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 STATUTORY INSTRUMENTS
 

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1982 No. 6

## ACQUISITION OF LAND

## The Compulsory Purchase of Land Regulations 1982

*Made* - - - - 4th January 1982

*Laid before Parliament* 20th January 1982

*Coming into Operation* 30th January 1982

The Secretary of State for the Environment, in exercise of the powers conferred upon him by sections 7(2), 10(2), 11(1), 12(1), 15 and 22 of, paragraphs 2, 3 and 6 of Schedule 1 and paragraph 9 of Schedule 3 to, the Acquisition of Land Act 1981(a), sections 2(1), 3(3), 4(1) and 6(1) of the Compulsory Purchase (Vesting Declarations) Act 1981(b), and section 125(2) of the Local Government Act 1972(c), and of all other powers enabling him in that behalf, hereby makes the following regulations:—

*Citation and commencement*

1. These regulations may be cited as the Compulsory Purchase of Land Regulations 1982 and shall come into operation on 30th January 1982.

*Interpretation*

2.—(1) In these regulations—

“the Acquisition of Land Act” means the Acquisition of Land Act 1981; and

“the Planning Act” means the Town and Country Planning Act 1971(d).

(2) In these regulations, any reference to a numbered form is a reference to the form bearing that number in the Schedule hereto, or a form substantially to the like effect.

*Prescribed forms in connection with compulsory purchase*

3. The prescribed forms for the undermentioned provisions of the Acquisition of Land Act (which sets out the procedure for authorising compulsory purchases) shall be as follows:—

(a) for the purposes of section 10, the form of compulsory purchase order shall be form 1, or if the order provides for the vesting of land given in exchange pursuant to section 19, form 2;

(b) for the purposes of section 11(1) and paragraph 2(1) of Schedule 1, the form of newspaper notice concerning a compulsory purchase order shall be form 3;

(c) subject to the provisions of regulation 4 of these regulations, for the purposes of section 12(1) and paragraph 3(1) of Schedule 1, the form of

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(a) 1981 c. 67.  
(c) 1972 c. 70.

(b) 1981 c. 66.  
(d) 1971 c. 78.

notice to owners, lessees and occupiers of land comprised in a compulsory purchase order shall be form 4, or if the order is made on behalf of a parish (or in Wales community) council form 5;

- (d) for the purposes of section 15 and paragraph 6 of Schedule 1, the form of notice of confirmation of a compulsory purchase order shall be form 6; but in relation to an order made by a Minister, that form shall have effect with the substitution for references to the confirmation of an order submitted of references to the making of the order;
- (e) for the purposes of section 22, or paragraph 9 of Schedule 3, the form of newspaper notice stating that a certificate has been given under section 19 of, or paragraph 6 of Schedule 3 to, the Acquisition of Land Act shall be form 7.

*Additional provisions with respect to listed buildings*

4. Where a compulsory purchase order is made under section 114 of the Planning Act (which empowers the compulsory acquisition of listed buildings in need of repair), there shall be included in form 4, at the end of paragraph 2, the additional paragraphs set out after the notes on that form, as follows:—

- (a) the additional paragraph numbered 3 shall be included in every case;
  - (b) the additional paragraph numbered 4 shall be included in any case where the notice is required by section 117(3) of the Planning Act (which provides for minimum compensation in the case of a building deliberately left derelict) to include a statement that the authority or Minister has included a direction for minimum compensation;
  - (c) the additional paragraph numbered 5 shall be included in every case;
- and the remaining paragraphs shall be re-numbered as necessary.

*Prescribed forms in connection with general vesting declaration*

5. The prescribed forms for the undermentioned provisions of Part II of the Compulsory Purchase (Vesting Declarations) Act 1981 (which regulates the procedure for executing general vesting declarations for land compulsorily acquired) shall be as follows:—

- (a) for the purposes of section 4(1), the form of general vesting declaration shall be form 8;
- (b) for the purposes of section 3(3), the form of statement of the effect of Parts II and III shall be Part I of form 9 and the form for the giving of information to the authority shall be Part II of form 9;
- (c) for the purposes of section 6(1), the form of notice specifying the land and stating the effect of a general vesting declaration shall be form 10.

*Prescribed form for the purposes of section 125(2) of the Local Government Act 1972*

6. The prescribed form for the purposes of section 125(2) of the Local Government Act 1972 of notice of a proposed inquiry into a proposal to acquire land compulsorily on behalf of a parish or community council shall be form 11.

*Manner of publication of notice under section 125(2) of the Local Government Act 1972*

7. The notice under section 125(2) of the Local Government Act 1972 of a proposed inquiry by a district council in relation to the compulsory acquisition

of land on behalf of a parish or community council under sub-section (1) of that section, to be published in the parish or community, shall be published:—

- (a) by affixation in a conspicuous place on or near the land and in one or more places where public notices are usually posted in the locality; and
- (b) by publication in one or more local newspapers circulating in the locality in which the land is situated.

