

Status: Point in time view as at 18/04/2018.

Changes to legislation: There are currently no known outstanding effects for the Compulsory Purchase Act 1965, Cross Heading: Acquiring authority must respond to counter-notice within three months. (See end of Document for details)

SCHEDULES

[^{F1}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))

PART 1

COUNTER-NOTICE WHERE ACQUIRING AUTHORITY HAS NOT TAKEN POSSESSION

Acquiring authority must respond to counter-notice within three months

- 7 On receiving a counter-notice the acquiring authority must decide whether to—
- (a) withdraw the notice to treat,
 - (b) accept the counter-notice, or
 - (c) refer the counter-notice to the Upper Tribunal.
- 8 The authority must serve notice of their decision on the owner within the period of 3 months beginning with the day on which the counter-notice is served (“the decision period”).
- 9 If the authority decide to refer the counter-notice to the Upper Tribunal they must do so within the decision period.
- 10 If the authority do not serve notice of a decision within the decision period they are to be treated as if they had served notice of a decision to withdraw the notice to treat at the end of that period.]

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