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## SCHEDULES

### [<sup>F1</sup>SCHEDULE 2A

#### COUNTER-NOTICE REQUIRING PURCHASE OF LAND NOT IN NOTICE TO TREAT

##### Textual Amendments

- F1** Sch. 2A inserted (3.2.2017) by [Housing and Planning Act 2016 \(c. 22\)](#), s. 216(3), **Sch. 17 para. 3**; [S.I. 2017/75](#), reg. 3(g) (with reg. 5)

##### Modifications etc. (not altering text)

- C1** Sch. 2A excluded by [High Speed Rail \(London - West Midlands\) Act 2017 \(c. 7\)](#), **ss. 7(2)**, 8(2) (as amended (24.2.2017) by [High Speed Rail \(London - West Midlands\) Act 2017 \(c. 7\)](#), s. 70(2), **Sch. 14 para. 3**; [S.I. 2017/209](#), reg. 2)
- C1** Sch. 2A modified (8.8.2017) by [The Wrexham Gas Fired Generating Station Order 2017 \(S.I. 2017/766\)](#), arts. 1, 23(4), **Sch. 7 para. 9**
- C1** Sch. 2A excluded (19.12.2017) by [The Network Rail \(Buxton Sidings Extension\) Order 2017 \(S.I. 2017/1150\)](#), arts. 1, **22(3)** (with arts. 22(4), 32(2))
- C1** Sch. 2A excluded (22.12.2017) by [The M20 Junction 10a Development Consent Order 2017 \(S.I. 2017/1202\)](#), arts. 1, **29(3)(a)** (with arts. 4, 29(4), 37)
- C1** Sch. 2A excluded (4.1.2018) by [The Blackpool Tramway \(Blackpool North Extension\) Order 2017 \(S.I. 2017/1214\)](#), arts. 1, **30(3)(a)** (with arts. 30(4), 58, 59)
- C1** Sch. 2A excluded (18.4.2018) by [The Network Rail \(Hope Valley Capacity\) Order 2018 \(S.I. 2018/446\)](#), arts. 1, **21(4)(a)** (with arts. 24(8), 33(2))
- C1** Sch. 2A excluded (31.5.2018) by [The Silvertown Tunnel Order 2018 \(S.I. 2018/574\)](#), arts. 1(2), **27(4)(a)** (with art. 27(5))
- C1** Sch. 2A excluded (24.8.2018) by [The Network Rail \(Werrington Grade Separation\) Order 2018 \(S.I. 2018/923\)](#), arts. 1, **22(3)(a)** (with arts. 22(4), 31(2))
- C1** Sch. 2A excluded (3.10.2018) by [The A19/A184 Testo's Junction Alteration Development Consent Order 2018 \(S.I. 2018/994\)](#), arts. 1, **27** (with arts. 3(3), 5)
- C1** Sch. 2A excluded (13.3.2019) by [The Port of Tilbury \(Expansion\) Order 2019 \(S.I. 2019/359\)](#), arts. 1, **26(3)(a)(4)** (with arts. 55, 56)
- C1** Sch. 2A excluded (3.4.2019) by [The Millbrook Gas Fired Generating Station Order 2019 \(S.I. 2019/578\)](#), arts. 1, **24(3)(a)** (with art. 24(4))
- C1** Sch. 2A excluded (10.10.2019) by [The Abergelli Power Gas Fired Generating Station Order 2019 \(S.I. 2019/1268\)](#), arts. 1, **25(3)(a)** (with art. 25(4))
- C1** Sch. 2A excluded (25.10.2019) by [The Drax Power \(Generating Stations\) Order 2019 \(S.I. 2019/1315\)](#), **arts. 1, 25(3)(a)** (with art. 25(4))
- C1** Sch. 2A excluded (27.2.2020) by [The A30 Chiverton to Carland Cross Development Consent Order 2020 \(S.I. 2020/121\)](#), arts. 1, **31(3)(a)** (with arts. 3(1), 31(4))
- C1** Sch. 2A excluded (14.4.2020) by [The Reinforcement to the North Shropshire Electricity Distribution Network Order 2020 \(S.I. 2020/325\)](#), arts. 1, **23(3)(a)** (with arts. 7, 23(4))
- C1** Sch. 2A excluded (30.4.2020) by [The A585 Windy Harbour to Skippool Highway Development Consent Order 2020 \(S.I. 2020/402\)](#), arts. 1, **27(3)(a)** (with arts. 5, 27(4), 44)
- C1** Sch. 2A excluded (1.5.2020) by [The Riverside Energy Park Order 2020 \(S.I. 2020/419\)](#), arts. 1, **25(3)(a)** (with arts. 7, 25(4))

