
Changes to legislation: There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Paragraph 2. (See end of Document for details)

SCHEDULES

SCHEDULE 19

COMPULSORY PURCHASE: CORRESPONDING PROVISION FOR PURCHASES BY MINISTERS

Proceedings for consideration of draft order

- 2 (1) Schedule 1 to the Acquisition of Land Act 1981 (compulsory purchase by Minister) is amended as follows.
- (2) In paragraph 4A (proceedings for contested orders), for sub-paragraphs (2) to (8) substitute—
- “(1A) The appropriate authority must cause a public local inquiry to be held if—
- (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.
- (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;

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- (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.”

(3) In paragraph 4B (confirmation of order in stages), in sub-paragraph (3), for “4A(2) or (3)” substitute “4A(1A) or (1B)”.

Commencement Information

- I1** Sch. 19 para. 2 not in force at Royal Assent, see [s. 255\(7\)](#)
- I2** Sch. 19 para. 2 in force at 31.3.2024 for specified purposes by [S.I. 2024/389](#), [reg. 2\(t\)](#)

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