



Compulsory Purchase Act 1965

CHAPTER 56

COMPULSORY PURCHASE ACT 1965

PART I

COMPULSORY PURCHASE UNDER ACQUISITION OF LAND ACT OF 1946

Preliminary

- 1 Application of Part I and interpretation
- 2 Persons without power to sell their interests.
- 3 Acquisition by agreement in pursuance of compulsory purchase order.

Compulsory Purchase

- 4 Time limit for giving notice to treat.
- 4A Extension of time limit during challenge
- 5 Notice to treat, and untraced owners.
- 6 Reference to Upper Tribunal.
- 7 Measure of compensation in case of severance.
- 8 Other provisions as to divided land.

Deposit of compensation and execution of deed poll

- 9 Refusal to convey, failure to make title, etc.

Further provision as to compensation for injurious affection

- 10 Further provision as to compensation for injurious affection.

Entry on the land

- 11 Powers of entry.
- 11A Powers of entry: further notices of entry

Status: Point in time view as at 25/02/2020.

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- 11B Counter-notice requiring possession to be taken on specified date
- 12 Unauthorised entry.
- 13 Refusal to give possession to acquiring authority.

Acquisition of special interests

- 14 Mortgages.
- 15 Mortgage debt exceeding value of mortgaged land.
- 16 Acquisition of part of land subject to mortgage.
- 17 Compensation where mortgage paid off before stipulated time.
- 18 Rentcharges.
- 19 Apportionment of rent under leases.
- 20 Tenants at will, etc.
- 21 Common land.

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- 22 Interests omitted from purchase.
- 23 Costs of conveyances etc.
- 24 Power to sell in consideration of a rentcharge.
- 25 Payment into court.
- 26 Costs in respect of money paid into court.
- 27
- 28 General provisions as to deeds poll.
- 29 Irregularities in proceedings under the Act.
- 30 Service of notices.
- 31 Ecclesiastical property.
- 32 Commencement of Part I.

PART II

APPLICATION OF PART I IN OTHER CASES AND SUPPLEMENTAL PROVISIONS

- 33 Compulsory purchase orders under Water Acts 1945 and 1948.
- 34 Compulsory purchase orders under Part III of Housing Act 1957.
- 35
- 36 Orders relating to acquisition of land under s. 67 of Water Resources Act 1963.
- 37 Compulsory purchase orders under s. 11 of Pipe-lines Act 1962.
- 38 Application to enactments authorising acquisition of land by agreement.
- 39 Consequential amendments and repeals.
- 40 Short title, commencement and extent.

SCHEDULES

SCHEDULE 1 — Persons without Power to sell their Interests

Preliminary

- 1 (1) The provisions of this Schedule have effect subject to...

Power to sell and convey to the acquiring authority

- 2 (1) It shall be lawful for all persons who are...

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Additional powers of entering into transactions with acquiring authority

3 The following powers, that is— (a) any power conferred on...

Valuation on purchase by agreement

4 (1) Subject to this paragraph, the compensation to be paid...

Sale in consideration of rentcharge

5 (1) On a sale under section 24(1)(b) of this Act...

Application of compensation payable in respect of interest of person under disability

6 (1) This paragraph applies to the compensation in respect of...

Alternative method of disposing of compensation between £200 and £20

7 (1) If the amount of the compensation exceeds twenty pounds...

Compensation not exceeding £20

8 If the compensation does not exceed twenty pounds, it shall...

Sums payable under contract with persons not absolutely entitled

9 (1) All sums of money exceeding twenty pounds payable by...

Conveyance of the land or interest

10 (1) When the compensation agreed or awarded in respect of...

SCHEDULE 2 — Absent and Untraced Owners

1 (1) The compensation to be paid for any land subject...

2 (1) The acquiring authority may pay into court the compensation...

3 (1) On the application of any person claiming any part...

4 (1) If the person mentioned in paragraph 1(1) of this...

SCHEDULE 2A — Counter-notice requiring purchase of land not in notice to treat

PART 1 — COUNTER-NOTICE WHERE ACQUIRING AUTHORITY HAS NOT
TAKEN POSSESSION

Introduction

1 (1) This Part applies where an acquiring authority—

2 This Part does not apply by virtue of a notice...

3 In this Part— “ additional land ” means the part...

Counter-notice requiring authority to purchase whole of land

4 A person who is able to sell the whole of...

5 A counter-notice under this Part must be served within—

Effect of counter-notice on notice of entry

6 If the owner serves a counter-notice— (a) any notice of...

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Acquiring authority must respond to counter-notice within three months

- 7 On receiving a counter-notice the acquiring authority must decide whether...
- 8 The authority must serve notice of their decision on the...
- 9 If the authority decide to refer the counter-notice to the...
- 10 If the authority do not serve notice of a decision...

