



# Compulsory Purchase (Vesting Declarations) Act 1981

## 1981 CHAPTER 66

### PART II

#### EXECUTION OF DECLARATION

#### 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 [<sup>F1</sup>3 months] from the date on which the service of notices required by section 6 below is completed).
- [<sup>F2</sup>(1A) But an acquiring authority may not execute a declaration in respect of land if they have served a notice to treat in respect of that land and have not withdrawn it.
- (1B) In subsection (1A) the reference to an authority having “served” a notice does not include cases in which the authority is deemed to have served a notice.]
- (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.
- [<sup>F3</sup>(3) For the purposes of this Act the “vesting date” in relation to any land that is actually specified in a general vesting declaration is—
  - (a) the first day after the end of the period specified in the declaration in accordance with subsection (1) above, or
  - (b) if a counter-notice is served under paragraph 2 of Schedule A1 within that period in relation to land, the day determined as the vesting date for the land in accordance with that Schedule.

*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) View outstanding changes*

- (4) For the purposes of this Act, the “vesting date” for any land that is deemed to have been specified in a general vesting declaration by Schedule A1 is the day determined as the vesting date for the land in accordance with that Schedule.]

#### Textual Amendments

- F1** Words in s. 4(1) substituted (3.2.2017) by [Housing and Planning Act 2016 \(c. 22\)](#), **ss. 184**, 216(3); S.I. 2017/75, reg. 3(d) (with reg. 5)
- F2** S. 4(1A)(1B) inserted (3.2.2017) by [Housing and Planning Act 2016 \(c. 22\)](#), **ss. 185**, 216(3); S.I. 2017/75, reg. 3(d) (with reg. 5)
- F3** S. 4(3)(4) substituted for s. 4(3) (3.2.2017) by [Housing and Planning Act 2016 \(c. 22\)](#), s. 216(3), **Sch. 18 para. 2**; S.I. 2017/75, reg. 3(k) (with reg. 5)

#### Modifications etc. (not altering text)

- C1** 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)
- C2** 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)**
- C3** 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](#))
- C4** S. 4 excluded (21.4.2015) by [The Crossrail \(Plumstead Sidings\) Order 2015 \(S.I. 2015/781\)](#), arts. 1, **16(b)**
- C5** 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)
- C6** 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)
- C7** 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)
- C8** 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)**
- C9** 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)**
- C10** 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)
- C11** S. 4 excluded (3.4.2019) by [The Millbrook Gas Fired Generating Station Order 2019 \(S.I. 2019/578\)](#), arts. 1, **20(1)(b)**
- C12** S. 4 excluded (16.4.2020) by [The Reinforcement to the North Shropshire Electricity Distribution Network Order 2020 \(S.I. 2020/325\)](#), arts. 3, **20(1)(b)** (with arts. 7, 20(2))
- C13** S. 4 excluded (21.5.2020) by [The Lake Lothing \(Lowestoft\) Third Crossing Order 2020 \(S.I. 2020/474\)](#), arts. 1, **25(1)(b)** (with arts. 51, 57)
- C14** S. 4 excluded (11.6.2020) by [The M42 Junction 6 Development Consent Order 2020 \(S.I. 2020/528\)](#), arts. 1, **26(b)** (with art. 37)
- C15** S. 4 excluded (18.6.2020) by [The A63 \(Castle Street Improvement, Hull\) Development Consent Order 2020 \(S.I. 2020/556\)](#), arts. 1, **22(1)(b)** (with arts. 5, 44)
- C16** S. 4 restricted (30.6.2022) by [The Network Rail \(Essex and Others Level Crossing Reduction\) Order 2022 \(S.I. 2022/651\)](#), arts. 1, **27(1)(b)** (with art. 27(2))
- C17** S. 4 excluded (13.7.2022) by [The A47 Blofield to North Burlingham Development Consent Order 2022 \(S.I. 2022/738\)](#), arts. 1, **26(1)(b)** (with arts. 4, 50)
- C18** S. 4 restricted (2.8.2022) by [The Network Rail \(Oxford Station Phase 2 Improvements \(Land Only\)\) \(No. 2\) Order 2022 \(S.I. 2022/872\)](#), arts. 1(1), **13(1)(b)**

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**C19** S. 4 restricted (2.8.2022) by The Network Rail (Oxford Station Phase 2 Improvements (Land Only)) Order 2022 ([S.I. 2022/871](#)), arts. 1(1), 13(1)(b)

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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. 2024/564 art. 21](#)
- Act applied (with modifications) by [S.I. 2024/724 art. 6](#)
- Act applied (with modifications) by [S.I. 2024/733 art. 33](#)