



# Compulsory Purchase Act 1965

## 1965 CHAPTER 56

### PART I

#### COMPULSORY PURCHASE UNDER ACQUISITION OF LAND ACT OF 1946

##### *Entry on the land*

#### **11 Powers of entry.**

- (1) If the acquiring authority have served notice to treat in respect of any of the land and have served on the owner, lessee and occupier of that land [<sup>F1</sup>a notice of entry] , the acquiring authority may enter on and take possession of that land, or of such part of that land as is specified in the notice [<sup>F2</sup>, after the end of a period specified in the notice] ; and then any compensation agreed or awarded for the land of which possession is taken shall carry interest at the rate prescribed under section 32 of the <sup>M1</sup>Land Compensation Act 1961 from the time of entry until the compensation is paid or is paid into court in accordance with this Act.

Where under this subsection a notice is required to be served on an owner of land, and the land is ecclesiastical property as defined in [<sup>F3</sup>section 12(3) of the Acquisition of Land Act], a like notice shall be served on the [<sup>F4</sup>Diocesan Board of Finance for the diocese in which the land is situated].

In this subsection “owner” has the meaning given by [<sup>F5</sup>section 7(1) of the Acquisition of Land Act].

- [<sup>F6</sup>(1A) A notice of entry under subsection (1) must specify the period after the end of which the acquiring authority may enter on and take possession of the land to which the notice relates.

- (1B) The period specified in a notice of entry under subsection (1) must not end earlier than the end of the period of 3 months beginning with the day on which the notice is served unless it is a notice to which section 11A(4) or paragraph 13 of Schedule 2A applies.]

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- [<sup>F7</sup>(1C) A notice of entry under subsection (1) must explain the effect of section 11B (counter-notice requiring possession to be taken on specified date) and give an address at which the acquiring authority may be served with a counter-notice.]
- [<sup>F8</sup>(1D) An acquiring authority may extend the period specified in a notice of entry under subsection (1) by agreement with each person on whom it was served.
- (1E) A reference in this Act to the period specified in a notice of entry under subsection (1) is to the period as extended by any agreement under subsection (1D).]
- (2) <sup>F9</sup>...
- <sup>F10</sup>.....
- (3) For the purpose of [<sup>F11</sup>surveying, valuing or taking levels] of any of the land subject to compulsory purchase, of probing or boring to ascertain the nature of the soil and of setting out the line of the works, the acquiring authority, after giving not less than three nor more than fourteen days' notice to the owners or occupiers of that land, may enter on that land, but the acquiring authority shall make compensation for any damage thereby occasioned to the owners or occupiers of the land, and any question of disputed compensation under this subsection shall be referred to the [<sup>F12</sup>Upper Tribunal].
- (4) Except as provided by the foregoing provisions of this section, the acquiring authority shall not, except with the consent of the owners and occupiers, enter on any of the land subject to compulsory purchase until the compensation payable for the respective interests in that land has been agreed or awarded, and has been paid to the persons having those interests or has been paid into court in accordance with this Act.

