



Acquisition of Land Act 1981

1981 CHAPTER 67

PART II

PURCHASES BY LOCAL AND OTHER AUTHORITIES

^{F1}Special provision about compensation

Textual Amendments

- F1** S. 15A and cross-heading inserted (31.3.2024 for W. for specified purposes, 30.4.2024 for E.) by Levelling-up and Regeneration Act 2023 (c. 55), ss. 190(1)(c), 255(7) (with s. 247); S.I. 2024/92, reg. 4 (with reg. 6(6)); S.I. 2024/389, reg. 2(l)

15A Directions applying section 14A of the Land Compensation Act 1961

- (1) Subsection (2) applies if—
 - (a) an acquiring authority submits a compulsory purchase order for confirmation, and
 - (b) the authorising enactment is listed in Schedule 2A.
- (2) The acquiring authority may include in the order a direction that compensation is to be assessed in accordance with section 14A of the Land Compensation Act 1961 (cases where prospect of planning permission to be ignored); and if it does so the following provisions of this section apply.
- (3) The acquiring authority must submit to the confirming authority a statement of commitments together with the order.
- (4) A “statement of commitments” is a statement of the acquiring authority’s intentions as to what will be done with the project land should the acquisition proceed, so far as the authority relies on those intentions in contending that the direction is justified in the public interest.

Status: Point in time view as at 30/04/2024.

Changes to legislation: *Acquisition of Land Act 1981, Cross Heading: Special provision about compensation is up to date with all changes known to be in force on or before 04 September 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)*

- (5) If the authorising enactment is listed in any of paragraphs 2 to 7 of Schedule 2A, those intentions must include the provision of a certain number of units of affordable housing.
- (6) The statement under section 12(1)(a) must include a statement of the effect of the direction; and paragraphs (ba) and (bb) of the same subsection apply in respect of the statement of commitments as they apply in respect of the compulsory purchase order.
- (7) The confirming authority may permit the acquiring authority to amend the statement of commitments before the decision whether to confirm the order is made.
- (8) But the confirming authority may do so—
- (a) only if satisfied that the amendment would not be unfair to any person who made or could have made a relevant objection for the purposes of section 13, and
 - (b) if the authorising enactment is listed in any of paragraphs 2 to 7 of Schedule 2A, only if the statement of commitments as amended will still comply with subsection (5).
- (9) If the confirming authority decides to confirm the order in accordance with the applicable provisions of this Part—
- (a) it may confirm the order with the direction included if satisfied that the direction is justified in the public interest;
 - (b) otherwise, it must modify the order so as to remove the direction.
- (10) If the order is confirmed with the direction included, a confirmation notice under section 15 must (in addition to the matters set out in subsection (4) of that section)—
- (a) state the effect of the direction,
 - (b) explain how the statement of commitments may be viewed, and
 - (c) explain that additional compensation may become payable if the statement of commitments is not fulfilled.
- (11) In this section—
- “the authorising enactment” means the enactment that confers the power to make the compulsory purchase to which the order in question relates;
- “the project land” means—
- (a) the land proposed to be acquired further to the compulsory purchase order, and
 - (b) any other land that the acquiring authority intends to be used in connection with that land;
- “unit of affordable housing” means a building or part of a building that is constructed or adapted for use as a separate dwelling and—
- (a) in the case of a building in England, is to be used as—
 - (i) social housing within the meaning of Part 2 of the Housing and Regeneration Act 2008, or
 - (ii) housing of any other description that is prescribed, or
 - (b) in the case of a building in Wales, is to be used as housing of a description that is prescribed.]

Status:

Point in time view as at 30/04/2024.

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