



# Development of Rural Wales Act 1976

## 1976 CHAPTER 75

### *Development Board for Rural Wales*

#### **6 Acquisition of land**

- (1) The power to acquire land conferred on the Board by section 4(1) of this Act is a power—
- (a) to acquire land by agreement, with the approval of the Secretary of State, and
  - (b) to acquire land compulsorily, if so authorised by the Secretary of State,
- for the purpose of enabling the Board to discharge its general function under this Act.
- (2) The power of the Board under the said section 4(1) to acquire land compulsorily shall be exercised as follows, that is to say—
- (a) where the land is situated within the area of a new town or is land associated with the area of a new town, by means of a compulsory purchase order under this paragraph made by the Board and submitted to and confirmed by the Secretary of State in accordance with Part III of the new towns code ;
  - (b) in the case of any other land, by means of a compulsory purchase order under this paragraph made by the Board and submitted to and confirmed by the Secretary of State in accordance with Schedule 1 to the Acquisition of Land (Authorisation Procedure) Act 1946;
- and for the purpose of the application of that Act to a compulsory purchase order under paragraph (b) above, it shall be assumed that the Board is a local authority within the meaning of that Act and that section 4(1) of this Act was in force immediately before the commencement of that Act.
- (3) For the purposes of subsection (2) above, land is associated with the area of a new town if it is land—
- (a) which is adjacent to that area and is required for purposes connected with the development of the new town by the Board ; or
  - (b) which, whether adjacent to that area or not, is required for the provision of services for the purposes of the new town.
- (4) Part I of the Compulsory Purchase Act 1965 shall apply—

- (a) for the purposes of the acquisition of land under this Act by agreement so far as it is applicable and in particular as if section 27 (making good rate deficiencies) were omitted;
  - (b) for the purposes of the acquisition of land under the new towns code as if—
    - (i) "acquiring authority" had the meaning given in the code;
    - (ii) the new towns code and the compulsory purchase order made under the code were the special Act;
    - (iii) sections 27 and 30(3) (notices) were omitted;and subject to Part IV of that code and any other necessary modifications.
- (5) A compulsory purchase order under any provision of this Act may provide for the acquisition of rights over land by creating them as well as for the acquisition of rights already in existence.
- (6) The Acquisition of Land (Authorisation Procedure) Act 1946 and the Compulsory Purchase Act 1965 shall have effect with the modifications necessary to make them apply to the compulsory acquisition of rights by virtue of subsection (5) above as they apply to the compulsory acquisition of land so that, in appropriate contexts, references in those Acts to land are read as referring, or as including references, to the rights or to land over which the rights are or are to be exercisable, according to the requirements of the particular context.
- (7) Without prejudice to the generality of subsection (6) above, in relation to the acquisition of rights by virtue of subsection (5) above—
- (a) Part III of Schedule 1 to the said Act of 1946 (which provides for special parliamentary procedure in the case of the purchase of land of certain descriptions) shall have effect with the adaptations specified in Part I of Schedule 4 to this Act;
  - (b) Part I of the said Act of 1965 (which relates to compulsory purchases made in accordance with the said Act of 1946) shall have effect with the modifications specified in Part II of Schedule 4 to this Act; and
  - (c) the enactments relating to compensation for the compulsory purchase of land shall apply with the necessary modifications as they apply to such compensation.
- (8) The Board may, with the approval of the Secretary of State, appropriate land acquired for the purpose of any of the Board's functions to the purpose of any of its other functions.