#### *Revocation*

8. The Compulsory Purchase of Land Regulations 1976(a) are hereby revoked; but this revocation shall not affect the validity of any order, notice, advertisement, declaration or other document made, executed, published or issued before the commencement of these regulations in a form or in a manner prescribed by any of the revoked regulations.

### SCHEDULE

#### CONTENTS

- Form 1 Compulsory purchase order.
- Form 2 Compulsory purchase order providing for the vesting of exchange land.
- Form 3 Newspaper notice concerning a compulsory purchase order.
- Form 4 Notice to owners, lessees and occupiers of land comprised in a compulsory purchase order.
- Form 5 Notice to owners, lessees and occupiers of land comprised in a compulsory purchase order on behalf of a parish or community council.
- Form 6 Notice of confirmation of a compulsory purchase order.
- Form 7 Newspaper notice of the giving of a certificate under section 19 of, or paragraph 6 of Schedule 3 to, the Acquisition of Land Act 1981.
- Form 8 General vesting declaration.
- Form 9 Statement concerning general vesting declaration.
- Form 10 Notice stating effect of general vesting declaration.
- Form 11 Notice of proposed inquiry for purposes of section 125(2) of the Local Government Act 1971.

#### FORM 1

*Regulation 3(a)*

#### COMPULSORY PURCHASE ORDER

The Act (a)  
and the Acquisition of Land Act 1981

[The Act(s) ]

The hereby make the following order:—

1. Subject to the provisions of this order, the said are, under section of the Act, hereby authorised to purchase compulsorily [on behalf of the parish council of ] for the purpose of (b) the land which is described in the Schedule hereto and is delineated and shown (c) on the map prepared in duplicate, sealed with the common seal of the said and marked "Map referred to in the Compulsory Purchase Order 19 ". One duplicate of the map is deposited in the offices of the said and the other is deposited in the offices of the (d).

[2. (e) Section 27 of the Compulsory Purchase Act 1965 shall not apply in relation to the purchase of land authorised by this order.]

[3. (f) In relation to the foregoing purchase Part [s] II [and III] of Schedule 2 to the Acquisition of Land Act 1981 [is] [are] hereby incorporated with the enactment under which the said purchase is authorised, subject to the modifications that (g) ].

5. This order may be cited as the \_\_\_\_\_ Compulsory Purchase Order 19\_\_\_\_

Schedule

Number on map (1)	Extent, description and situation of the land (j) (2)	Owners or reputed owners (3)	Lessees or reputed lessees (4)	Occupiers (other than tenants for a month or less) (5)
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(k)

[(l) The order includes land falling within special categories to which Part III of the Acquisition of Land Act 1981 applies, namely—

*Number on map* \_\_\_\_\_ *Description* \_\_\_\_\_ ]

Date (m) \_\_\_\_\_

For notes see after Form 2.

**Regulation 3(a)**

FORM 2

COMPULSORY PURCHASE ORDER

(Providing for the vesting of exchange land)

The \_\_\_\_\_ Act (a) and the Acquisition of Land Act 1981

[ The \_\_\_\_\_ Act(s) ]

The \_\_\_\_\_ hereby makes the following order:—

1. Subject to the provisions of this order, the said \_\_\_\_\_ are, under section \_\_\_\_\_ of the \_\_\_\_\_ Act hereby authorised to purchase compulsorily [on behalf of the parish council of \_\_\_\_\_] for the purpose of \_\_\_\_\_ (b) the land which is described in schedule 1 hereto and is delineated and shown \_\_\_\_\_ (c) on the map prepared in duplicate, sealed with the common seal of the said \_\_\_\_\_ and marked "Map referred to in the \_\_\_\_\_ Compulsory Purchase Order 19\_\_\_\_". One duplicate of the map is deposited in the offices of the said \_\_\_\_\_ and the other is deposited in the offices of the \_\_\_\_\_ (d).

[2. (e) Section 27 of the Compulsory Purchase Act 1965 shall not apply in relation to the purchase of land authorised by this order.]

[3. (f) In relation to the foregoing purchase Part [s] II [and III] of Schedule 2 to the Acquisition of Land Act 1981 [is] [are] hereby incorporated with the enactment under which the said purchase is authorised, subject to the modifications that (g) ].

4.—(1) In this article “the order land” means (h) [the land referred to in article 1 hereof] [the land described as \_\_\_\_\_ in schedule 1 hereto] and “the exchange land” means the land which is described in Schedule 2 hereto and is delineated and shown \_\_\_\_\_ (c) on the said map.

