October 1, 2006 to present**

(version 4 of 4)

#### 12.— Notices to owners, lessees and occupiers.

(1) The acquiring authority shall serve on every [qualifying person]<sup>1</sup> 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).

(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).

]<sup>2</sup>

(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]<sup>3</sup>.

In this subsection "*ecclesiastical property*" means land belonging to any ecclesiastical

benefice [ of the Church of England] <sup>4</sup> , or being or forming part of a church subject to the jurisdiction of the bishop of any diocese [ of the Church of England] <sup>4</sup> or the site of such a church, or being or forming part of a burial ground subject to such jurisdiction [...]<sup>5</sup> .

## Notes

1. 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)
2. 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)
3. 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)
4. 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)
5. 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)

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Pt II s. 12	Modified in relation to its application to compulsory rights orders 1958 c.69 s.4 by <a href="#">Acquisition of Land Act 1981 c. 67, Pt V s. 29(4)</a>
	Modified in relation to the compulsory purchase of land under 1993 c.35 s.42(5) by <a href="#">Education Act 1993 c. 35, Pt II c. III s. 42(6)</a>
	Modified by <a href="#">Education Act 1996 c. 56, Pt III c. III s. 205(6)</a>
	Modified in relation to the compulsory purchase of land under 1992 c.13 s.40(5) by <a href="#">Further and Higher Education Act 1992 c. 13, Pt I c. II s. 40(6)</a>
Pt II s. 12(2)	Modified in relation to the service of a notice under 1958 c.69 s.16 as respects any land in England and Wales by <a href="#">Opencast Coal Act 1958 c. 69, Pt I s. 16</a>
Pt II s. 12(3)	Modified in relation to the service of a notice under 1958 c.69 s.16 as respects any land in England and Wales by <a href="#">Opencast Coal Act 1958 c. 69, Pt I s. 16</a>

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## Acquisition of Land Act 1981 c. 67

### Part II PURCHASES BY LOCAL AND OTHER AUTHORITIES

#### Confirmation of order

This version in force from: **August 6, 2004** to **present**

(version 2 of 2)

[

#### 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.

] <sup>1</sup>

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#### 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)

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	Modified by <a href="#">Railtrack (Luton Parkway Station: Land Acquisition) Order 1999/1555, art. 9(2)</a>
Pt II s. 13	Modified in relation to its application to compulsory rights orders 1958 c.69 s.4 by <a href="#">Acquisition of Land Act 1981 c. 67, Pt V s. 29</a>
	Modified in relation to its application to compulsory rights orders 1958 c.69 s.4 by <a href="#">Acquisition of Land Act 1981 c. 67, Pt V s. 29(5)</a>
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	Modified by <a href="#">Education Act 1996 c. 56, Pt III c. III s. 205(6)</a>
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**Subject:** Local government **Other related subjects:** Planning; Real property

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## Acquisition of Land Act 1981 c. 67

### Part II PURCHASES BY LOCAL AND OTHER AUTHORITIES

#### Confirmation of order

This version in force from: **August 6, 2004** to **present**

(version 1 of 1)

[

#### **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](#).

] <sup>1</sup>

## Notes

- <sup>1</sup>. 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)

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**Subject:** Local government **Other related subjects:** Planning; Real property

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## Acquisition of Land Act 1981 c. 67

### Part II PURCHASES BY LOCAL AND OTHER AUTHORITIES

#### Confirmation of order

This version in force from: **August 6, 2004** to **present**

(version 1 of 1)

[

#### **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.

] <sup>1</sup>

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## Notes

- <sup>1.</sup> 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)

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**Subject:** Planning

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## Acquisition of Land Act 1981 c. 67

### Part II PURCHASES BY LOCAL AND OTHER AUTHORITIES

#### Confirmation of order

This version in force from: **August 6, 2004** to **present**

(version 1 of 1)

[

#### 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](#).

] <sup>1</sup>

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## 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)

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**Subject:** Local government **Other related subjects:** Planning; Real property

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## Acquisition of Land Act 1981 c. 67

### Part II PURCHASES BY LOCAL AND OTHER AUTHORITIES

#### Confirmation of order

This version in force from: **September 22, 2017** to **present**

(version 5 of 5)

[

#### 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.



] <sup>2</sup>

(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](#) [;] <sup>3</sup>

[

(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.

] <sup>3</sup>

(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.

] <sup>4</sup>] <sup>1</sup>


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## 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)

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	Modified by <a href="#">Railtrack (Luton Parkway Station: Land Acquisition) Order 1999/1555, art. 9(1)</a>
	Modified by <a href="#">Railtrack (Luton Parkway Station: Land Acquisition) Order 1999/1555, art. 9(2)</a>

**Subject:** Local government **Other related subjects:** Planning; Real property

**Keywords:** Compulsory purchase orders; Confirmation; Notices

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## Annotation

### Section 15

#### Key Legal Concepts:

[Writing](#).

#### Amendment Note:

This section is amended by the [Neighbourhood Planning Act 2017 s.34](#); for information on the background to the amendment (including Explanatory Notes and Ministerial Statements) see the annotations to that section.

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