

Changes to legislation: Compulsory Purchase (Vesting Declarations) Act 1981, Cross Heading: Acquiring authority must respond to counter-notice within three months is up to date with all changes known to be in force on or before 25 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

[^{F1}SCHEDULE A1

COUNTER-NOTICE REQUIRING PURCHASE OF LAND NOT IN GENERAL VESTING DECLARATION

Textual Amendments

- F1** Sch. A1 inserted (3.2.2017) by Housing and Planning Act 2016 (c. 22), s. 216(3), **Sch. 18 para. 6**; S.I. 2017/75, reg. 3(k) (with reg. 5)

Modifications etc. (not altering text)

- C1** Sch. A1 excluded (10.3.2023) by The A47 Wansford to Sutton Development Consent Order 2023 (S.I. 2023/218), arts. 1, **32(3)** (with arts. 4, 50)
- C1** Sch. A1 excluded (11.6.2020) by The M42 Junction 6 Development Consent Order 2020 (S.I. 2020/528), arts. 1, **31(3)(b)** (with arts. 31(4), 37)
- C1** Sch. A1 excluded (22.12.2021) by The Morlais Demonstration Zone Order 2021 (S.I. 2021/1478), arts. 1, **26(3)(b)** (with arts. 15, 50, Sch. 11 para. 29)
- C1** Sch. A1 excluded (13.7.2022) by The A47 Blofield to North Burlingham Development Consent Order 2022 (S.I. 2022/738), arts. 1, **32(3)(b)** (with arts. 4, 32(4), 50)
- C1** Sch. A1 excluded (18.7.2023) by The Longfield Solar Farm Order 2023 (S.I. 2023/734), arts. 1, **23(3)** (with art. 23(4))
- C1** Sch. A1 excluded (8.9.2022) by The A428 Black Cat to Caxton Gibbet Development Consent Order 2022 (S.I. 2022/934), arts. 1, **35(3)(b)**
- C1** Sch. A1 excluded (18.4.2018) by The Network Rail (Hope Valley Capacity) Order 2018 (S.I. 2018/446), arts. 1, **21(4)(b)** (with arts. 24(8), 33(2))
- C1** Sch. A1 excluded (11.10.2023) by The Awel y Môr Offshore Wind Farm Order 2023 (S.I. 2023/1033), arts. 1, **24**
- C1** Sch. A1 excluded (22.4.2022) by The East Anglia TWO Offshore Wind Farm Order 2022 (S.I. 2022/433), arts. 1(2), **24(3)(b)** (with arts. 24(4), 40, 41)
- C1** Sch. A1 excluded (10.3.2022) by The Thurrock Flexible Generation Plant Development Consent Order 2022 (S.I. 2022/157), arts. 1, **25(b)** (with Sch. 8 Pt. 6 para. 19)
- C1** Sch. A1 excluded (5.12.2022) by The Portishead Branch Line (MetroWest Phase 1) Order 2022 (S.I. 2022/1194), arts. 1, **31(3)(b)** (with arts. 31(4), 51)
- C1** Sch. A1 excluded (6.8.2020) by The A19 Downhill Lane Junction Development Consent Order 2020 (S.I. 2020/746), arts. 1, **27(3)(b)** (with arts. 5, 27(4))
- C1** Sch. A1 excluded (13.3.2019) by The Port of Tilbury (Expansion) Order 2019 (S.I. 2019/359), arts. 1, **26(3)(b)(4)** (with arts. 55, 56)
- C1** Sch. A1 excluded (9.2.2021) by The A1 Birtley to Coal House Development Consent Order 2021 (S.I. 2021/74), arts. 1, **30(3)(b)** (with arts. 5, 30(4), Sch. 27 para. 36)
- C1** Sch. A1 excluded (7.12.2022) by The A417 Missing Link Development Consent Order 2022 (S.I. 2022/1248), arts. 1, **32(3)** (with arts. 4, 32(4))
- C1** Sch. A1 excluded (4.1.2018) by The Blackpool Tramway (Blackpool North Extension) Order 2017 (S.I. 2017/1214), arts. 1, **30(3)(b)** (with arts. 30(4), 58, 59)
- C1** Sch. A1 excluded (15.10.2020) by The Great Yarmouth Third River Crossing Development Consent Order 2020 (S.I. 2020/1075), arts. 1, **33(4)(b)** (with art. 33(5))