Effects of accepting counter-notice or referring it to the Upper Tribunal

- 11 If the acquiring authority serve notice of a decision to...
- 12 If the acquiring authority serve notice of a decision to...
- 13 If the authority have already served one or more notices...

PART 2 — COUNTER-NOTICE WHERE AUTHORITY HAS TAKEN POSSESSION

Introduction

- 14 (1) This Part applies where an acquiring authority—
- 15 This Part does not apply if the acquiring authority are...
- 16 In this Part— “ additional land ” means the part...

Counter-notice requiring authority to purchase additional land

- 17 A person who is able to sell the whole of...
- 18 A counter-notice under this Part must be served within the...

Acquiring authority must respond to counter-notice within 3 months

- 19 On receiving a counter-notice the acquiring authority must decide whether...
- 20 The authority must serve notice of their decision on the...
- 21 If the authority decide to refer the counter-notice to the...
- 22 If the authority do not serve notice of a decision...

Effects of accepting counter-notice

- 23 (1) This paragraph applies where the acquiring authority serve notice...

PART 3 — DETERMINATION BY THE UPPER TRIBUNAL

Introduction

- 24 This Part applies where, in accordance with paragraph 9 or...
- 25 In this Part “land proposed to be acquired” and “additional...

Role of the Upper Tribunal

- 26 (1) The Upper Tribunal must determine whether the severance of...
- 27 If the Upper Tribunal determines that the severance of the...

Effect of determination that more land should be acquired

- 28 (1) This paragraph applies where the Upper Tribunal determines that...

Withdrawal of notice to treat following determination

- 29 (1) This paragraph applies where— (a) the acquiring authority have...

SCHEDULE 3. — Alternative Procedure for obtaining Right of Entry

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SCHEDULE 4 — Common Land

General

- 1 (1) The compensation in respect of the right in the...

Duty of owner of right in the soil to convey on payment of compensation

- 2 (1) On payment or tender to the lord of the...

Compensation for common land not held of a manor

- 3 The compensation in respect of any of the land subject...

Appointment of committee of commoners

- 4 (1) The acquiring authority may convene a meeting of the...

Negotiations with committee

- 5 (1) The committee may agree on behalf of themselves and...

Settlement of compensation where no committee is appointed

- 6 If there is a failure to hold an effective meeting...

Execution of deed poll

- 7 (1) On payment or tender to the committee, or any...

SCHEDULE 5 — Forms of Conveyance

General

I, of , in consideration of the sum of...

Conveyance on rentcharge

I, of , in consideration of the rentcharge to...

SCHEDULE 6 — POWERS OF PURCHASING LAND BY AGREEMENT

— THE SMALL HOLDINGS AND ALLOTMENTS ACT 1908

In section 38 for the words from “the Land Clauses...

— THE SALMON AND FRESHWATER FISHERIES ACT 1923

.....

— THE LOCAL GOVERNMENT ACT 1933

.....

— THE WATER ACT 1945

.....

— THE CIVIL AVIATION ACT 1949

.....

— THE MINERAL WORKINGS ACT 1951

.....

— THE PRISON ACT 1952

In section 36(3) for the words from “the Lands Clauses...

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- THE HIGHWAYS ACT 1959
-
- THE TOWN AND COUNTRY PLANNING ACT 1962
-
- THE AIRPORTS AUTHORITY ACT 1965
- In section 17(2) for the words from “the Lands Clauses Acts”...

SCHEDULE 7 — Consequential Amendments of References to Enactments Re-enacted in this Act

- THE RAILWAYS CLAUSES CONSOLIDATION ACT 1845
- In section 6 as incorporated in any Act, or in...
- THE COMMONS ACT 1899

-
- THE AGRICULTURE ACT 1947
-
- THE LANDLORD AND TENANT ACT 1954
-
- THE HOUSING ACT 1957

-
- THE LAND COMPENSATION ACT 1961
- In section 19(1) the reference to section 58 of the...
- THE TOWN AND COUNTRY PLANNING ACT 1962

-
- REFERENCES TO SECTIONS 63 AND 68 OF LANDS CLAUSES CONSOLIDATION ACT 1845
- References to section 63 or section 68 of the Lands...

SCHEDULE 8 — Repeals

- Part I — ENACTMENTS CONSOLIDATED
- The repeals in this Part of this Schedule do not...
- Part II — SPENT PROVISIONS IN LANDS CLAUSES CONSOLIDATION ACT 1845
- The repeals in this Part of this Schedule take effect...
- Part III — PROVISIONS SUPERSEDED BY LANDS TRIBUNAL ACT 1949 AND LAND COMPENSATION ACT 1961
- The repeals in this Part of this Schedule take effect...

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