(2) As from the date on which this order becomes operative or the date on which the order land, or any of it, is vested in the said \_\_\_\_\_ (whichever is the later), the exchange land shall vest in the persons in whom the order land was vested immediately before that date, subject to the like rights, trusts and incidents as attached thereto; and the order land shall thereupon be discharged from all rights, trusts and incidents to which it was previously subject.

5. This order may be cited as the \_\_\_\_\_ Compulsory Purchase Order 19 \_\_\_\_\_.

Schedule 1

Land to be purchased

Number on map	Extent description and situation of the land (j)	Owners or reputed owners	Lessees or reputed lessees	Occupiers (other than tenants for a month or less)
(1)	(2)	(3)	(4)	(5)

(k)

[(l) The order includes land falling within special categories to which Part III of the Acquisition of Land Act 1981 applies, namely—

<i>Number of map</i>	<i>Description</i>	]
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Schedule 2

Exchange land

Date (m)

NOTES TO FORMS 1 AND 2

- (a) Insert the title of the Act authorising compulsory purchase. If the purpose of acquisition as stated in article 1 of the order is contained in some other Act, the title of that Act (or a collective title) should be added as a sub-heading.
- (b) Describe the purpose in precise terms. Where practicable the words of the relevant Act may be used, but where those words are in general terms covering a range of purposes, the particular purpose for which the land is required should be stated if possible.
- (c) Describe the colouring or other method used to identify the land on the map. The boundaries of each parcel of land separately numbered in the schedule to the order should be clearly delineated. Also, the map itself should contain sufficient detail to enable the situation of the land to be readily identified and related to the description given in the schedule. Maps should normally be on a scale of 1/500 or 1/1250.
- (d) Insert the name of the confirming authority.
- (e) This article should be omitted in the case of an order under the Housing Act 1957 and is optional in other cases.
- (f) This article may be omitted, or may be inserted with or without reference to Part III of Schedule 2.
- (g) Insert any modifications required—e.g. “references in the said Part [s] II [and III] to the undertaking shall be construed as references to the buildings or works constructed or to be constructed on that part only of the land authorised to be purchased hatched black on the map.”.
- (h) Use the first alternative if the whole of the land referred to in article 1 falls within Part III of the Acquisition of Land Act 1981. Otherwise, use the second alternative and specify the parcel number(s) of the land which does fall within Part III.



## FORM 4

## Regulation 3(c)

NOTICE TO OWNERS, LESSEES AND OCCUPIERS OF LAND COMPRISED IN A COMPULSORY  
PURCHASE ORDER

The \_\_\_\_\_ Act (a)  
and the Acquisition of Land Act 1981

[ The \_\_\_\_\_ Act(s) ]

1. The \_\_\_\_\_, in exercise of their powers under the above Acts, on \_\_\_\_\_, 19\_\_\_\_ made the \_\_\_\_\_ Compulsory Purchase Order 19\_\_\_\_, which is about to be submitted to the \_\_\_\_\_ for confirmation. The order, if confirmed, will authorise the \_\_\_\_\_ to purchase compulsorily, for the purpose of \_\_\_\_\_ (b), the land described below.

2. A copy of the order and of the map referred to therein have been deposited at \_\_\_\_\_ (c) and may be seen there at all reasonable hours.

3. If no objection is duly made by an owner, lessee or occupier (except a tenant for a month or less), or if all objections so made are withdrawn, or if the confirming authority is satisfied that every objection so made (d) [either] relates exclusively to matters of compensation which can be dealt with by the Lands Tribunal [or amounts in substance to an objection to the provisions of the development plan defining the proposed use of the land comprised in the order or any other land] [or amounts in substance to an objection to the \_\_\_\_\_ Scheme/Order 19\_\_\_\_], the confirming authority may confirm the order with or without modifications.

4. In any other case where an objection has been made by an owner, lessee or occupier (except a tenant for a month or less), the confirming authority is required, before confirming the order, either to cause a public local inquiry to be held or to afford to the objector an opportunity of appearing before and being heard by a person appointed by the confirming authority for the purpose, and may then, after considering the objection and the report of the person who held the inquiry or hearing, confirm the order with or without modifications.

5. Any objection to the order must be made in writing to \_\_\_\_\_ (e) before \_\_\_\_\_ (f), and should state the title of the order and the grounds of objection.