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- C1 Sch. A1 excluded (1.9.2020) by The Immingham Open Cycle Gas Turbine Order 2020 (S.I. 2020/847), arts. 1, **24(3)(b)** (with art. 24(4), Sch. 9 para. 144)
- C1 Sch. A1 excluded (31.5.2018) by The Silvertown Tunnel Order 2018 (S.I. 2018/574), arts. 1(2), **27(4)(b)** (with art. 27(5))
- C1 Sch. A1 excluded (2.9.2022) by The A47 North Tuddenham to Easton Development Consent Order 2022 (S.I. 2022/911), arts. 1, **31(3)(b)** (with arts. 4, 31(4), 53)
- C1 Sch. A1 excluded (7.9.2023) by The A38 Derby Junctions Development Consent Order 2023 (S.I. 2023/923), arts. 1, **31(3)** (with arts. 4, 31(4), 45, Sch. 9 paras. 6, 46, 54(1))
- C1 Sch. A1 excluded (25.10.2019) by The Drax Power (Generating Stations) Order 2019 (S.I. 2019/1315), arts. 1, **25(3)(b)** (with art. 25(4))
- C1 Sch. A1 excluded (10.10.2019) by The Abergelli Power Gas Fired Generating Station Order 2019 (S.I. 2019/1268), arts. 1, **25(3)(b)** (with art. 25(4))
- C1 Sch. A1 excluded (2.6.2022) by The M25 Junction 10/A3 Wisley Interchange Development Consent Order 2022 (S.I. 2022/549), arts. 1, **30(3)(b)** (with arts. 6, 30(4), 34)
- C1 Sch. A1 excluded (14.4.2020) by The Reinforcement to the North Shropshire Electricity Distribution Network Order 2020 (S.I. 2020/325), arts. 1, **23(3)(b)** (with arts. 7, 23(4))
- C1 Sch. A1 excluded (1.5.2020) by The Riverside Energy Park Order 2020 (S.I. 2020/419), arts. 1, **25(3)(b)** (with arts. 7, 25(4))
- C1 Sch. A1 excluded (22.4.2022) by The East Anglia ONE North Offshore Wind Farm Order 2022 (S.I. 2022/432), arts. 1(2), **24(3)(b)** (with arts. 40, 41)
- C1 Sch. A1 excluded (21.5.2020) by The Lake Lothing (Lowestoft) Third Crossing Order 2020 (S.I. 2020/474), arts. 1, **27(4)(b)** (with arts. 51, 57)
- C1 Sch. A1 excluded (30.4.2020) by The A585 Windy Harbour to Skipool Highway Development Consent Order 2020 (S.I. 2020/402), arts. 1, **27(3)(b)** (with arts. 5, 27(4), 44)
- C1 Sch. A1 excluded (22.12.2017) by The M20 Junction 10a Development Consent Order 2017 (S.I. 2017/1202), arts. 1, **29(3)(b)** (with arts. 4, 29(4), 37)
- C1 Sch. A1 excluded (18.6.2020) by The A63 (Castle Street Improvement, Hull) Development Consent Order 2020 (S.I. 2020/556), arts. 1, **27(3)(b)** (with arts. 5, 27(4), 44)
- C1 Sch. A1 excluded (22.1.2021) by The Hornsea Three Offshore Wind Farm Order 2020 (S.I. 2020/1656), arts. 1, **23(3)** (with arts. 23(4), 40, 41, Sch. 9 Pt. 5 para. 18)
- C1 Sch. A1 excluded (6.6.2022) by The M25 Junction 28 Development Consent Order 2022 (S.I. 2022/573), arts. 1, **32(3)(b)** (with arts. 5, 32(4), 36)
- C1 Sch. A1 excluded (27.7.2023) by The Boston Alternative Energy Facility Order 2023 (S.I. 2023/778), arts. 1, **32(3)(b)** (with arts. 5, 32(4), 53, Sch. 8 paras. 6, 64)
- C1 Sch. A1 excluded (19.6.2020) by The Cleve Hill Solar Park Order 2020 (S.I. 2020/547), arts. 1, **21(3)(b)** (with arts. 21(4), 37)
- C1 Sch. A1 excluded (7.12.2022) by The A57 Link Roads Development Consent Order 2022 (S.I. 2022/1206), arts. 1, **29(3)(b)** (with arts. 5, 29(4))
- C1 Sch. A1 excluded (5.3.2022) by The Norfolk Vanguard Offshore Wind Farm Order 2022 (S.I. 2022/138), arts. 1, **24(3)(b)** (with arts. 24(4), 41, 42, Sch. 16)
- C1 Sch. A1 excluded (19.2.2021) by The A303 Sparkford to Ilchester Dualling Development Consent Order 2021 (S.I. 2021/125), arts. 1, **31(3)(b)** (with arts. 4, 31(4), 47)
- C1 Sch. A1 excluded (27.2.2020) by The A30 Chiverton to Carland Cross Development Consent Order 2020 (S.I. 2020/121), arts. 1(1), **31(3)(b)** (with arts. 3(1), 31(4))
- C1 Sch. A1 excluded (3.8.2023) by The Hornsea Four Offshore Wind Farm Order 2023 (S.I. 2023/800), arts. 1, **25(3)** (with arts. 25(4), 42, 43, Sch. 9 Pt. 1 para. 4, Sch. 9 Pt. 3 para. 6(1), Sch. 9 Pt. 4 para. 20, Sch. 9 Pt. 9 para. 4)
- C1 Sch. A1 excluded (3.11.2022) by The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order 2022 (S.I. 2022/1067), arts. 1, **30-32** (with art. 46(2), Sch. 19 para. 61)
- C1 Sch. A1 excluded (19.12.2017) by The Network Rail (Buxton Sidings Extension) Order 2017 (S.I. 2017/1150), arts. 1, **22(3)** (with arts. 22(4), 32(2))
- C1 Sch. A1 excluded (24.8.2018) by The Network Rail (Werrington Grade Separation) Order 2018 (S.I. 2018/923), arts. 1, **22(3)(b)** (with arts. 22(4), 31(2))