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- C1 Sch. 2A excluded (21.5.2020) by The Lake Lothing (Lowestoft) Third Crossing Order 2020 (S.I. 2020/474), arts. 1, **27(4)(a)** (with arts. 51, 57)
- C1 Sch. 2A excluded (11.6.2020) by The M42 Junction 6 Development Consent Order 2020 (S.I. 2020/528), arts. 1, **31(3)(a)** (with arts. 31(4), 37)
- C1 Sch. 2A excluded (18.6.2020) by The A63 (Castle Street Improvement, Hull) Development Consent Order 2020 (S.I. 2020/556), arts. 1, **27(3)(a)** (with arts. 5, 27(4), 44)
- C1 Sch. 2A excluded (19.6.2020) by The Cleve Hill Solar Park Order 2020 (S.I. 2020/547), arts. 1, **21(3)(a)** (with arts. 21(4), 37)
- C1 Sch. 2A modified (22.7.2020) by The Norfolk Vanguard Offshore Wind Farm Order 2020 (S.I. 2020/706), art. 1, **Sch. 7 para. 5** (with arts. 41, 42, Sch. 16 para. 66)
- C1 Sch. 2A excluded (6.8.2020) by The A19 Downhill Lane Junction Development Consent Order 2020 (S.I. 2020/746), arts. 1, **27(3)(a)** (with arts. 5, 27(4))
- C1 Sch. 2A excluded (1.9.2020) by The Immingham Open Cycle Gas Turbine Order 2020 (S.I. 2020/847), arts. 1, **24(3)(a)** (with art. 24(4), Sch. 9 para. 144)
- C1 Sch. 2A excluded (15.10.2020) by The Great Yarmouth Third River Crossing Development Consent Order 2020 (S.I. 2020/1075), arts. 1, **33(4)(a)** (with art. 33(5))
- C1 Sch. 2A excluded (29.10.2020) by The Southampton to London Pipeline Development Consent Order 2020 (S.I. 2020/1099), arts. 1, **28(3)(a)** (with arts. 28(4), 32, Sch. 9 para. 36)
- C1 Sch. 2A excluded (22.1.2021) by The Hornsea Three Offshore Wind Farm Order 2020 (S.I. 2020/1656), arts. 1, **23(3)** (with arts. 23(4), 40, 41, Sch. 9 Pt. 5 para. 18)
- C1 Sch. 2A applied (9.2.2021) by The A1 Birtley to Coal House Development Consent Order 2021 (S.I. 2021/74), arts. 1, **26(4)** (with art. 5, Sch. 27 para. 36)
- C1 Sch. 2A excluded (9.2.2021) by The A1 Birtley to Coal House Development Consent Order 2021 (S.I. 2021/74), arts. 1, **30(3)(a)** (with arts. 5, 30(4), Sch. 27 para. 36)
- C1 Sch. 2A excluded (11.2.2021) by High Speed Rail (West Midlands - Crewe) Act 2021 (c. 2), **ss. 6(2)(a), 7(2)(a), 64(1)** (with s. 7(3))
