
Changes to legislation: Acquisition of Land Act 1981, Paragraph 4A is up to date with all changes known to be in force on or before 28 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 1

PURCHASES BY MINISTERS

Modifications etc. (not altering text)

- C1** Sch. 1 restricted by 1975 c. 70, Sch. 4 para. 1(2)(a) (as substituted (1.4.2006) by [The Welsh Development Agency \(Transfer of Functions to the National Assembly for Wales and Abolition\) Order 2005 \(S.I. 2005/3226\)](#), arts. 1(2), 7, **Sch. 1 para. 33(1)** (with art. 3(1)))

Making of order

- ^{F1}4A (1) This paragraph applies to the making of a compulsory purchase order if a relevant objection is made which is neither—
- (a) withdrawn, nor
 - (b) disregarded,
- (a remaining objection).
- [The appropriate authority must cause a public local inquiry to be held if—
- ^{F2}(1A) (a) the order is subject to special parliamentary procedure, or
- (b) in the case of an order to which section 16 applies, a certificate has been given under subsection (2) of that section.
- (1B) If sub-paragraph (1A) does not apply, the appropriate authority must either—
- (a) cause a public local inquiry to be held, or
 - (b) proceed under the representations procedure.
- (1C) In deciding between those options, the appropriate authority must have regard to the scale and complexity of what is proposed by the draft order.
- (1D) The representations procedure is a procedure to be prescribed.
- (1E) The regulations prescribing the procedure must include provision—
- (a) enabling each person who has made a remaining objection to make representations—
 - (i) in writing to the appropriate authority, or
 - (ii) if the person so requests, at a hearing, and
 - (b) enabling the Minister, and any other person the appropriate authority thinks appropriate, to make representations—
 - (i) in writing to the appropriate authority, or
 - (ii) if applicable, at a hearing held as mentioned in paragraph (a)(ii).
- (1F) The regulations may provide for hearings to be held by the appropriate authority or by a person appointed by the appropriate authority.

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- (1G) In sub-paragraph (1E), “representations” means representations as to whether the order should be made.
- (1H) Before the Minister makes the order, the appropriate authority must consider—
- (a) each remaining objection;
 - (b) if a public local inquiry was held, the report of the person who held it;
 - (c) if the representations procedure was followed and the appropriate authority held a hearing, the representations made at the hearing;
 - (d) if the representations procedure was followed and a person appointed by the appropriate authority held a hearing, the report of that person;
 - (e) if the representations procedure was followed and written representations were made, those representations.
- (1I) The Minister may make the order with or without modifications.
- (1J) Regulations under sub-paragraph (1D) may include provision as to the giving of reasons for decisions taken by the appropriate authority in cases where the representations procedure is followed.]
- (9) Expressions used in this paragraph and in paragraph 4 must be construed in accordance with paragraph 4.]

Textual Amendments

- F1** Sch. 1 paras. 4-4B substituted for Sch. 1 para. 4 (6.8.2004 for specified purposes, 31.10.2004 in so far as not already in force) by [Planning and Compulsory Purchase Act 2004 \(c. 5\)](#), [s. 101\(4\)](#) (with [s. 101\(6\)](#)); [S.I. 2004/2097](#), art. 2; [S.I. 2004/2593](#), art. 2(a)
- F2** Sch. 1 para. 4A(1A)-(1J) substituted for Sch. 1 para. 4A(2)-(8) (31.3.2024 for specified purposes) by [Levelling-up and Regeneration Act 2023 \(c. 55\)](#), [s. 255\(7\)](#), [Sch. 19 para. 2\(2\)](#) (with [s. 247](#)); [S.I. 2024/389](#), reg. 2(t)

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

- Act applied by [2023 asc 3 s. 43\(2\)](#)
- Act applied by [2023 asc 3 s. 50\(13\)](#)
- Act applied by [2023 asc 3 s. 137\(6\)](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 7(4) inserted by [2023 c. 55 Sch. 18 para. 3\(2\)\(b\)](#)
- s. 26(1A)-(3) substituted for s. 26(1)(2) by [2023 c. 55 Sch. 18 para. 3\(3\)](#)