#### Textual Amendments

- F1** Words in s. 11(1) substituted (3.2.2017) by [Housing and Planning Act 2016 \(c. 22\)](#), **ss. 186(2)(a)(i)**, 216(3); S.I. 2017/75, [reg. 3\(e\)](#) (with [reg. 5](#))
- F2** Words in s. 11(1) inserted (3.2.2017) by [Housing and Planning Act 2016 \(c. 22\)](#), **ss. 186(2)(a)(ii)**, 216(3); S.I. 2017/75, [reg. 3\(e\)](#) (with [reg. 5](#))
- F3** Words substituted by [Acquisition of Land Act 1981 \(c. 67, SIF 28:1\)](#), **Sch. 4 para. 14(3)(a)**
- F4** Words in s. 11 substituted (1.10.2006) by [Church of England \(Miscellaneous Provisions\) Measure 2006 \(No. 1\)](#), s. 16(2), **Sch. 5 para. 12(1)**; S.I. 2006/2, Instrument made by Archbishops
- F5** Words substituted by [Acquisition of Land Act 1981 \(c. 67, SIF 28:1\)](#), **Sch. 4 para. 14(3)(b)**
- F6** S. 11(1A)(1B) inserted (3.2.2017) by [Housing and Planning Act 2016 \(c. 22\)](#), **ss. 186(2)(b)**, 216(3); S.I. 2017/75, [reg. 3\(e\)](#) (with [reg. 5](#))
- F7** S. 11(1C) inserted (3.2.2017) by [Housing and Planning Act 2016 \(c. 22\)](#), **ss. 187(2)**, 216(3); S.I. 2017/75, [reg. 3\(e\)](#) (with [reg. 5](#))
- F8** S. 11(1D)(1E) inserted (3.2.2017) by [Housing and Planning Act 2016 \(c. 22\)](#), **ss. 188**, 216(3); S.I. 2017/75, [reg. 3\(e\)](#) (with [reg. 5](#))
- F9** S. 11(2) omitted (13.7.2016) by virtue of [Housing and Planning Act 2016 \(c. 22\)](#), s. 216(3), **Sch. 16 para. 3**; S.I. 2016/733, [reg. 3\(j\)](#)
- F10** S. 11(2) second paragraph repealed by [Housing \(Consequential Provisions\) Act 1985 \(c. 71, SIF 61\)](#), s. 3, **Sch. 1 Pt. 1**
- F11** Words in s. 11(3) substituted (13.7.2016) by [Housing and Planning Act 2016 \(c. 22\)](#), s. 216(3), **Sch. 14 para. 6**; S.I. 2016/733, [reg. 3\(h\)](#) (with [reg. 6](#))
- F12** Words in s. 11(3) substituted (1.6.2009) by [The Transfer of Tribunal Functions \(Lands Tribunal and Miscellaneous Amendments\) Order 2009 \(S.I. 2009/1307\)](#), art. 1, **Sch. 1 para. 64** (with [Sch. 5](#))

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#### **Modifications etc. (not altering text)**

