



# Requisitioned Land and War Works Act 1945

## 1945 CHAPTER 43

### PART V

#### NEW TEMPORARY PROCEDURE FOR ACQUISITION OF LAND BY LOCAL AUTHORITIES.

#### 26 Acquisition by local authorities.

- (1) Where, under Defence Regulations, a local authority or combination of local authorities have been directed to do work on, or authorised to use, any land for a purpose for which they are or can be authorised under any Act to acquire land compulsorily, they may be authorised under this Part of this Act to purchase all or any part of the land compulsorily for that purpose by means of an order made by them and confirmed by the appropriate Minister, that is to say,—
- (a) where the purpose was the construction or improvement of a highway, the Minister of War Transport;
  - (b) where the purpose was the performance of any of their functions under the Civil Defence Acts, 1937 and 1939, the Secretary of State or the Minister of Health, according as the Minister of Home Security or the Minister of Health gave the direction or authority;
  - (c) where the purpose was the performance of their functions as a local education authority, the Minister of Education;
  - (d) in any other case, the Minister of Health :

Provided that no land shall be purchased under this section except in pursuance of a notice to treat given before the expiration of two years from the end of the war period.

- (2) Where, under Defence Regulations, an authority which are not a local authority or combination of local authorities have done work on or used any land for the purpose of a police force, and a local authority or combination of local authorities are or can be authorised under any Act to acquire land compulsorily for that purpose of that force, the work done or, as the case may be, the use made of, that land by the first-mentioned

authority shall, for the purposes of this section, be deemed to be work done on or use made of that land, by the second-mentioned authority or combination of authorities.

**27 Provisions as to compulsory purchase orders.**

- (1) The provisions of Part VII of the Local Government Act, 1933, relating to compulsory purchase orders as defined in subsection (1) of section one hundred and sixty-one of that Act shall (notwithstanding anything in paragraph (g) of section one hundred and seventy-nine of that Act) apply in relation to a purchase of land authorised under this Part of this Act subject to the following modifications, that is to say—
  - (a) for the references to the Minister of Health there shall be substituted references to the appropriate Minister;
  - (b) references to a local authority shall include references to a combination of local authorities;
  - (c) where work has been done on the land by the acquiring authority or combination of authorities, the appropriate Minister, if he thinks fit, may—
    - (i) direct that subsection (3) of the said section one hundred and sixty-one (which relates to the publication and service of notices) either shall not apply or shall apply subject to such modifications as may be specified in the direction;
    - (ii) confirm the order without causing a local inquiry to be held, notwithstanding that objections (being -objections not relating to matters which can be dealt with by the tribunal by whom the compensation is to be assessed) have been duly made and have not been withdrawn.
- (2) The references in the preceding subsection to Part VII of the Local Government Act, 1933, and to section one hundred and sixty-one and paragraph (g) of section one hundred and seventy-nine of that Act shall, in relation to the Administrative County of London, be construed as references respectively to Part V of the London Government Act, 1939, and to section one hundred and two and subsection (2) of section one hundred and fourteen of that Act.