



Compulsory Purchase Act 1965

1965 CHAPTER 56

PART I

COMPULSORY PURCHASE UNDER ACQUISITION OF LAND ACT OF 1946

Entry on the land

13 Refusal to give possession to acquiring authority.

- (1) If the acquiring authority are under this Act authorised to enter on and take possession of any land, and the owner or occupier of any of that land, or any other person, refuses to give up possession of it, or hinders the acquiring authority from entering on or taking possession of it, the acquiring authority may issue their warrant to ^{[F1—}
- (a) the sheriff, or
 - (b) the enforcement officer,

to deliver possession of it to the person appointed in the warrant to receive it.]

- (2) On receipt of the warrant [^{F2}the person to whom it is issued] shall deliver possession of any such land accordingly.

[^{F3}(2A) If, by virtue of paragraph 3A of Schedule 7 to the Courts Act 2003, the warrant is issued to two or more persons collectively, the duty in subsection (2) of this section shall apply to the person to whom the warrant is allocated in accordance with the approved arrangements mentioned in that Schedule.]

- (3) The costs accruing by reason of the issue and execution of the warrant, to be settled by [^{F4}the person executing the warrant], shall be paid by the person refusing to give possession, and the amount of those costs shall be deducted and retained by the acquiring authority from the compensation, if any, payable by them to that person.

- (4) If no compensation is payable to the person refusing to give possession, or if it is less than the amount of the costs, that amount or the amount by which the costs exceed the compensation, if not paid on demand, shall be [^{F5}recovered by using the procedure in Schedule 12 to the Tribunals, Courts and Enforcement Act 2007 (taking control of

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goods)], and on application to any justice of the peace for that purpose he shall issue his warrant accordingly.

^{F6}(5)

(6) In this section^{F7}—

"the enforcement officer", in relation to a warrant to deliver possession of land under this section, means the officer or officers identified for that purpose in paragraph 3A of Schedule 7 to the Courts Act 2003, and]

“sheriff” includes an under sheriff or other legally competent deputy, and means the sheriff for the area where the land is situated, or if land in one ownership is not situated wholly in one such area the sheriff for the area where any part of the land is situated.

Textual Amendments

- F1** Words in s. 13(1) substituted (1.4.2008) by Tribunals, Courts and Enforcement Act 2007 (c. 15), ss. **139(5)**, 148; S.I. 2007/2709, art. 5(a)
- F2** Words in s. 13(2) substituted (1.4.2008) by Tribunals, Courts and Enforcement Act 2007 (c. 15), ss. **139(6)**, 148; S.I. 2007/2709, art. 5(a)
- F3** S. 13(2A) inserted (1.4.2008) by Tribunals, Courts and Enforcement Act 2007 (c. 15), ss. **139(7)**, 148; S.I. 2007/2709, art. 5(a)
- F4** Words in s. 13(3) substituted (1.4.2008) by Tribunals, Courts and Enforcement Act 2007 (c. 15), ss. **139(8)**, 148; S.I. 2007/2709, art. 5(a)
- F5** Words in s. 13(4) substituted (6.4.2014) by Tribunals, Courts and Enforcement Act 2007 (c. 15), s. 148, **Sch. 13 para. 28(2)** (with s. 89); S.I. 2014/768, art. 2(1)(b)
- F6** S. 13(5) repealed (6.4.2014) by Tribunals, Courts and Enforcement Act 2007 (c. 15), s. 148, Sch. 13 para. 28(3), **Sch. 23 Pt. 3** (with s. 89); S.I. 2014/768, art. 2(1)(b)
- F7** Words in s. 13(6) inserted (1.4.2008) by Tribunals, Courts and Enforcement Act 2007 (c. 15), ss. **139(9)**, 148; S.I. 2007/2709, art. 5(a)

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)