- C1** Pt. 1 modified (8.8.2017) by [The Wrexham Gas Fired Generating Station Order 2017 \(S.I. 2017/766\)](#), arts. 1, **23(2)(3)**
- C2** Pt. 1 applied (with modifications) (24.8.2017) by [The National Grid \(Richborough Connection Project\) Development Consent Order 2017 \(S.I. 2017/817\)](#), art. 1, Sch. 10 paras. 3(2), **4-9** (with art. 22)
- C3** Pt. 1 applied (with modifications) (29.8.2017) by [The East Anglia THREE Offshore Wind Farm Order 2017 \(S.I. 2017/826\)](#), art. 1, **Sch. 6 para. 3(2)-9** (with arts. 36, 37, Sch. 8 para. 34)
- C4** Pt. 1 applied (with modifications) (5.9.2017) by [The London Overground \(Barking Riverside Extension\) Order 2017 \(S.I. 2017/830\)](#), arts. 1, **22** (with Sch. 8 para. 20)
- C5** Pt. 1 applied (with modifications) (8.12.2017) by [The Network Rail \(Closure of Abbots Ripton Level Crossing\) Order 2017 \(S.I. 2017/1074\)](#), art. 1, Sch. 1 paras. 2, **3**
- C6** Pt. 1 applied (8.12.2017) by [The Network Rail \(Closure of Abbots Ripton Level Crossing\) Order 2017 \(S.I. 2017/1074\)](#), arts. 1, **8(2)**
- C7** Pt. 1 applied (with modifications) (19.12.2017) by [The Network Rail \(Buxton Sidings Extension\) Order 2017 \(S.I. 2017/1150\)](#), arts. 1, 19, Sch. 7 paras. 4, **5** (with arts. 28(1)(a), 32(2))
- C8** Pt. 1 modified (22.12.2017) by [The M20 Junction 10a Development Consent Order 2017 \(S.I. 2017/1202\)](#), arts. 1, **27** (with arts. 4, 23, 37)
- C9** Pt. 1 applied (with modifications) (22.12.2017) by [The M20 Junction 10a Development Consent Order 2017 \(S.I. 2017/1202\)](#), art. 1, Sch. 6 paras. 4, **5** (with arts. 4, 37)
- C10** Pt. 1 applied (with modifications) (2.1.2018) by [The Boston Barrier Order 2017 \(S.I. 2017/1329\)](#), arts. 1, **32** (with arts. 43(1), 55-57, Sch. 8 para. 13)
- C11** Pt. 1 applied (with modifications) (2.1.2018) by [The Boston Barrier Order 2017 \(S.I. 2017/1329\)](#), art. 1, Sch. 3 paras. 1, **4-10** (with arts. 55-57, Sch. 8 para. 13)
- C12** S. 11: excluded by [Compulsory Purchase \(Vesting Declarations\) Act 1981 \(c. 66, SIF 28:1\)](#), s. 8(3), **Sch. 1 para. 3**  
S. 11 applied (with modifications) (22.10.1991) by [Greater Manchester \(Light Rapid Transit System\) Act 1991 \(c. xvi\)](#), ss.3(1)(2), 13, **Sch. para.4** (with s. 14(3)(e))
- C13** S. 11 modified by [Agriculture \(Miscellaneous Provisions\) Act 1968 \(c. 34\)](#), s. 13(3), Sch. 3 paras. 4, **5**
- C14** S. 11 modified (31.3.1994) by [British Railways Act 1994 \(c. iv\)](#), s. 17, **Sch. 2 para. 4**
- C15** Pt. 1 applied (with modifications) (18.3.2017) by [The North London Heat and Power Generating Station Order 2017 \(S.I. 2017/215\)](#), art. 1, Sch. 11 paras. 3(2), 4, **5**
- C16** S. 11 modified (8.8.2017) by [The Wrexham Gas Fired Generating Station Order 2017 \(S.I. 2017/766\)](#), art. 1, **Sch. 7 para. 6**
- C17** S. 11(1) excluded by [Land Compensation Act 1973 \(c. 26, SIF 28:1\)](#), **s. 52(10)(b)**; modified by [Land Compensation Act 1973 \(c. 26, SIF 28:1\)](#), **s. 55(1)**; and modified by [Rural Wales Act 1976 \(c. 75, SIF 64\)](#), s. 5(1), **Sch. 3 para. 31(1)**
- C18** S. 11(1) modified by [Dartford-Thurrock Crossing Act 1988 \(c. 20, SIF 59\)](#), s. 2, **Sch. 2 Pt. II para. 1**  
S. 11(1) modified (26.5.1994) by [Greater Manchester \(Light Rapid Transit System\) Act 1994 \(c. vi\)](#), **s. 3(2)**
- C19** S. 11(1) excluded by [Agriculture Act 1967 \(c. 22\)](#), **s. 49(7) (ii)**
- C20** S. 11(1) applied (with modifications) by [Heathrow Express Railway Act 1991 \(c. vii\)](#), **s. 4(2)**
- C21** S. 11(1) applied (with modifications) by [Heathrow Express Railway \(No. 2\) Act 1991 \(c. ix\)](#), **s. 3(1)(2)**  
S. 11(1) applied (with modifications) by [Killingholme Generating Stations \(Ancillary Powers\) Act 1991 \(c. viii\)](#), **s. 2(2)(b)**
- C22** S. 11(1) excluded (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 28:1\)](#), **s. 63(2)**; S.I. 1991/2067, **art.3**
- C23** S. 11(1) modified by 1961 c. 33, s. 5A(5)(6) (as inserted (31.10.2004) by [Planning and Compulsory Purchase Act 2004 \(c. 5\)](#), **s. 103(2)**; S.I. 2004/2593, art. 2(a))
- C24** S. 11(3) modified (11.11.1996) by S.I. 1996/2714, **art. 50(3)**
- C25** S. 11(3) restricted (23.8.1999) by S.I. 1999/2981, art. 28(2), **Sch. 10 Pt. 1 para. 2(7)**  
S. 11(3) restricted (24.12.1999) by S.I. 2000/428, art. 27, **Sch. 5 para. 2(3)**  
S. 11(3) restricted (24.7.2001) by S.I. 2001/3627, art. 64, **Sch. 12 para. 5(1)** (with Sch. 12 para. 12)