## Description of Land

(g)

[Date and signature]

## NOTES

- (a) The heading and any sub-heading should be the same as in the order.
- (b) Insert the purpose as stated in the order.
- (c) The place of deposit must be "within the locality". It should therefore be within reasonably easy reach of persons living in the area affected.
- (d) The words in square brackets containing the reference to the development plan are required only where the order is made under section 112 or 113 of the Town and Country Planning Act 1971. The words in square brackets containing the reference to the \_\_\_\_\_ Scheme/Order 19\_\_\_\_ are required only when the order is made under highway land acquisition powers (as defined in section 250(1) of the Highways Act 1980) and the circumstances specified in section 258(1) of the Highways Act 1980 apply. In all other cases the bracketed words should be omitted.
- (e) Insert name and address of confirming authority.
- (f) Insert a date at least 21 days from the date of service of the notice (i.e. 21 days excluding the date of service).

- (g) Insert description of all the land comprised in the order. This need not repeat the schedule to the order, but must be in terms from which persons interested can readily see how their land is affected.

*Additional provisions in relation to compulsory purchase orders made under section 114 of the Town and Country Planning Act 1971*

3. Under section 114 of the Town and Country Planning Act 1971, any person having an interest in a listed building which it is proposed to acquire compulsorily under that section may, within 28 days after the service of this notice, apply to the magistrates' court for an order staying further proceedings on the compulsory purchase order, and, if the court is satisfied that reasonable steps have been taken for properly preserving the building, the court must make an order accordingly.

4. The \_\_\_\_\_ (a) have included in the order a direction for minimum compensation (the meaning of which is explained \_\_\_\_\_ (b)). Under section 117 of the Town and Country Planning Act 1971, any person having an interest in the building may, within 28 days after the service of this notice, apply to the magistrates' court for an order that the direction be not included in the order as [confirmed] [made] (c); and if the court is satisfied that the building has not been deliberately allowed to fall into disrepair for the purpose of justifying its demolition and the development or re-development of the site or any adjoining site, the court must make the order applied for.

5. Subject to any action taken under the 1971 Act (which also provides for appeals against decisions of the court) the position with respect to this order is as set out below.

NOTES

- (a) Insert the name of the acquiring authority. If the acquiring authority is a Minister, the paragraph should begin "The \_\_\_\_\_ has included in the draft order".
- (b) Insert a reference to the place where the meaning of "direction for minimum compensation" is explained—e.g. "below" or "on the attached note". (This explanation is required by section 117(3) of the Town and Country Planning Act 1971 in any case where a direction is included in an order; and it should normally include the text of section 117(4)).
- (c) Delete as appropriate.

**Regulation 3(c)**

FORM 5

NOTICE TO OWNERS, LESSEES AND OCCUPIERS OF LAND COMPRISED IN A COMPULSORY PURCHASE ORDER MADE ON BEHALF OF A PARISH OR COMMUNITY COUNCIL.

THE LOCAL GOVERNMENT ACT 1972

AND

THE ACQUISITION OF LAND ACT 1981

[THE \_\_\_\_\_ ACT(s) \_\_\_\_\_ (a)]

1. The district council of \_\_\_\_\_, in exercise of their powers under the above Acts, on \_\_\_\_\_ 19 \_\_\_\_\_ made the \_\_\_\_\_ Compulsory Purchase Order 19 \_\_\_\_\_, which is about to be submitted to the \_\_\_\_\_ (b) for confirmation. The order, if confirmed, will authorise the council to purchase compulsorily, on behalf of the [parish] [community] (c) council of \_\_\_\_\_ (d), the land described below.

2. a copy of the order and the map referred to therein have been deposited at \_\_\_\_\_ (e) and may be seen there at all reasonable hours.

3. If no objection is duly made by any of the owners, lessees and occupiers of the land in question, or if all objections so made are withdrawn, or if the Secretary of State is



satisfied that the objection relates exclusively to matters of compensation which can be dealt with by the Lands Tribunal and disregards the objection, the Secretary of State is required to confirm the order with or without modification if he is satisfied that the proper notices have been published and served.

4. In any other case, the Secretary of State is required, before confirming the order, either to cause a public local inquiry to be held or to afford to the objector an opportunity of appearing before and being heard by a person appointed by the Secretary of State for the purpose, and may then, after considering the objection and the report of the person who held the inquiry or hearing, confirm the order with or without modifications.

5. Any objection to the order must be made in writing to the \_\_\_\_\_ (f) before \_\_\_\_\_ (g), and should state the title of the order and the grounds of objection.

Description of Land (h)

[Date and signature ]

NOTES

- (a) Any sub-heading should be the same as the sub-heading in the order.
- (b) Insert the name of the confirming authority.
- (c) Delete whichever is inapplicable.
- (d) Insert the purpose as stated in the order.
- (e) The place of deposit must be "within the locality". It should therefore be within reasonably easy reach of persons living in the area affected.
- (f) Insert name and address of the confirming authority.
- (g) Insert a date at least 21 days from the date of service of the notice (i.e. 21 days excluding the date of service).
- (h) Insert description of all the land comprised in the order. This need not repeat the schedule to the order, but must be in terms from which persons interested can readily see how their land is affected.