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- C1 Sch. A1 excluded (25.3.2022) by The Bridgwater Tidal Barrier Order 2022 (S.I. 2022/299), arts. 1, **35** (with art. 55)
- C1 Sch. A1 excluded (11.8.2022) by The Sizewell C (Nuclear Generating Station) Order 2022 (S.I. 2022/853), arts. 1, **35** (with arts. 35(4), 62, 76, 87)
- C1 Sch. A1 excluded (29.10.2020) by The Southampton to London Pipeline Development Consent Order 2020 (S.I. 2020/1099), arts. 1, **28(3)(b)** (with arts. 28(4), 32, Sch. 9 para. 36)
- C1 Sch. A1 excluded (11.2.2021) by High Speed Rail (West Midlands - Crewe) Act 2021 (c. 2), **ss. 6(2)(b)**, 64(1)
- C1 Sch. A1 excluded (11.2.2021) by High Speed Rail (West Midlands - Crewe) Act 2021 (c. 2), **ss. 7(2)(b)**, 64(1) (with s. 7(3))
- C1 Sch. A1 excluded (4.8.2023) by The A303 (Amesbury to Berwick Down) Development Consent Order 2023 (S.I. 2023/834), arts. 1, **27(4)** (with arts. 6(2), 18, 27(5), Sch. 11 paras. 5, 30)
- C1 Sch. A1 excluded (3.10.2018) by The A19/A184 Testos Junction Alteration Development Consent Order 2018 (S.I. 2018/994), arts. 1, **27** (with arts. 3(3), 5)
- C1 Sch. A1 excluded by 2017 c. 7, s. 7(2) (as amended) (24.2.2017) by High Speed Rail (London - West Midlands) Act 2017 (c. 7), s. 70(2), **Sch. 14 para. 2**; S.I. 2017/209, reg. 2
- C1 Sch. A1 excluded (1.1.2022) by The Norfolk Boreas Offshore Wind Farm Order 2021 (S.I. 2021/1414), arts. 1, **24(3)(b)** (with arts. 41, 42, Sch. 17 para. 66)
- C1 Sch. A1 excluded by 2017 c. 7, s. 8(2) (as amended) (24.2.2017) by High Speed Rail (London - West Midlands) Act 2017 (c. 7), s. 70(2), **Sch. 14 para. 3**; S.I. 2017/209, reg. 2
- C1 Sch. A1 excluded (12.5.2022) by The M54 to M6 Link Road Development Consent Order 2022 (S.I. 2022/475), arts. 1, **27(3)(b)** (with art. 27(4))
- C1 Sch. A1 excluded (4.11.2022) by The A47/A11 Thicketthorn Junction Development Consent Order 2022 (S.I. 2022/1070), arts. 1, **32(3)** (with arts. 4, 52, Sch. 9 para. 82)
- C1 Sch. A1 excluded (3.4.2019) by The Millbrook Gas Fired Generating Station Order 2019 (S.I. 2019/578), **arts. 1, 24(3)(b)** (with art. 24(4))
- C1 Sch. A1 excluded (29.12.2022) by The Keadby 3 (Carbon Capture Equipped Gas Fired Generating Station) Order 2022 (S.I. 2022/1396), arts. 1, **24(3)(b)** (with arts. 24(4), 32, Sch. 10 paras. 26(2), 68)
- C1 Sch. A1 excluded (7.2.2024) by The Drax Power Station Bioenergy with Carbon Capture and Storage Extension Order 2024 (S.I. 2024/70), arts. 1, **22(3)** (with arts. 22(4), 43, Sch. 12 paras. 5, 24)
- C1 Sch. A1 excluded (9.2.2024) by The A12 Chelmsford to A120 Widening Development Consent Order 2024 (S.I. 2024/60), arts. 1, **38(3)** (with arts. 4, 38(4), 52, Sch. 11 paras. 6, 24, 39(1), 55(1), 84)
- C1 Sch. A1 excluded (11.3.2024) by The Net Zero Teesside Order 2024 (S.I. 2024/174), arts. 1, **28(3)** (with arts. 28(4), 42, 43, Sch. 12)
- C1 Sch. A1 excluded (13.3.2024) by The Medworth Energy from Waste Combined Heat and Power Facility Order 2024 (S.I. 2024/230), arts. 1, **26(3)** (with art. 26(4), Sch. 11)
- C1 Sch. A1 excluded (28.3.2024) by The A66 Northern Trans-Pennine Development Consent Order 2024 (S.I. 2024/360), arts. 1, **27(3)** (with arts. 18, 27(4), 35, Sch. 9)
- C1 Sch. A1 excluded (5.4.2024) by The National Grid (Yorkshire Green Energy Enablement Project) Development Consent Order 2024 (S.I. 2024/393), arts. 1, **34(3)** (with art. 44, Sch. 15)
- C1 Sch. A1 excluded (11.4.2024) by The HyNet Carbon Dioxide Pipeline Order 2024 (S.I. 2024/436), arts. 1(2), **31(4)** (with arts. 21, 41, Sch. 10)
- C1 Sch. A1 excluded (9.5.2024) by The Sheringham Shoal and Dudgeon Extensions Offshore Wind Farm Order 2024 (S.I. 2024/564), arts. 1, **22(4)** (with arts. 22(5), 35, 36, Sch. 14)
- C1 Sch. A1 excluded (14.6.2024) by The A1 in Northumberland: Morpeth to Ellingham Development Consent Order 2024 (S.I. 2024/733), arts. 1, **34(3)** (with art. 6, Sch. 10)

