



Housing and Regeneration Act 2008

2008 CHAPTER 17

PART 1

THE HOMES AND COMMUNITIES AGENCY

CHAPTER 2

LAND AND INFRASTRUCTURE

Powers to deal with land etc.

9 Acquisition of land

- (1) The HCA may acquire land by agreement.
- (2) The HCA may acquire land compulsorily if the Secretary of State authorises it to do so.
- (3) The power of acquiring land compulsorily under subsection (2) includes power to acquire new rights over land.
- (4) Subsection (5) applies where—
 - (a) land or new rights over land are being acquired compulsorily under subsection (2), and
 - (b) the land which is being acquired, or over which new rights are being acquired, forms part of a common, open space or allotment.
- (5) The power under subsection (2) to acquire land compulsorily includes the power to acquire land compulsorily for giving in exchange for the land or (as the case may be) new rights mentioned in subsection (4)(a).
- (6) Schedule 2 (which makes further provision in relation to the acquisition of land by the HCA) has effect.
- (7) In this Part—

Status: Point in time view as at 28/07/2020. This version of this provision has been superseded.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Housing and Regeneration Act 2008. 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)

- “allotment” means a fuel or field garden allotment,
 “common” has the meaning given by section 19(4) of the Acquisition of Land Act 1981 (c. 67),
 “open space” means any land which is—
- (a) laid out as a public garden,
 - (b) used for the purposes of public recreation, or
 - (c) a disused burial ground.

Modifications etc. (not altering text)

- C1** Pt. 1 Chs. 1, 2 applied (with modifications (28.7.2020) by [The Barnsley, Doncaster, Rotherham and Sheffield Combined Authority \(Functions and Amendment\) Order 2020 \(S.I. 2020/806\)](#), arts. 1, 10(5), [Sch. 2 Pt. 1](#)
- C2** S. 9 functions made exercisable concurrently (23.12.2016) by [The Greater Manchester Combined Authority \(Functions and Amendment\) Order 2016 \(S.I. 2016/1267\)](#), arts. 1(2), **5(1)(e)(2)(3)**, 15(1)(a)(iii) (with art. 7)
- C3** S. 9 functions made exercisable concurrently (9.2.2017) by [The West of England Combined Authority Order 2017 \(S.I. 2017/126\)](#), arts. 1(3), **18(1)(e)** (with art. 18(3)(b))
- C4** S. 9 functions made exercisable (17.3.2017) by [The Liverpool City Region Combined Authority \(Functions and Amendment\) Order 2017 \(S.I. 2017/430\)](#), arts. 1(2), **6(1)-(4)**
- C5** S. 9 functions made exercisable concurrently (8.5.2017) by [The West Midlands Combined Authority \(Functions and Amendment\) Order 2017 \(S.I. 2017/510\)](#), arts. 1(2), **10(1)(3)**
- C6** S. 9 functions made exercisable concurrently (2.11.2018) by [The Newcastle Upon Tyne, North Tyneside and Northumberland Combined Authority \(Establishment and Functions\) Order 2018 \(S.I. 2018/1133\)](#), arts. 1, **14** (with art. 28)
- C7** S. 9 functions made exercisable concurrently (28.7.2020) by [The Barnsley, Doncaster, Rotherham and Sheffield Combined Authority \(Functions and Amendment\) Order 2020 \(S.I. 2020/806\)](#), arts. 1, **10(1)(e)(2)-(4)**

Commencement Information

- I1** S. 9 in force at 1.12.2008 by [S.I. 2008/3068](#), **art. 2(1)(d)** (with arts. 6-13)

Status:

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