FORM 6

Regulation 3(d)

NOTICE OF CONFIRMATION OF A COMPULSORY PURCHASE ORDER

The \_\_\_\_\_ Act \_\_\_\_\_ (a)  
and the Acquisition of Land Act 1981

[ The \_\_\_\_\_ Act(s) ]

1. Notice is hereby given that the \_\_\_\_\_, in exercise of [his] powers under the above Acts, on \_\_\_\_\_ confirmed [with modifications] the \_\_\_\_\_ Compulsory Purchase Order 19 submitted by the \_\_\_\_\_ [on behalf of the parish council of \_\_\_\_\_]. [on behalf of the community council of \_\_\_\_\_].

2. The order as confirmed provides for the purchase for the purpose of \_\_\_\_\_ (b) of the land described in [the] schedule [1] hereto. [By a direction given under section 132 of the Town and Country Planning Act 1971, consideration of the order, so far as it relates to the land described in schedule 2, has been postponed until \_\_\_\_\_]. [By a direction given under section 259 of the Highways Act 1980 consideration of the order, so far as it relates to the land described in schedule 2, has been postponed until \_\_\_\_\_]. [By a direction given under paragraph 2 of Schedule 20 to the Local Government Planning and Land Act 1980 consideration of the order, so far as it relates to the land

described in schedule 2 has been postponed until . ] [By a direction given under paragraphs 2 of of Schedule 28 to the Local Government, Planning and Land Act 1980 consideration of the order, so far as it relates to the land described in schedule 2, has been postponed until ](c).

3. A copy of the order as confirmed by the and of the map referred to therein have been deposited at (d) and may be seen there at all reasonable hours.

4. (e) The order as confirmed becomes operative on the date on which this notice is first published; but a person aggrieved by the order may, by application to the High Court within 6 weeks from that date, question its validity on the grounds (i) that the authorisation granted by the order is not empowered to be granted or (ii) that his interests have been substantially prejudiced by failure to comply with any statutory requirement relating to the order.

OR

4. The order as confirmed is subject to special parliamentary procedure and will become operative as provided by the Statutory Orders (Special Procedure) Act 1945. Unless the order is confirmed by Act of Parliament under section 6 of that Act, a person aggrieved by the order may, by application to the High Court within 6 weeks from the operative date, question its validity on the ground (i) that the authorisation granted by the order is not empowered to be granted or (ii) that his interests have been substantially prejudiced by failure to comply with any statutory requirement relating to the order.

Schedule [1]  
Land comprised in the order as confirmed  
[Schedule 2  
Land in respect of which consideration has been postponed]  
(f)

[Date and signature]

NOTES

- (a) The heading and any sub-heading should be the same as in the order as confirmed.
- (b) Insert the purpose as stated in the order.
- (c) Omit the passages in square brackets where inappropriate.
- (d) The place of deposit should be "within the locality". It should therefore be within reasonably easy reach of persons living in the area affected.
- (e) Leave standing whichever alternative is appropriate.
- (f) Where this form is to include a statement concerning general vesting declarations, (Form 9) the statement should be included at this point.

**Regulation 3(e)**

**FORM 7**

NOTICE OF THE GIVING OF A CERTIFICATE UNDER PART III OF THE ACQUISITION OF LAND ACT 1981

THE ACQUISITION OF LAND ACT 1981

1. The Compulsory Purchase Order 19 , which has been [submitted by to the for confirmation] [prepared in draft by ], includes the land described in the schedule hereto.

2. (a) This land was acquired by for the purposes of their undertaking and the Secretary of State is satisfied that [it is used] [an interest is held in it] for the purposes of the carrying on of their undertaking.

OR

This land [is] [forms part of] [a common] [an open space] [a fuel or field garden allotment].

OR

This land [is] [forms part of] [is the site of] an ancient monument or other object of archaeological interest.

3. Notice is hereby given that the Secretary of State, in exercise of his powers under section [17] [19] [20] of the above-mentioned Act, has certified (b).

4. A map showing the land to which the certificate relates [and the land proposed to be given in exchange] may be inspected at (c) at all reasonable hours.

5. The certificate becomes operative on the date on which this notice is first published; but a person aggrieved by the certificate may, by application to the High Court within 6 weeks from that date, question its validity on the ground that his interests have been substantially prejudiced by failure to comply with any statutory requirement relating to the certificate.

Schedule  
(d)

[Date and signature]

## NOTES

- (a) Delete as appropriate.
- (b) Insert the terms of the certificate.
- (c) The place of deposit should be "within the locality". It should therefore be within reasonably easy reach of persons living in the area affected.
- (d) Insert description of the land to which the certificate relates.

