



# Housing Act 1996

## 1996 CHAPTER 52

### PART VIII

#### MISCELLANEOUS AND GENERAL PROVISIONS

##### *Miscellaneous*

#### **221 Exercise of compulsory purchase powers in relation to Crown land**

- (1) This section applies to any power to acquire land compulsorily under—
  - (a) the Housing Act 1985,
  - (b) the Housing Associations Act 1985,
  - (c) Part III of the Housing Act 1988 (housing action trust areas), or
  - (d) Part VII of the Local Government and Housing Act 1989 (renewal areas).
- (2) Any power to which this section applies may be exercised in relation to an interest in Crown land which is for the time being held otherwise than by or on behalf of the Crown, but only with the consent of the appropriate authority.
- (3) In this section “Crown land” means land in which there is a Crown interest or a Duchy interest.

For this purpose—

“Crown interest” means an interest belonging to Her Majesty in right of the Crown or belonging to a government department or held in trust for Her Majesty for the purposes of a government department; and

“Duchy interest” means an interest belonging to Her Majesty in right of the Duchy of Lancaster or belonging to the Duchy of Cornwall.

- (4) For the purposes of this section “the appropriate authority”, in relation to Crown land, is—
  - (a) in the case of land belonging to Her Majesty in right of the Crown and forming part of the Crown Estate, the Crown Estate Commissioners;

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*Status: This is the original version (as it was originally enacted).*

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- (b) in relation to any other land belonging to Her Majesty in right of the Crown, the government department having the management of that land;
  - (c) in relation to land belonging to Her Majesty in right of the Duchy of Lancaster, the Chancellor of the Duchy;
  - (d) in relation to land belonging to the Duchy of Cornwall, such person as the Duke of Cornwall, or the possessor for the time being of the Duchy of Cornwall, appoints;
  - (e) in the case of land belonging to a government department or held in trust for Her Majesty for the purposes of a government department, that department.
- (5) If any question arises as to what authority is the appropriate authority in relation to any land, that question shall be referred to the Treasury, whose decision shall be final.