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- s. 11(3) restricted (14.3.2002) by S.I. 2002/412, art. 36, **Sch.6**, Pt. II para. 2(2)
- C26** S. 11(3) powers excluded (1.2.2011) by The River Mersey (Mersey Gateway Bridge) Order 2011 (S.I. 2011/41), art. 1, **Sch. 10 para. 54(1)** (with art. 51, Sch. 10 paras. 68, 85)
- S. 11(3) restricted (6.8.2014) by The Rampion Offshore Wind Farm Order 2014 (S.I. 2014/1873), art. 1, **Sch. 12 para. 4(1)** (with arts. 12, 13, Pt. 2 para. 6, 3para. 5, 4para. 4, 5para. 4, Sch. 12 paras. 6(3), 19)
- S. 11(3) excluded (24.9.2014) by The Thames Water Utilities Limited (Thames Tideway Tunnel) Order 2014 (S.I. 2014/2384), art. 1, Sch. 16 Pt. 4 s. 1 para. 3, Sch. 16 Pt. 4 s. 2 para. 3, Sch. 16 Pt. 4 s. 3 para. 3, **Sch. 16 Pt. 5 para. 4(1)**
- C27** S. 11(3) restricted (23.6.2015) by The Norfolk County Council (Norwich Northern Distributor Road (A1067 to A47(T))) Order 2015 (S.I. 2015/1347), art. 1, **Sch. 13 para. 4(1)**
- C28** S. 11(3) restricted (30.6.2015) by The Swansea Bay Tidal Generating Station Order 2015 (S.I. 2015/1386), art. 1, **Sch. 8 para. 3(2)** (with arts. 51, 53)
- C29** S. 11(3) restricted (26.8.2015) by The Dogger Bank Teesside A and B Offshore Wind Farm Order 2015 (S.I. 2015/1592), art. 1, **Sch. 12 para. 4** (with arts. 40, 41)
- C30** S. 11(3) excluded (7.9.2016) by The Hornsea Two Offshore Wind Farm Order 2016 (S.I. 2016/844), art. 1(2), **Sch. 12 para. 4(1)** (with arts. 37, 38)
- C31** S. 11(3) excluded (23.9.2016) by The M4 Motorway (Junctions 3 to 12) (Smart Motorway) Development Consent Order 2016 (S.I. 2016/863), art. 1, **Sch. 9 para. 23(1)**
- C32** S. 11(3) excluded (27.9.2016) by The Triton Knoll Electrical System Order 2016 (S.I. 2016/880), art. 1(2), **Sch. 8 para. 4(1)(k)** (with arts. 39, 40, Sch. 8 para. 19)
- C33** S. 11(3) excluded (5.4.2017) by The Keuper Underground Gas Storage Facility Order 2017 (S.I. 2017/433), art. 1, **Sch. 9 para. 26(1)**
- C34** S. 11(3) restricted (5.9.2017) by The London Overground (Barking Riverside Extension) Order 2017 (S.I. 2017/830), art. 1, **Sch. 8 para. 4(1)** (with Sch. 8 para. 20)
- C35** S. 11(3) restricted (2.1.2018) by The Boston Barrier Order 2017 (S.I. 2017/1329), art. 1, **Sch. 7 para. 12(2)** (with arts. 55-57, Sch. 8 para. 13)

#### Marginal Citations

**M1** 1961 c. 33.

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