## FORM 8

Regulation 5(a)

## GENERAL VESTING DECLARATION

This GENERAL VESTING DECLARATION is made the \_\_\_\_\_ day  
of \_\_\_\_\_ 19\_\_\_\_ by \_\_\_\_\_ (a) (hereinafter  
called "the Authority").

## WHEREAS:

(1) On \_\_\_\_\_ 19\_\_\_\_ an order entitled the \_\_\_\_\_ (b)  
was [made] [confirmed] by \_\_\_\_\_  
under the powers conferred on [him] [them] by the \_\_\_\_\_  
Act \_\_\_\_\_ (c) authorising the Authority to acquire certain land  
specified in the schedule hereto.

(2) Notice of the [making] [confirmation] of the order was first published in  
accordance with [paragraph 6 of Schedule 1 to the Acquisition of Land Act 1981(d)]  
on \_\_\_\_\_ 19\_\_\_\_.

(3) (e) The said notice included a statement and a notification complying with  
section 3(1) of the Compulsory Purchase (Vesting Declarations) Act 1981.

OR

(3) A subsequent notice given on \_\_\_\_\_ 19\_\_\_\_  
before the service of any notice to treat in respect of any of the land described in the  
schedule hereto included a statement and a notification complying with section 3(1) of  
the Compulsory Purchase (Vesting Declarations) Act 1981.

(4) (e) The said [subsequent] notice did not specify any period longer than two  
months beginning with the date of the first publication thereof as the period before the  
end of which this general vesting declaration could not be executed.

OR

(4) The said [subsequent] notice specified the period of \_\_\_\_\_ months beginning with the date of the first publication thereof as the period before the end of which the general vesting declaration could not be executed.

OR

(4) The consent in writing of every occupier of any of the land described in the Schedule hereto was obtained for the execution on the date above mentioned of this general vesting declaration.

NOW THIS DEED WITNESSETH that in exercise of the powers conferred on them by section 4 of the Compulsory Purchase (Vesting Declaration) Act 1981 [(hereinafter called "the Act")] the Authority hereby declare as follows:

1. The land described in [Part I of (f)] the schedule hereto (being [the whole] [part] of the land authorised to be acquired by the order) and more particularly delineated on the plan annexed hereto together with the right to enter upon and take possession of the same shall vest in the Authority as from the end of the period of [insert period of 28 days or longer] from the date on which the service of notices required by section 6 of the Act is completed.
2. For the purposes of section 2(2) of the Act (which defines "long tenancy which is about to expire" in relation to a general vesting declaration as meaning a tenancy granted for an interest greater than a minor tenancy as therein defined but having at the date of the declaration a period still to run which is not more than the specified period, that is to say, such period, longer than one year, as may be specified in the declaration in relation to the land in which the tenancy subsists) the Authority hereby specify that [in relation to the land comprised in this declaration that period shall be \_\_\_\_\_ years and \_\_\_\_\_ months] [in relation to each area of land specified in column 1 of Part II of the schedule hereto that period shall be the period stated with respect to that area in column 2 thereof].

## Schedule

(g) Date

## NOTES

- (a) Insert the name of the acquiring authority.
- (b) Insert the name of the confirming authority or, where the order was made by a Minister that Minister.
- (c) Insert the title of the Act authorising compulsory purchase.
- (d) Where the notice was published under a procedure prescribed by some other provision refer instead to that provision.
- (e) Delete any alternative which does not apply.
- (f) The schedule should be divided into Part I and Part II where Part II is required for the purpose of the final sentence of paragraph 2 of the declaration.
- (g) The declaration should be made under seal, duly authenticated.

*Regulation 5(b)*

FORM 9

## STATEMENT CONCERNING GENERAL VESTING DECLARATIONS (a)

Part I below contains a statement of the effect of Parts II and III of the Compulsory Purchase (Vesting Declarations) Act 1981 and Part II contains a form for giving information.

## PART I

*Power to make general vesting declaration*

1. The (hereinafter called (b)) may acquire any of the land described in [the] schedule [1] [above] [below] [hereto] (c) by making a general vesting declaration under section 4 of the Compulsory Purchase (Vesting Declaration) Act 1981 which has the effect, subject to paragraph 4 below, of vesting the land in the (b) at the end of the period mentioned in paragraph 2 below. A declaration may not be made before the end of a period of two months from the first publication of a notice including this statement except with the consent of every occupier of the land affected.

