



# Levelling-up and Regeneration Act 2023

## 2023 CHAPTER 55

### PART 9

#### COMPULSORY PURCHASE

##### *Procedure*

#### **183 Conditional confirmation**

- (1) The Acquisition of Land Act 1981 is amended as set out in subsections (2) and (3).
- (2) After section 13B insert—

##### **“13BA Conditional confirmation**

- (1) The confirming authority may confirm a compulsory purchase order conditionally.
- (2) The effect of conditional confirmation is that the order—
  - (a) does not become operative until the confirming authority has decided, on an application by the acquiring authority, that certain conditions have been met, and
  - (b) expires if the confirming authority—
    - (i) has not received an application for the purposes of subsection (2)(a) by a certain time, or
    - (ii) having received such an application by that time, decides that the conditions have not been met.
- (3) The conditions and the time are to be specified by the confirming authority when it confirms the order.
- (4) The procedure to be followed in relation to an application under this section is to be prescribed.

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*Status: Point in time view as at 31/03/2024.*

*Changes to legislation: There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Section 183. (See end of Document for details)*

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- (5) The regulations prescribing the procedure must include provision for each relevant objector—
- (a) to be given notice of the application (or for steps to be taken with a view to notifying them), and
  - (b) to have the opportunity to make written representations in response to the application.
- (6) In subsection (5), “relevant objector” means a person who made an objection to the order that—
- (a) was a remaining objection for the purposes of section 13A, and
  - (b) had not been withdrawn by the time the order was confirmed.
- (7) The regulations may include provision as to the giving of reasons for the decision on the application.
- (8) Subsections (2) to (6) of section 13B apply to proceedings on an application under this section as they apply to the representations procedure.”
- (3) In section 15 (notices after confirmation of compulsory purchase order)—
- (a) in subsection (2)(b), for “date when the order becomes operative” substitute “day on which the authority takes the final step needed to comply with subsection (1)(a)”;
  - (b) in subsection (3), at the beginning insert “Unless the order was confirmed conditionally,”;
  - (c) in subsection (4), after paragraph (b) insert—
    - “(ba) if the order was confirmed conditionally, stating the conditions and time specified under section 13BA(3);”;
  - (d) after subsection (4A) (inserted by section 181(6)) insert—
 

“(4B) If the order was confirmed conditionally and the confirming authority decides under section 13BA that the conditions have been met, the acquiring authority must serve—

    - (a) a copy of the order, and
    - (b) a fulfilment notice,

on each person on whom a notice was required to be served under section 12.

(4C) Where subsection (4B) applies, the acquiring authority must also—

    - (a) affix a fulfilment notice to a conspicuous object or objects on or near the land comprised in the order, and
    - (b) publish a fulfilment notice—
      - (i) in one or more local newspapers circulating in the locality in which the land comprised in the order is situated, and
      - (ii) on an appropriate website, until the end of the period of 6 weeks beginning with the day on which the acquiring authority takes the final step needed to comply with subsection (4B).

(4D) The acquiring authority must comply with subsections (4B) and (4C)(a) and (b)(i) before the end of—

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- (a) the period of 6 weeks beginning with the day on which the decision under section 13BA is made, or
  - (b) such longer period beginning with that day as may be agreed in writing between the acquiring authority and the confirming authority.
- (4E) If the acquiring authority fails to comply with those provisions before the end of that period, or fails to comply with subsection (4C)(b)(ii), the confirming authority may—
- (a) take any steps that the acquiring authority was required but has failed to take to comply, and
  - (b) recover the reasonable costs of doing so from the acquiring authority
- (4F) A fulfilment notice is a notice—
- (a) stating that the conditions subject to which the order was confirmed have been met and that the order will therefore become operative, and
  - (b) annexing the information that was contained in the confirmation notice.”;
- (e) in subsection (5), after “notice” insert “or fulfilment notice”;
  - (f) in subsection (6)—
    - (i) after “notice” insert “, and any fulfilment notice,”;
    - (ii) for “it” substitute “each such notice”.
- (4) [Schedule 18](#) contains, and makes provision in connection with, amendments in consequence of this section and paragraph 3 of [Schedule 19](#).

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**Commencement Information**

- I1** S. 183 not in force at Royal Assent, see [s. 255\(7\)](#)
- I2** S. 183 in force at 31.3.2024 for specified purposes by [S.I. 2024/389](#), [reg. 2\(j\)](#)

**Status:**

Point in time view as at 31/03/2024.

**Changes to legislation:**

There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Section 183.