- C1 Sch. 2A excluded (19.2.2021) by The A303 Sparkford to Ilchester Dualling Development Consent Order 2021 (S.I. 2021/125), arts. 1, **31(3)(a)** (with arts. 4, 31(4), 47)
- C1 Sch. 2A excluded (22.12.2021) by The Morlais Demonstration Zone Order 2021 (S.I. 2021/1478), arts. 1, **26(3)(a)** (with arts. 15, 50, Sch. 11 para. 29)
- C1 Sch. 2A excluded (1.1.2022) by The Norfolk Boreas Offshore Wind Farm Order 2021 (S.I. 2021/1414), arts. 1, **24(3)(a)** (with arts. 41, 42, Sch. 17 para. 66)
- C1 Sch. 2A excluded (5.3.2022) by The Norfolk Vanguard Offshore Wind Farm Order 2022 (S.I. 2022/138), arts. 1, **24(3)(a)** (with arts. 24(4), 41, 42, Sch. 16)
- C1 Sch. 2A excluded (10.3.2022) by The Thurrock Flexible Generation Plant Development Consent Order 2022 (S.I. 2022/157), arts. 1, **25(a)** (with Sch. 8 Pt. 6 para. 19)
- C1 Sch. 2A excluded (25.3.2022) by The Bridgwater Tidal Barrier Order 2022 (S.I. 2022/299), arts. 1, **35** (with art. 55)
- C1 Sch. 2A excluded (22.4.2022) by The East Anglia TWO Offshore Wind Farm Order 2022 (S.I. 2022/433), arts. 1(2), **24(3)(a)** (with arts. 24(4), 40, 41)
- C1 Sch. 2A excluded (22.4.2022) by The East Anglia ONE North Offshore Wind Farm Order 2022 (S.I. 2022/432), arts. 1(2), **24(3)(a)** (with arts. 24(4), 40, 41)
- C1 Sch. 2A excluded (12.5.2022) by The M54 to M6 Link Road Development Consent Order 2022 (S.I. 2022/475), arts. 1, **27(3)(a)** (with art. 27(4))
- C1 Sch. 2A excluded (2.6.2022) by The M25 Junction 10/A3 Wisley Interchange Development Consent Order 2022 (S.I. 2022/549), arts. 1, **30(3)(a)** (with arts. 6, 30(4), 34)
- C1 Sch. 2A excluded (6.6.2022) by The M25 Junction 28 Development Consent Order 2022 (S.I. 2022/573), arts. 1, **32(3)(a)** (with arts. 5, 32(4), 36)
- C1 Sch. 2A excluded (13.7.2022) by The A47 Blofield to North Burlingham Development Consent Order 2022 (S.I. 2022/738), arts. 1, **32(3)(a)** (with arts. 4, 32(4), 50)
- C1 Sch. 2A excluded (11.8.2022) by The Sizewell C (Nuclear Generating Station) Order 2022 (S.I. 2022/853), arts. 1, **35** (with arts. 35(4), 62, 76, 87, Sch. 19 paras. 4, 78)