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PART 2

CONSEQUENCES OF COUNTER-NOTICE

Acquiring authority must respond to counter-notice within three months

- 6 (1) On receiving a counter-notice the acquiring authority must decide whether to—
- (a) withdraw the notice to treat in relation to the land proposed to be acquired,
 - (b) accept the counter-notice, or
 - (c) refer the counter-notice to the Upper Tribunal.
- (2) But the acquiring authority may not decide to withdraw the notice to treat if the counter-notice was served on or after the original vesting date.
- 7 The authority must serve notice of their decision on the owner within the period of 3 months beginning with the day on which the counter-notice is served (“the decision period”).
- 8 If the authority decide to refer the counter-notice to the Upper Tribunal they must do so within the decision period.
- 9 (1) This paragraph applies if the acquiring authority do not serve notice of a decision within the decision period.
- (2) If the counter-notice was served before the original vesting date, the authority are to be treated as if they had served notice of a decision to withdraw the notice to treat in relation to the land proposed to be acquired.
- (3) If the counter-notice was served on or after the original vesting date, they are to be treated as if they had served notice of a decision to accept it.]

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act applied (with modifications) by [S.I. 2020/1297 art. 26](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/1297 was withdrawn following a request from the Department of Transport dated 9th August 2021 which followed the decision of the High Court of Justice to quash this Order in the judgement dated 2nd August 2021 (High Court of Justice — Planning Court — The Queen (on the application of Save Stonehenge World Heritage Site) v. Secretary of State for Transport — Case No. CO/4844/2020))
- Act applied (with modifications) by [S.I. 2021/51 art. 30](#) (This amendment not applied to legislation.gov.uk. S.I. 2021/51 removed from the website by request from the Department of Transport dated 12th July 2021 which followed the decision of the High Court of Justice to quash these Regulations in the judgement dated 8th July 2021 (High Court of Justice — Planning Court — The Queen (on the application of Mair Bain) v. Secretary of State for Transport — Case No. CO/642/2021).)
- Act applied (with modifications) by [S.I. 2024/752 art. 31](#)