



# Compulsory Purchase (Vesting Declarations) Act 1981

## CHAPTER 66

### COMPULSORY PURCHASE (VESTING DECLARATIONS) ACT 1981

#### PART I

##### GENERAL

- 1 Application of Act.
- 2 Interpretation and construction.

#### PART II

##### EXECUTION OF DECLARATION

- 3 Preliminary notices.
- 4 Execution of declaration.
- 5 Earliest date for execution of declaration.
- 5A Time limit for general vesting declaration
- 5B Extension of time limit during challenge
- 6 Notices after execution of declaration.

#### PART III

##### EFFECT OF DECLARATION

- 7 Constructive notice to treat.
- 8 Vesting, and right to enter and take possession.
- 8A Postponement of vesting by agreement
- 9 Minor tenancies and tenancies about to expire.

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## PART IV

### SUPPLEMENTARY

- 10 Acquiring authority's liability arising on vesting of the land.
- 11 Recovery of compensation overpaid.
- 12 Divided land.
- 13 Right of recovery of mistaken payment of rent, etc.
- 14 Documents of title.
- 15 Application to orders under section 141 of the Local Government, Planning and Land Act 1980.
- 16 Consequential amendments and repeals.
- 17 Short title, commencement and extent.

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### Compulsory Purchase (Vesting Declarations) Act 1981

#### SCHEDULE A1 — Counter-notice requiring purchase of land not in general vesting declaration

##### PART 1 — COUNTER-NOTICE REQUIRING PURCHASE OF ADDITIONAL LAND

- 1 (1) This Schedule applies where an acquiring authority have executed...
- 2 A person able to sell the whole of the house,...
- 3 A counter-notice under paragraph 2 must be served before the...
- 4 In a case where this Schedule applies by virtue of...
- 5 (1) In this Schedule— “ additional land ” means the...

##### PART 2 — CONSEQUENCES OF COUNTER-NOTICE

##### *Acquiring authority must respond to counter-notice within three months*

- 6 (1) On receiving a counter-notice the acquiring authority must decide...
- 7 The authority must serve notice of their decision on the...
- 8 If the authority decide to refer the counter-notice to the...
- 9 (1) This paragraph applies if the acquiring authority do not...

##### *No vesting if notice to treat withdrawn*

- 10 If the acquiring authority serve notice of a decision to...

##### *Effects of accepting counter-notice*

- 11 (1) This paragraph applies where the acquiring authority serve notice...

##### *Effects of referring counter-notice to the Upper Tribunal*

- 12 (1) This paragraph applies where— (a) the acquiring authority refer...

##### PART 3 — DETERMINATION BY THE UPPER TRIBUNAL

##### *Introduction*

- 13 This Part applies where, in accordance with paragraph 8, the...

##### *Role of the Upper Tribunal*

- 14 (1) The Upper Tribunal must determine whether the severance of...
- 15 If the Upper Tribunal determines that the severance of the...

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*Effect of determination that more land should be acquired*

- 16 (1) This paragraph applies where the Upper Tribunal specifies in...

*Withdrawal of notice to treat following determination*

- 17 (1) This paragraph applies where— (a) the Upper Tribunal has...

Schedule 1 — Divided Land

Part I — BUILDINGS AND GARDENS ETC.

*Interpretation of Part I*

- 1 In this Part of this Schedule— “notice of objection to...

*Objection to severance*

- 2 (1) If a general vesting declaration comprises part only of—...  
3 Where notice of objection to severance is served within the...

*Response by acquiring authority to objection to severance*

- 4 (1) Within 3 months after a person has served on...  
5 If the acquiring authority do not take action in accordance...  
6 Where in accordance with paragraph 4 or paragraph 5 above...  
7 Where an acquiring authority take action in accordance with  
paragraph...  
8 (1) Where in accordance with paragraph 4(1)(c) above an acquiring...  
9 (1) If on such a reference the Upper Tribunal does...

*Late service of notice of objection to severance*

- 10 (1) Where in accordance with paragraph 2(1) above a person...  
Part II — RENTCHARGES AND TENANCIES  
11 (1) Where land specified in a general vesting declaration is,...  
12 Where land specified in a general vesting declaration is, together...