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- C1 Sch. 2A excluded (2.9.2022) by The A47 North Tuddenham to Easton Development Consent Order 2022 (S.I. 2022/911), arts. 1, **31(3)(a)** (with arts. 4, 31(4), 53)
- C1 Sch. 2A excluded (8.9.2022) by The A428 Black Cat to Caxton Gibbet Development Consent Order 2022 (S.I. 2022/934), arts. 1, **35(3)** (with arts. 23, 53, Sch. 9 para. 65)
- C1 Sch. 2A excluded (3.11.2022) by The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order 2022 (S.I. 2022/1067), arts. 1, **30-32** (with art. 46(2), Sch. 19 para. 61)
- C1 Sch. 2A excluded (4.11.2022) by The A47/A11 Thickthorn Junction Development Consent Order 2022 (S.I. 2022/1070), arts. 1, **32(3)** (with arts. 4, 52, Sch. 9 para. 82)
- C1 Sch. 2A excluded (5.12.2022) by The Portishead Branch Line (MetroWest Phase 1) Order 2022 (S.I. 2022/1194), arts. 1, **31(3)(a)** (with arts. 31(4), 51)
- C1 Sch. 2A excluded (7.12.2022) by The A57 Link Roads Development Consent Order 2022 (S.I. 2022/1206), arts. 1, **29(3)(a)** (with arts. 5, 29(4))
- C1 Sch. 2A excluded (7.12.2022) by The A417 Missing Link Development Consent Order 2022 (S.I. 2022/1248), arts. 1, **32(3)** (with arts. 4, 32(4))
- C1 Sch. 2A excluded (29.12.2022) by The Keadby 3 (Carbon Capture Equipped Gas Fired Generating Station) Order 2022 (S.I. 2022/1396), arts. 1, **24(3)(a)** (with arts. 24(4), 32, Sch. 10 paras. 26(2), 68)
- C1 Sch. 2A excluded (10.3.2023) by The A47 Wansford to Sutton Development Consent Order 2023 (S.I. 2023/218), arts. 1, **32(3)** (with arts. 4, 50)
- C1 Sch. 2A excluded (18.7.2023) by The Longfield Solar Farm Order 2023 (S.I. 2023/734), arts. 1, **23(3)** (with art. 23(4))
- C1 Sch. 2A excluded (27.7.2023) by The Boston Alternative Energy Facility Order 2023 (S.I. 2023/778), arts. 1, **32(3)(a)** (with arts. 5, 32(4), 53, Sch. 8 paras. 6, 64)
- C1 Sch. 2A excluded (3.8.2023) by The Hornsea Four Offshore Wind Farm Order 2023 (S.I. 2023/800), arts. 1, **25(3)** (with arts. 25(4), 42, 43, Sch. 9 Pt. 1 para. 4, Sch. 9 Pt. 3 para. 6(1), Sch. 9 Pt. 4 para. 20, Sch. 9 Pt. 9 para. 4)
- C1 Sch. 2A excluded (4.8.2023) by The A303 (Amesbury to Berwick Down) Development Consent Order 2023 (S.I. 2023/834), arts. 1, **27(4)** (with arts. 6(2), 18, 27(5), Sch. 11 paras. 5, 30)
- C1 Sch. 2A excluded (7.9.2023) by The A38 Derby Junctions Development Consent Order 2023 (S.I. 2023/923), arts. 1, **31(3)** (with arts. 4, 31(4), 45, Sch. 9 paras. 6, 46, 54(1))
- C1 Sch. 2A excluded (11.10.2023) by The Awel y Môr Offshore Wind Farm Order 2023 (S.I. 2023/1033), arts. 1, **24**
- C1 Sch. 2A excluded (7.2.2024) by The Drax Power Station Bioenergy with Carbon Capture and Storage Extension Order 2024 (S.I. 2024/70), arts. 1, **22(3)** (with arts. 22(4), 43, Sch. 12 paras. 5, 24)
- C1 Sch. 2A excluded (9.2.2024) by The A12 Chelmsford to A120 Widening Development Consent Order 2024 (S.I. 2024/60), arts. 1, **38(3)** (with arts. 4, 38(4), 52, Sch. 11 paras. 6, 24, 39(1), 55(1), 84)
- C1 Sch. 2A excluded (11.3.2024) by The Net Zero Teesside Order 2024 (S.I. 2024/174), arts. 1, **28(3)** (with arts. 28(4), 42, 43, Sch. 12)
- C1 Sch. 2A excluded (13.3.2024) by The Medworth Energy from Waste Combined Heat and Power Facility Order 2024 (S.I. 2024/230), arts. 1, **26(3)** (with art. 26(4), Sch. 11)
- C1 Sch. 2A excluded (28.3.2024) by The A66 Northern Trans-Pennine Development Consent Order 2024 (S.I. 2024/360), arts. 1, **27(3)** (with arts. 18, 27(4), 35, Sch. 9)

### PART 3

#### DETERMINATION BY THE UPPER TRIBUNAL

##### *Effect of determination that more land should be acquired*

- 28 (1) This paragraph applies where the Upper Tribunal determines that the acquiring authority ought to be required to take the whole or part of the additional land.

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- (2) The compulsory purchase order has effect as if it included the owner's interest in the additional land.
- (3) If the acquiring authority have already served a notice to treat in relation to the land proposed to be acquired, the notice has effect as if it also included the owner's interest in the additional land.
- (4) If the acquiring authority have not served a notice to treat, they must serve a notice to treat in relation to the owner's interest in the land proposed to be acquired and the additional land.
- (5) If the acquiring authority have already entered on and taken possession of the land proposed to be acquired, the power to award compensation under section 7 includes power to award compensation for any loss suffered by the owner by reason of the temporary severance of the land from the additional land.
- (6) Where the Upper Tribunal determines that the acquiring authority ought to be required to take part only of the additional land, a reference in sub-paragraph (2) to (5) to “the additional land” is to that part.]

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Act applied (with modifications) by [S.I. 2024/393 Sch. 10 para. 13-9](#)