



Acquisition of Land Act 1981

1981 CHAPTER 67

PART II

PURCHASES BY LOCAL AND OTHER AUTHORITIES

Modifications etc. (not altering text)

- C1** Parts II-IV applied (31.10.1994) by Opencast Coal Act 1958 c. 69, s. 16(4A) as substituted (31.10.1994) by 1994 c. 21, s. 52, Sch. 8 para. 14(5)(with s. 40(7)); S.I. 1994/2553, art. 2 Pt. II (ss. 10-15) restricted (E.) (4.1.2000) and (W.) (*prosp.*) by 1977 c. 49, Sch. 5A para. 19(3) (as inserted (E.) (4.1.2000) and (W.) (*prosp.*) by 1999 c. 8, ss. 2(2), 67(1), Sch. 1; S.I. 1999/2342, art. 2(3) (a), Sch. 2)

10 Preliminary.

- (1) This Part of this Act has effect except where a Minister is the acquiring authority.
- (2) The compulsory purchase order shall be in the prescribed form and shall describe by reference to a map the land to which it applies.
- (3) Before submitting the order to the confirming authority the acquiring authority shall comply with sections 11 and 12 below.

Notices prior to submission of order to confirming authority

11 Notices in newspapers.

- (1) The acquiring authority shall in two successive weeks publish a notice in the prescribed form in one or more local newspapers circulating in the locality in which the land comprised in the order is situated.
- (2) The notice shall—

Status: Point in time view as at 25/09/1991.

Changes to legislation: Acquisition of Land Act 1981, Part II is up to date with all changes known to be in force on or before 04 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)

- (a) state that the order has been made and is about to be submitted for confirmation,
- (b) describe the land and state the purpose for which the land is required,
- (c) name a place within the locality where a copy of the order and of the map referred to therein may be inspected, and
- (d) specify the time (not being less than twenty-one days from the first publication of the notice) within which, and the manner in which, objections to the order can be made.

12 Notices to owners, lessees and occupiers.

- (1) The acquiring authority shall serve on every owner, lessee and occupier (except tenants for a month or any period less than a month) of any land comprised in the order a notice in the prescribed form—
 - (a) stating the effect of the order,
 - (b) stating that it is about to be submitted for confirmation, and
 - (c) specifying the time (not being less than twenty-one days from service of the notice) within which, and the manner in which, objections to the order can be made.
- (2) For the purposes of this section an occupier being a statutory tenant within the meaning of the ^{M1}Rent Act 1977 or the ^{M2}Rent (Agriculture) Act 1976 [^{F1}or a licensee under an assured agricultural occupancy within the meaning of Part I of the Housing Act 1988] shall be deemed to be a tenant for a period less than a month.
- (3) Where under this section any notice is required to be served on an owner of land, and the land is ecclesiastical property, a like notice shall be served on the Church Commissioners.

In this subsection “ecclesiastical property” means land belonging to any ecclesiastical benefice, or being or forming part of a church subject to the jurisdiction of the bishop of any diocese or the site of such a church, or being or forming part of a burial ground subject to such jurisdiction [^{F2}or being diocesan glebe land within the meaning of the Endowments and Glebe Measure 1976].

Textual Amendments

- F1** Words inserted by [Housing Act 1988 \(c. 50, SIF 61\)](#), s. 140(1), **Sch. 17 Pt. I para. 32(1)**
- F2** Words in s. 12(3) added (25.09.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 28:1\)](#), s. 70, **Sch. 15 para. 27**; S.I. 1991/2067, **art. 3**.

Modifications etc. (not altering text)

- C2** S. 12 modified by [Planning \(Listed Buildings and Conservation Areas\) Act 1990 \(c. 9, SIF 123:1\)](#), s. 50(3)
- C3** S. 12(2) and (3) applied (31.10.1994) by [1958 c. 69, s. 16\(7A\)](#) as inserted (31.10.1994) by [1994 c. 21, s. 52, Sch. 8 para. 14\(9\)](#) (with s. 40(7)); S.I. 1994/2553, **art. 2**

Marginal Citations

- M1** 1977 c. 42.
- M2** 1976 c. 80.

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Confirmation of order

13 Confirmation of order.

- (1) If no objection is duly made by any such owner, lessee or occupier as is mentioned in section 12 above, or if all objections so made are withdrawn, the confirming authority, upon being satisfied that the proper notices have been published and served, may, if the confirming authority thinks fit, confirm the order with or without modifications.
- (2) If any objection duly made as aforesaid is not withdrawn, the confirming authority shall, before confirming the order, either cause a public local inquiry to be held or afford to any person by whom any objection has been duly made as aforesaid and not withdrawn an opportunity of appearing before and being heard by a person appointed by the confirming authority for the purpose, and, after considering the objection and the report of the person who held the inquiry or the person appointed as aforesaid, may confirm the order either with or without modifications.
- (3) If any person by whom an objection has been made avails himself of the opportunity of being heard, the confirming authority shall afford to the acquiring authority, and to any other persons to whom it appears to the confirming authority expedient to afford it, an opportunity of being heard on the same occasion.
- (4) Notwithstanding anything in subsection (2) or (3) above, the confirming authority may require any person who has made an objection to state in writing the grounds thereof, and may disregard the objection for the purposes of this section if the confirming authority is satisfied that the objection relates exclusively to matters which can be dealt with by the tribunal by whom the compensation is to be assessed.
- (5) This section has effect subject to section 31 below (joint confirmation by confirming authority and appropriate Minister).

14 Land not originally included in order.

The order as confirmed by the confirming authority shall not, unless all persons interested consent, authorise the acquiring authority to purchase compulsorily any land which the order would not have authorised that authority to purchase compulsorily if it had been confirmed without modification.

15 Notices after confirmation of order.

As soon as may be after the order has been confirmed the acquiring authority shall publish in one or more local newspapers circulating in the locality in which the land comprised in the order is situated a notice in the prescribed form—

- (a) describing the land,
- (b) stating that the order has been confirmed, and
- (c) naming a place where a copy of the order as confirmed and of the map referred to therein may be inspected at all reasonable hours.

and shall serve a like notice, and a copy of the order as confirmed, on any person on whom notices with respect to the land were required to be served under section 12 above.

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Modifications etc. (not altering text)

C4 S. 15 modified by [Housing Act 1988 \(c. 50, SIF 61\)](#), s. 78(1), **Sch. 10 Pt. I para. 2(2)**

C5 S. 15 modified (10.11.1993) by [1993 c. 28, s. 169](#), **Sch. 20 para. 2(2)**; S.I. 1993/2762, **art. 3**.

Status:

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Changes to legislation:

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