*Notices concerning general vesting declaration*

2. As soon as may be after the (b) make a general vesting declaration, they must serve notice of it on every occupier or any of the land specified in the declaration (except land where there is one of the tenancies described in paragraph 3) and on every person who gives them information relating to the land in pursuance of the invitation contained in any notice including this statement. When the service of notices of the general vesting declaration is completed, an intermediate period before vesting begins to run. This period, which must not be less than 28 days, will be specified in the declaration. At the end of this period the land described in the declaration will, subject to what is said in paragraph 4, vest in the (b) together with the right to enter on the land and take possession of it. In addition every person on whom the (b) could have served a notice to treat in respect of his interest in the land (other than a tenant under one of the tenancies described in paragraph 3) will be entitled to compensation for the acquisition of his interest in the land and to interest on the compensation from the date of vesting.

*Application to certain tenancies*

3. In the case of certain tenancies, the position stated above is subject to modifications. For the modifications to apply, the tenancy must be either a "minor tenancy", i.e. a tenancy for a year or a yearly tenancy or a tenancy for a lesser interest, or "a long tenancy which is about to expire". The latter expression means a tenancy granted for an interest greater than a minor tenancy but having at the date of the general vesting declaration a period still to run which is not more than the period specified in the declaration for this purpose (which must be more than a year). In calculating how long a tenancy has to run, where any option to renew or to terminate it is available to either party, it shall be assumed that the landlord will take every opportunity open to him to terminate the tenancy while the tenant will use every opportunity to retain or extend his interest.

*Notice of entry*

4. The (b) may not exercise the right of entry referred to in paragraph 2 in respect of land subject to one of the tenancies described in paragraph 3 unless they first serve notice to treat in respect of the tenancy and then serve every occupier of the land with a notice of their intention to enter and take possession after the period (not less than 14 days) specified in the notice. The right of entry will be exercisable at the end of that period. The vesting of the land will be subject to the tenancy until the end of that period or until the tenancy comes to an end, whichever happens first.

[Schedule] (c)

## PART II (a)

## Form for giving information

The Compulsory Purchase Order 19  
To: (b)

[I] [We] being [a person] who, if a general vesting declaration were made under section 4 of the Compulsory Purchase (Vesting Declarations) Act 1981 in respect of all the land comprised in the compulsory purchase order cited above in respect of which notice to treat has not been given, would be entitled to claim compensation in respect of [all] [part of] that land, hereby give you the following information, pursuant to the provisions of section 3 of the said Act.

1. Name and address of claimant(s) (i) .....
  2. Land in which an interest is held by claimant(s) (ii) .....
  3. Nature of interest (iii) .....
- Signed .....
- [on behalf of .....].
- Date .....
- (i) In the case of a joint interest insert the names and addresses of all the claimants.
  - (ii) The land should be described concisely.
  - (iii) If the interest is leasehold, the date of commencement and length of term should be given. If the land is subject to a mortgage or other incumbrance, details should be given, e.g. name of building society and roll number.

## NOTES

- (a) The acquiring authority are obliged by section 3(1) of the Act to include in the notice of making or confirmation (Form 6) or a subsequent notice:—
  - (i) a statement of the effect of Parts II and III of the Act in a prescribed form (i.e. this form); and
  - (ii) a notification to the effect that every person who, if a general vesting declaration were made in respect of all the land comprised in the order in respect of which notice to treat has not been given, would be entitled to claim compensation in respect of any such land is invited to give information to the authority making the declaration in the prescribed form with respect to his name and address and the land in question.  
The acquiring authority may find it convenient to include this notification immediately before the prescribed form in Part II which may then be introduced by such words as “The relevant prescribed form is set out below”.
- (b) Insert the name of the acquiring authority, and define them by an appropriate term. Thereafter rely on the definition wherever “(b)” appears in the text.
- (c) If this notice is served separately from the notice of making or confirmation (Form 6), insert a description of the land in a schedule following paragraph 4. Otherwise delete square brackets and preceding words as appropriate.

**Regulation 5(c)**

## FORM 10

## NOTICE STATING EFFECT OF GENERAL VESTING DECLARATION

The Compulsory Purchase Order 19

To:

of:

NOTICE IS HEREBY GIVEN that the (hereinafter called “the ”) (a) on 19 made a general vesting declaration under section 4 of the Compulsory Purchase (Vesting Declarations) Act 1981 (hereinafter called “the Act”) vesting the land described in the schedule to this notice (hereinafter called “the said land”) in themselves as from the end of the period of days from the date on which the service of the notices required by section 6 of the Act is completed.

Section 6 of the Act requires notices to be served on every occupier of any of the land specified in the declaration (other than land in which there subsists a "minor tenancy" or a "long tenancy which is about to expire"—these expressions are defined in Appendix A to this notice) and on every other person who has given information to the (a) with respect to any of that land in pursuance of the invitation published and served under section 3(1) of the Act.

The (a) will in due course specify in a certificate the date on which the service of the said notices is completed.