SCHEDULE 2 — Vesting of Land in Urban Development Corporation

- 1 In relation to an order (“the order”) under section 141...  
2 (1) Any reference in Part III or IV to a...  
3 In section 7(1)— (a) the reference to every person on...  
4 In Schedule A1, for paragraph 3 there is to be...

SCHEDULE 3 — Consequential Amendments

*Land Compensation Act 1973 (c. 26)*

- 1 In the Land Compensation Act 1973, in sections 50(4), 53(5)...  
2 .....

*Development Land Tax Act 1976 (c. 24)*

- 3 In section 45(5)(a) of the Development Land Tax Act 1976...

*Local Government, Planning and Land Act 1980 (c. 65)*

- 4 In section 141(4) of the Local Government, Planning and Land...

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#### SCHEDULE 4 — Transitional

##### *References to old law to include new law*

- 1 (1) This paragraph is without prejudice to section 17(2)(a) of...

##### *References to new law to include old law*

- 2 Any reference, whether express or implied, in any enactment, instrument...

##### *Periods of time*

- 3 Where a period of time specified in any enactment repealed...

##### *Successor authorities*

- 4 (1) Any reference in this Act (whether express or implied)...

##### *Exclusion of compulsory purchase order in force before 1st April 1969*

- 5 This Act shall not apply to the compulsory acquisition of...

#### SCHEDULE 5 — Repeals

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### Changes and effects yet to be applied to :

- s. 5(2) word substituted by [2023 c. 55 Sch. 18 para. 2](#)
- Sch. A1 excluded by [S.I. 2020/1297 art. 27\(4\)\(b\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/1297 was withdrawn following a request from the Department of Transport dated 9th August 2021 which followed the decision of the High Court of Justice to quash this Order in the judgement dated 2nd August 2021 (High Court of Justice — Planning Court — The Queen (on the application of Save Stonehenge World Heritage Site) v. Secretary of State for Transport — Case No. CO/4844/2020))
- Sch. A1 excluded by [S.I. 2021/51 art. 31\(3\)\(b\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2021/51 removed from the website by request from the Department of Transport dated 12th July 2021 which followed the decision of the High Court of Justice to quash these Regulations in the judgement dated 8th July 2021 (High Court of Justice — Planning Court — The Queen (on the application of Mair Bain) v. Secretary of State for Transport — Case No. CO/642/2021).)
- Sch. A1 excluded by [S.I. 2024/174 art. 28\(3\)](#)
- Sch. A1 excluded by [S.I. 2024/230 art. 26\(3\)](#)
- Sch. A1 excluded by [S.I. 2024/360 art. 27\(3\)](#)
- Sch. A1 excluded by [S.I. 2024/393 art. 34\(3\)](#)
- Sch. A1 excluded by [S.I. 2024/436 art. 31\(4\)](#)

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

- Act applied (with modifications) by [S.I. 2020/1297 art. 26](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/1297 was withdrawn following a request from the Department of Transport dated 9th August 2021 which followed the decision of the High Court of Justice to quash this Order in the judgement dated 2nd August 2021 (High Court of Justice — Planning Court — The Queen (on the application of Save Stonehenge World Heritage Site) v. Secretary of State for Transport — Case No. CO/4844/2020))
- Act applied (with modifications) by [S.I. 2021/51 art. 30](#) (This amendment not applied to legislation.gov.uk. S.I. 2021/51 removed from the website by request from the Department of Transport dated 12th July 2021 which followed the decision of the High Court of Justice to quash these Regulations in the judgement dated 8th July 2021 (High Court of Justice — Planning Court — The Queen (on the application of Mair Bain) v. Secretary of State for Transport — Case No. CO/642/2021).)
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- Act applied (with modifications) by [S.I. 2024/360 art. 26](#)
- Act applied (with modifications) by [S.I. 2024/393 art. 33](#)
- Act applied (with modifications) by [S.I. 2024/436 art. 30](#)