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- 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** Pt. 1 applied (with modifications) (4.1.2018) by The Blackpool Tramway (Blackpool North Extension) Order 2017 (S.I. 2017/1214), arts. 1, **27** (with arts. 58, 59)
- C13** Pt. 1 applied (with modifications) (4.1.2018) by The Blackpool Tramway (Blackpool North Extension) Order 2017 (S.I. 2017/1214), art. 1, Sch. 4 paras. 4, **5** (with arts. 58, 59)
- C14** S. 13 saved by Rent Act 1965 (c. 75), s. **35(4)** and Caravan Sites Act 1968 (c. 52), s. **5(3)**
S. 13 applied (with modifications) (22.10.1991) by Greater Manchester (Light Rapid Transit System) Act 1991 (c. xvi), ss. 3(1)(2), 13, Sch. (with s. 14(3)(e))
S. 13 modified (24.12.1999) by S.I. 2000/428, art. 13, Sch. **3 para. 7**
- C15** S. 13 applied (2.4.2004) by Docklands Light Railway (Woolwich Arsenal Extension) Order 2004 (S.I. 2004/757), arts. 1, **30(14)** (with art. 30(9))
- C16** S. 13 applied (with modifications) (11.2.2005) by Merseytram (Liverpool City Centre to Kirkby) Order 2005 (S.I. 2005/120), arts. 1, **37(11)** (with arts. 65, 66)
- C17** S. 13 applied (11.2.2005) by Merseytram (Liverpool City Centre to Kirkby) Order 2005 (S.I. 2005/120), arts. 1, **36(11)** (with arts. 65, 66)
- C18** S. 13 applied (25.11.2005) by Docklands Light Railway (Capacity Enhancement) Order 2005 (S.I. 2005/3105), arts. 1, **30(10)** (with arts. 3(5), 15(3))
- C19** S. 13 applied (22.11.2006) by Docklands Light Railway (Stratford International Extension) Order 2006 (S.I. 2006/2905), arts. **1**, 27(10), 28(10) (with arts. 27(7), 43)
- C20** S. 13 applied (13.12.2006) by Luton Dunstable Translink Order 2006 (S.I. 2006/3118), arts. 1, **24(11)**
- C21** S. 13 applied (19.3.2007) by Ouseburn Barrage Order 2007 (S.I. 2007/608), arts. 1, **28(10)** (with arts. 46-48, Sch. 6 para. 23)
- C22** S. 13 applied (23.8.2007) by Docklands Light Railway (Capacity Enhancement and 2012 Games Preparation) Order 2007 (S.I. 2007/2297), arts. **1**, 26(10), 27(10), (with arts. 3(6), 12(3))
- C23** S. 13 applied (21.5.2008) by Teesport (Land Acquisition) Order 2008 (S.I. 2008/1238), arts. 1(1), **6(10)**
- C24** S. 13 applied (with modifications) (22.7.2008) by Crossrail Act 2008 (c. 18), Sch. **5 para. 6**
- C25** S. 13 applied (28.2.2013) by The Rookery South (Resource Recovery Facility) Order 2013 (S.I. 2013/680), arts. 25(10), 26(10)
- C26** S. 13 applied (28.3.2013) by The Network Rail (Seaham Level Crossing) Order 2013 (S.I. 2013/533), arts. 1, **8(9)**
S. 13 applied (24.9.2014) by The Thames Water Utilities Limited (Thames Tideway Tunnel) Order 2014 (S.I. 2014/2384), arts. **1**, 35(11), 36(10)
- C27** S. 13 applied (23.6.2015) by The Norfolk County Council (Norwich Northern Distributor Road (A1067 to A47(T))) Order 2015 (S.I. 2015/1347), arts. 1, **29(10)**
- C28** S. 13 applied (2.8.2016) by The Midland Metro (Wolverhampton City Centre Extension) Order 2016 (S.I. 2016/684), arts. 1, **34(11)** (with arts. 46, 47, Sch. 9 para. 4, Sch. 10 para. 12(2))
- C29** S. 13 applied (18.3.2017) by The North London Heat and Power Generating Station Order 2017 (S.I. 2017/215), arts. 1, **26(12)**
- C30** S. 13 applied (18.3.2017) by The North London Heat and Power Generating Station Order 2017 (S.I. 2017/215), arts. 1, **27(9)**
- C31** S. 13 applied (5.4.2017) by The Keuper Underground Gas Storage Facility Order 2017 (S.I. 2017/433), arts. 1, **28(10)**
- C32** S. 13 applied (5.4.2017) by The Keuper Underground Gas Storage Facility Order 2017 (S.I. 2017/433), arts. 1, **27(10)** (with art. 27(11))
- C33** S. 13 modified (8.8.2017) by The Wrexham Gas Fired Generating Station Order 2017 (S.I. 2017/766), art. 1, Sch. **7 para. 6**
- C34** S. 13 applied (8.8.2017) by The Wrexham Gas Fired Generating Station Order 2017 (S.I. 2017/766), arts. 1, **27(10)**
- C35** S. 13 applied (8.8.2017) by The Wrexham Gas Fired Generating Station Order 2017 (S.I. 2017/766), arts. 1, **26(11)** (with art. 26(12))

