



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Status: Point in time view as at 06/06/2022.

Changes to legislation: Compulsory Purchase Act 1965 is up to date with all changes known to be in force on or before 27 July 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)

- 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.

Supplemental

- 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...

Status: Point in time view as at 06/06/2022.

Changes to legislation: Compulsory Purchase Act 1965 is up to date with all changes known to be in force on or before 27 July 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)

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...

Status: Point in time view as at 06/06/2022.

Changes to legislation: Compulsory Purchase Act 1965 is up to date with all changes known to be in force on or before 27 July 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)

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

Status: Point in time view as at 06/06/2022.

Changes to legislation: Compulsory Purchase Act 1965 is up to date with all changes known to be in force on or before 27 July 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)

.....

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...

Status: Point in time view as at 06/06/2022.

Changes to legislation: Compulsory Purchase Act 1965 is up to date with all changes known to be in force on or before 27 July 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)

- 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...

Status:

Point in time view as at 06/06/2022.

Changes to legislation:

Compulsory Purchase Act 1965 is up to date with all changes known to be in force on or before 27 July 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.