



Compulsory Purchase (Vesting Declarations) Act 1981

1981 CHAPTER 66

PART II

EXECUTION OF DECLARATION

3 Preliminary notices

—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 registered in the register of local land charges by the proper officer of the local authority for the area in which that land, or any part of that land, is situated.

- (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 Acquisition of Land Act 1981, or any other provision of the relevant enactments corresponding to that paragraph.

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.

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 Acquisition of Land Act 1981 or any corresponding provision of the relevant enactments.

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) Section 283 of the Town and Country Planning Act 1971 (service of notices) shall apply as if this section formed part of that Act.