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- C36** S. 13 applied (24.8.2017) by The National Grid (Richborough Connection Project) Development Consent Order 2017 (S.I. 2017/817), arts. 1, **29(11)** (with arts. 22, 29(12))
- C37** S. 13 applied (24.8.2017) by The National Grid (Richborough Connection Project) Development Consent Order 2017 (S.I. 2017/817), arts. 1, **28(11)** (with arts. 22, 28(12))
- C38** S. 13 applied (24.8.2017) by The National Grid (Richborough Connection Project) Development Consent Order 2017 (S.I. 2017/817), arts. 1, **30(10)** (with art. 22)
- C39** S. 13 applied (29.8.2017) by The East Anglia THREE Offshore Wind Farm Order 2017 (S.I. 2017/826), arts. 1, **23(10)** (with arts. 5(9), 36, 37, Sch. 8 para. 34)
- C40** S. 13 applied (29.8.2017) by The East Anglia THREE Offshore Wind Farm Order 2017 (S.I. 2017/826), arts. 1, **24(10)** (with arts. 5(9), 24(8), 36, 37, Sch. 8 para. 34)
- C41** S. 13 applied (5.9.2017) by The London Overground (Barking Riverside Extension) Order 2017 (S.I. 2017/830), arts. 1, **29(10)** (with Sch. 8 para. 20)
- C42** S. 13 applied (5.9.2017) by The London Overground (Barking Riverside Extension) Order 2017 (S.I. 2017/830), arts. 1, **28(9)** (with Sch. 8 para. 20)
- C43** S. 13 applied (with modifications) (15.11.2017) by The Network Rail (Summerway Overbridge) Order 2017 (S.I. 2017/1027), arts. 1, **5**
- C44** S. 13 applied (8.12.2017) by The Network Rail (Closure of Abbots Ripton Level Crossing) Order 2017 (S.I. 2017/1074), arts. 1, **9(9)**
- C45** S. 13 applied (19.12.2017) by The Network Rail (Buxton Sidings Extension) Order 2017 (S.I. 2017/1150), arts. 1, **23(10)** (with art. 32(2))
- C46** S. 13 modified (19.12.2017) by The Network Rail (Buxton Sidings Extension) Order 2017 (S.I. 2017/1150), arts. 1, **23(10)** (with art. 32(2))
- C47** S. 13 applied (19.12.2017) by The Network Rail (Buxton Sidings Extension) Order 2017 (S.I. 2017/1150), arts. 1, **24(10)** (with arts. 24(8), 32(2))
- C48** S. 13 modified (19.12.2017) by The Network Rail (Buxton Sidings Extension) Order 2017 (S.I. 2017/1150), arts. 1, **24(10)** (with art. 32(2))
- C49** S. 13 applied (22.12.2017) by The M20 Junction 10a Development Consent Order 2017 (S.I. 2017/1202), arts. 1, **32(10)** (with arts. 4, 37)
- C50** S. 13 applied (22.12.2017) by The M20 Junction 10a Development Consent Order 2017 (S.I. 2017/1202), arts. 1, **31(10)** (with arts. 4, 37)
- C51** S. 13 applied (2.1.2018) by The Boston Barrier Order 2017 (S.I. 2017/1329), arts. 1, **38(10)** (with arts. 55-57, Sch. 8 para. 13)
- C52** S. 13 applied (2.1.2018) by The Boston Barrier Order 2017 (S.I. 2017/1329), arts. 1, **39(10)** (with arts. 39(8), 55-57, Sch. 8 para. 13)
- C53** S. 13 applied (with modifications) (4.1.2018) by The Network Rail (Streat Green Underbridge) (Temporary Land Acquisition) Order 2017 (S.I. 2017/1302), arts. 1, **4**
- C54** S. 13 applied (4.1.2018) by The Blackpool Tramway (Blackpool North Extension) Order 2017 (S.I. 2017/1214), arts. 1, **33(11)** (with arts. 58, 59)
- C55** S. 13 applied (4.1.2018) by The Blackpool Tramway (Blackpool North Extension) Order 2017 (S.I. 2017/1214), arts. 1, **32(9)** (with arts. 58, 59)

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