The effect of the general vesting declaration is as follows:—

On the date of vesting (as determined in accordance with the first paragraph of this notice) the said land, together with the right to enter upon and take possession of it, will vest in the (a) as if the (a) had on that date exercised their powers to execute a deed poll under Part I of the Compulsory Purchase Act 1965.

Also, on the date of vesting, the Acts providing for compensation will apply as if, on the date on which the general vesting declaration was made (namely, 19 ), a notice to treat had been served on every person on whom the (a) could have served such a notice (other than any person entitled to an interest in the land in respect of which such a notice had actually been served before the date of vesting and any person entitled to a minor tenancy or a long tenancy which is about to expire).

If the land includes any land in which there is a minor tenancy or a long tenancy which is about to expire, the right of entry will not be exercisable in respect of that land unless, after serving a notice to treat in respect of that tenancy, the

(a) having served on every occupier of any of the land in which the tenancy subsists a notice stating that, at the end of a specified period (at least 14 days from the date of the service of the notice, i.e. 14 days excluding the date of first publication) they intend to enter upon and take possession of the land specified in the notice, and that period has expired: the vesting of the land will then be subject to the tenancy until that period expires, or the tenancy comes to an end, whichever happens first.

Schedule 1 to the Act contains supplementary provisions as to general vesting declarations. These provisions are set out in Appendix B to this notice.

A copy of the general vesting declaration to which this notice refers and of the plan annexed to the declaration can be inspected at (b) and may be seen at all reasonable hours.

#### Schedule

[Description of the land vested in the (a) by the general vesting declaration].

#### Appendix A

[Here set out the definitions of minor tenancy and "long tenancy which is about to expire" in section 2(1) and (2) of the Act].

#### Appendix B

[Here set out Schedule 1 to the Act]  
[Date and signature]

#### NOTES

- (a) Insert the name of the authority, and define them by an appropriate term. Thereafter rely on that definition wherever "(a)" appears in the text.  
(b) Insert address of the authority's office, as appropriate.

FORM 11

Regulation 6

NOTICE OF PROPOSED INQUIRY FOR PURPOSES OF SECTION 125(2) OF THE  
LOCAL GOVERNMENT ACT 1972

To (a)  
[owner] [lessee] [occupier] of (b)

Take notice that the [parish] [community] (c) council of \_\_\_\_\_ have represented to the district council of \_\_\_\_\_ that they are unable to purchase by agreement and on reasonable terms suitable land for (d) \_\_\_\_\_ being a purpose for which they are authorised to acquire land, and that they have requested the district council to make an order for the compulsory purchase of the land described in the schedule hereto for the said purpose.

A map showing the land concerned has been deposited at \_\_\_\_\_ and may be seen at all reasonable hours.

The district council have appointed \_\_\_\_\_ to hold a local inquiry in the above matter.

The inquiry will be held at \_\_\_\_\_ on \_\_\_\_\_ 19 \_\_\_\_\_, at \_\_\_\_\_ a.m./p.m., and you have the right to attend and be heard.

Schedule  
(Insert description of land)

[Date and signature]

NOTES

- (a) Insert name of owner, lessee or occupier.
- (b) Insert description of land proposed to be acquired.
- (c) Delete whichever is inapplicable.
- (d) Insert purpose for which the land is proposed to be acquired.

4th January 1982.

*Michael R. D. Heseltine,*  
Secretary of State for the Environment.



## EXPLANATORY NOTE

*(This Note is not part of the Regulations.)*

These regulations bring up to date and replace the previous regulations which prescribe forms for use in connection with—

- (a) the compulsory purchase of land under the procedure of the Acquisition of Land Act 1981,
  - (b) general vesting declarations, following a compulsory purchase order, and
  - (c) compulsory purchase orders and inquiries where a District Council propose to purchase land on behalf of a Parish or Community Council,
- following changes made by the Local Government, Planning and Land Act 1980 (c. 65), and the consolidation of provisions relating to the procedure for the compulsory purchase of land.

The forms prescribed by these regulations include—

- (i) the compulsory purchase order itself;
- (ii) the preliminary notice i.e. the newspaper notice and the personal notice to owners, lessees and occupiers, describing the effect of the order and specifying how objections can be made;
- (iii) the notice of confirmation of the order;
- (iv) the notice that a certificate has been given under Part III of, or Schedule 3 to, the Acquisition of Land Act 1981;
- (v) the general vesting declaration itself;
- (vi) the statement of the effect of the statutory provisions relating to a general vesting declaration;
- (vii) the notice that such a declaration has been made; and
- (viii) the notice of a proposed inquiry for the purposes of section 125(2) of the Local Government Act 1972.

The principal changes are the omission of provisions referable to compulsory purchase under the Community Land Act and the substitution for references to repealed provisions of references to provisions replacing them in the consolidated enactments.

SI 1982/6  
ISBN 0-11-026006-6



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