



Compulsory Purchase (Vesting Declarations) Act 1981

1981 CHAPTER 66

PART II

EXECUTION OF DECLARATION

3 Preliminary notices.

- (1) Before making a declaration under section 4 below with respect to any land which is subject to a compulsory purchase order the acquiring authority shall include the particulars specified in subsection (3) below in—
- (a) the statutory notice of confirmation of the order, or
 - (b) in a notice which is given subsequently and to which the requirements of the relevant enactments with respect to the publication and service of the statutory notice of confirmation of the order shall apply.
- (2) A notice under subsection (1)(b) above shall be given before the service of any notice to treat in respect of the land with respect to which the declaration is to be made.
- (3) The particulars to be included in the notice are—
- (a) such a statement of the effect of this Part, and Part III below, as may be prescribed, and
 - (b) a notification to the effect that every person who, if a general vesting declaration were executed in respect of all the land comprised in the order (other than land in respect of which notice to treat has been served), would be entitled to claim compensation in respect of any such land is invited to give information to the authority making the declaration in the prescribed form with respect to his name and address and the land in question.
- (4) A notice complying with the preceding provisions of this section shall be [^{F1}sent to the Chief Land Registrar, and the notice shall be a local land charge].

Status: Point in time view as at 30/12/2015.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Compulsory Purchase (Vesting Declarations) Act 1981. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

- (5) In this section “statutory notice of confirmation”, in relation to a compulsory purchase order, means the notice of the confirmation of the order which is required to be published or served by section 15 of the Acquisition of Land Act 1981, or by any other provision of the relevant enactments corresponding to that section.
- (6) Where the acquiring authority is a Minister for references in subsections (1) to (4) above to the statutory notice of confirmation of the order there shall be substituted references to the notice of the making of the order which is required to be published or served by paragraph 6 of Schedule 1 to the^{M1} Acquisition of Land Act 1981, or any other provision of the relevant enactments corresponding to that paragraph.

Textual Amendments

- F1** Words in s. 3(4) substituted (12.4.2015) by [Infrastructure Act 2015 \(c. 7\)](#), s. 57(5)(e), [Sch. 5 para. 37](#) (with [Sch. 5 Pt. 4](#))

Modifications etc. (not altering text)

- C1** S. 3(1) applied (with modifications) (28.2.2013) by [The Rookery South \(Resource Recovery Facility\) Order 2011 2013 \(S.I. 2013/680\)](#), [art. 21\(3\)-\(5\)](#)

Marginal Citations

- M1** 1981 c. 67.

4 Execution of declaration.

- (1) The acquiring authority may execute in respect of any of the land which they are authorised to acquire by the compulsory purchase order a declaration in the prescribed form vesting the land in themselves from the end of such period as may be specified in the declaration (not being less than 28 days from the date on which the service of notices required by section 6 below is completed).
- (2) For the purposes of this Act a certificate by the acquiring authority that the service of notices required by section 6 below was completed on a date specified in the certificate shall be conclusive evidence of the fact so stated.
- (3) In this Act the “vesting date” in relation to a general vesting declaration means the first day after the end of the period specified in the declaration in accordance with subsection (1) above.

Modifications etc. (not altering text)

- C2** S. 4 excluded (2.10.2014) by [The Clocaenog Forest Wind Farm Order 2014 \(S.I. 2014/2441\)](#), arts. 1, [21\(b\)](#) (with [art. 33](#))
- C3** S. 4 excluded (26.2.2015) by [The Cornwall Council \(A30 Temple to Higher Carblake Improvement\) Order 2015 \(S.I. 2015/147\)](#), arts. 1, [20\(1\)](#)
- C4** S. 4 restricted (1.4.2015) by [The Knottingley Power Plant Order 2015 \(S.I. 2015/680\)](#), arts. 1, [20\(1\)\(b\)](#) (with [Sch. 8 para. 10](#))
- C5** S. 4 excluded (21.4.2015) by [The Crossrail \(Plumstead Sidings\) Order 2015 \(S.I. 2015/781\)](#), arts. 1, [16\(b\)](#)
- C6** S. 4 excluded (30.6.2015) by [The Swansea Bay Tidal Generating Station Order 2015 \(S.I. 2015/1386\)](#), arts. 1, [27\(1\)\(b\)](#) (with arts. 51, 53)

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- C7 S. 4 excluded (7.8.2015) by [The Preesall Underground Gas Storage Facility Order 2015 \(S.I. 2015/1561\)](#), arts. 1, **31(1)(b)** (with art. 44)
- C8 S. 4 excluded (14.8.2015) by [The Hirwaun Generating Station Order 2015 \(S.I. 2015/1574\)](#), arts. 1, **19(1)(b)** (with art. 30)
- C9 S. 4 excluded (14.8.2015) by [The Progress Power \(Gas Fired Power Station\) Order 2015 \(S.I. 2015/1570\)](#), arts. 1, **20(1)(b)**
- C10 S. 4 excluded (30.9.2015) by [The Network Rail \(Blackthorn and Piddington\) \(Land Acquisition\) Order 2015 \(S.I. 2015/1684\)](#), arts. 1, **12(1)(b)**
- C11 S. 4 excluded (30.12.2015) by [The Port Talbot Steelworks Generating Station Order 2015 \(S.I. 2015/1984\)](#), arts. 1, **15(b)** (with art. 26)

5 Earliest date for execution of declaration.

- (1) A declaration under section 4 above shall not be executed before the end of the period of two months beginning with the date of the first publication of the notice complying with section 3 above, or such longer period, if any, as may be specified in the notice:

Provided that, with the consent in writing of every occupier of the land specified in the declaration, the acquiring authority may execute the declaration, before the end of that period of two months, or of the longer period so specified, as the case may be.

- (2) A declaration under section 4 above shall not be executed before the compulsory purchase order has come into operation, and this subsection applies in particular where the compulsory purchase order is subject to special parliamentary procedure and therefore does not come into operation in accordance with section 26(1) of the ^{M2}Acquisition of Land Act 1981 or any corresponding provision of the relevant enactments.

Modifications etc. (not altering text)

- C12 S. 5 applied (with modifications) (28.2.2013) by [The Rookery South \(Resource Recovery Facility\) Order 2011 2013 \(S.I. 2013/680\)](#), art. 21(6)

Marginal Citations

- M2 1981 c. 67.

6 Notices after execution of declaration.

- (1) As soon as may be after executing a general vesting declaration the acquiring authority shall serve—

- (a) on every occupier of any of the land specified in the declaration (other than land in which there subsists a minor tenancy or a long tenancy which is about to expire), and
- (b) on every other person who has given information to the acquiring authority with respect to any of that land in pursuance of the invitation published and served under section 3(1) above,

a notice in the prescribed form specifying the land and stating the effect of the declaration.

- (2) [^{F2}Section 329 of the ^{M3}Town and Country Planning Act 1990] (service of notices) shall apply as if this section formed part of that Act.

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Textual Amendments

F2 Words substituted by [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123:1, 2\)](#), s. 4, [Sch. 2 para. 52\(2\)](#)

Marginal Citations

M3 1990 c. 8.

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