



New Towns Act 1981

1981 CHAPTER 64

PART I

NEW TOWNS AND THEIR DEVELOPMENT CORPORATIONS

Acquisition of land by development corporations and highway authorities

11 Acquisition of land for highways.

- (1) Where the Secretary of State is satisfied that the construction or improvement of a road is needed—
- (a) outside the area of a new town, for the purpose of securing the development of land in that area in accordance with proposals approved by him under section 7 above, or
 - (b) for the purpose of providing proper means of access to such an area,
- a local highway authority may be authorised by means of an order made by the authority and submitted to and confirmed by the Secretary of State in accordance with Parts I and II of Schedule 4 to this Act, to acquire compulsorily any land as to which he is satisfied that its acquisition by the authority is requisite—
- (i) for the construction or improvement of the road, or
 - (ii) for carrying out the improvement, or controlling the development, of frontages to the road or of lands abutting on or adjacent to the road.
- (2) If the Secretary of State—
- (a) is satisfied that the construction or improvement of a road is needed to supersede a part of [^{F1}a road for which he is the highway authority], and
 - (b) it appears to him that such supersession is expedient for any such purpose as is mentioned in subsection (1)(a) or (b) above,
- he may be authorised, by means of an order made by him in accordance with Part III of Schedule 4, to acquire compulsorily any land as to which he is satisfied that its acquisition by him is requisite as mentioned in subsection (1)(i) or (ii).
- (3) A compulsory purchase order under this section shall, in so far as it relates to land—

Changes to legislation: There are outstanding changes not yet made by the [legislation.gov.uk](https://www.legislation.gov.uk) editorial team to *New Towns Act 1981*. 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) [View outstanding changes](#)

- (a) which is the property of a local authority or which is held inalienably by the National Trust, or
 - (b) which forms part of a common, open space or fuel or field garden allotment, be subject to the special provisions of Part IV of Schedule 4.
- (4) Where an acquiring authority have been authorised under subsection (1) or subsection (2) above to acquire compulsorily land forming part of a common, open space or fuel or field garden allotment, that authority may be authorised under the same subsection to acquire compulsorily land for giving in exchange for the land acquired.
- (5) Part V of Schedule 4 has effect with respect to the validity and date of operation of compulsory purchase orders under this section.
- (6) A local highway authority may, with the Secretary of State's consent, acquire by agreement any land which they could be authorised under subsection (1) to acquire compulsorily.
- (7) In relation to operational land of statutory undertakers the foregoing provisions of this section have effect subject to section 13 below.

Textual Amendments

- F1** Words in s. 11(2)(a) substituted (01. 11. 1991) by [New Roads and Street Works Act 1991 \(c. 22, SIF 59, 108\)](#), s. 168(1), [Sch. 8 Pt. IV para. 112](#); S.I. 1991/2288, [art. 3](#), Sch.

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to New Towns Act 1981. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 1A(1) omitted by [2023 c. 55 Sch. 16 para. 7\(3\)](#)
- s. 1A(2) omitted by [2023 c. 55 Sch. 16 para. 7\(3\)](#)
- s. 1A(4) word inserted by [2023 c. 55 Sch. 16 para. 7\(4\)\(b\)](#)
- s. 1A(4) words substituted by [2023 c. 55 Sch. 16 para. 7\(4\)\(a\)](#)
- s. 1A(5)(a) words substituted by [2023 c. 55 Sch. 16 para. 7\(5\)\(a\)](#)
- s. 1ZA1ZB inserted by [2023 c. 55 s. 172\(2\)](#)
- s. 2(1A) inserted by [2023 c. 55 Sch. 16 para. 8](#)
- s. 3(2B)-(2D) inserted by [2023 c. 55 s. 172\(3\)\(c\)](#)
- s. 3(2ZA)(2ZB) inserted by [2023 c. 55 s. 178\(2\)\(b\)](#)
- s. 7A7B inserted by [2023 c. 55 s. 175\(2\)](#)
- s. 60(1A) inserted by [2023 c. 55 s. 179\(2\)\(b\)](#)
- s. 77(3E) inserted by [2023 c. 55 Sch. 17 para. 1\(3\)](#)
- Sch. 3 para. 10A10B and cross-heading inserted by [2023 c. 55 s. 175\(3\)](#)
- Sch. 4 para. 5A inserted by [2023 c. 55 s. 190\(3\)\(a\)](#)
- Sch. 5 para. 5A inserted by [2023 c. 55 s. 190\(3\)\(b\)](#)