



Acquisition of Land Act 1981

1981 CHAPTER 67

PART II

PURCHASES BY LOCAL AND OTHER AUTHORITIES

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—
 - (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.
- [^{F1}(3) In addition, the acquiring authority shall affix a notice in the prescribed form to a conspicuous object or objects on or near the land comprised in the order.
- (4) The notice under subsection (3) must—
 - (a) be addressed to persons occupying or having an interest in the land, and
 - (b) set out each of the matters mentioned in subsection (2) (but reading the reference there to first publication of the notice as a reference to the day when the notice under subsection (3) is first affixed).]

Status: Point in time view as at 30/09/2022.

Changes to legislation: Acquisition of Land Act 1981, Cross Heading: Notices prior to submission of order to confirming authority is up to date with all changes known to be in force on or before 18 August 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)

Textual Amendments

- F1** S. 11(3)(4) added (6.8.2004 for specified purposes, 31.10.2004 in so far as not already in force) by [Planning and Compulsory Purchase Act 2004 \(c. 5\)](#), [s. 100\(4\)](#) (with [s. 100\(8\)](#)); S.I. 2004/2097, art. 2; S.I. 2004/2593, art. 2(a)

12 Notices to owners, lessees ^[F2], occupiers and others].

- (1) The acquiring authority shall serve on every ^[F3]qualifying person] 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) ^[F4]A person is a qualifying person, in relation to land comprised in an order, if—
- (a) he is an owner, lessee, tenant (whatever the tenancy period) or occupier of the land, ^{F5} ...
 - (b) he falls within subsection (2A) ^[F6], or
 - (c) the person is entitled to the benefit of an obligation under a conservation covenant (within the meaning of Part 7 of the Environment Act 2021) relating to the land.]
- (2A) A person falls within this subsection if he is—
- (a) a person to whom the acquiring authority would, if proceeding under section 5(1) of the Compulsory Purchase Act 1965, be required to give a notice to treat, or
 - (b) a person the acquiring authority thinks is likely to be entitled to make a relevant claim if the order is confirmed and the compulsory purchase takes place, so far as he is known to the acquiring authority after making diligent inquiry.
- (2B) A relevant claim is a claim for compensation under section 10 of the Compulsory Purchase Act 1965 (compensation for injurious affection).]
- (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 ^[F7]Church Commissioners]^[F7]Diocesan Board of Finance for the diocese in which the land is situated] .

In this subsection “ecclesiastical property” means land belonging to any ecclesiastical benefice ^[F8]of the Church of England] , or being or forming part of a church subject to the jurisdiction of the bishop of any diocese ^[F8]of the Church of England] or the site of such a church, or being or forming part of a burial ground subject to such jurisdiction ^[F9]^[F10]or being diocesan glebe land within the meaning of the Endowments and Glebe Measure 1976]].

Textual Amendments

- F2** Words in s. 12 title substituted (30.9.2022) by virtue of [Environment Act 2021 \(c. 30\)](#), [s. 147\(3\)](#), [Sch. 20 para. 2\(2\)](#) (with [s. 144](#)); S.I. 2022/48, reg. 5(d)

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- F3** Words in s. 12(1) substituted (6.8.2004 for specified purposes, 31.10.2004 in so far as not already in force) by Planning and Compulsory Purchase Act 2004 (c. 5), **s. 100(5)(a)** (with s. 100(8)); S.I. 2004/2097, art. 2; S.I. 2004/2593, art. 2(a)
- F4** S. 12(2)-(2B) substituted for s. 12(2) (6.8.2004 for specified purposes, 31.10.2004 in so far as not already in force) by Planning and Compulsory Purchase Act 2004 (c. 5), **s. 100(5)(b)** (with s. 100(8)); S.I. 2004/2097, art. 2; S.I. 2004/2593, art. 2(a)
- F5** Word in s. 12(2)(a) omitted (30.9.2022) by virtue of Environment Act 2021 (c. 30), s. 147(3), **Sch. 20 para. 2(3)(a)** (with s. 144); S.I. 2022/48, reg. 5(d)
- F6** S. 12(2)(c) and word inserted (30.9.2022) by Environment Act 2021 (c. 30), s. 147(3), **Sch. 20 para. 2(3)(b)** (with s. 144); S.I. 2022/48, reg. 5(d)
- F7** Words in s. 12(3) substituted (E.) (1.10.2006) by Church of England (Miscellaneous Provisions) Measure 2006 (No. 1), s. 16(2), **Sch. 5 para. 24(1)(a)**; 2006 No. 2, Instrument made by Archbishops
- F8** Words in s. 12(3) inserted (E.) (1.10.2006) by Church of England (Miscellaneous Provisions) Measure 2006 (No. 1), s. 16(2), **Sch. 5 para. 24(1)(b)**; 2006 No. 2, Instrument made by Archbishops
- F9** 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**.
- F10** Words in s. 12(3) omitted (E.) (1.10.2006) by virtue of Church of England (Miscellaneous Provisions) Measure 2006 (No. 1), s. 16(2), **Sch. 5 para. 24(1)(c)**; 2006 No. 2, Instrument made by Archbishops

Modifications etc. (not altering text)

- C1** S. 12 modified by Planning (Listed Buildings and Conservation Areas) Act 1990 (c. 9, SIF 123:1), **s. 50(3)**
- C2** 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**

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