

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

NOTES ON USE OF FORM 1

- (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 the compulsory purchase.
- (d) Where the notice was published under a procedure prescribed by some other provision, refer instead to that provision.
- (e) Where the notice was published under a procedure prescribed by some other provision (i.e. not under the Acquisition of Land Act 1981), refer to the provision which required the notice to include a prescribed statement about the effect of Parts 2 and 3 of the Compulsory Purchase (Vesting Declarations) Act 1981 and a prescribed form for giving information to the acquiring authority.
- (f) The Schedule should be divided into Part 1 and Part 2 where Part 2 is required for the purpose of the final phrase of Clause 2 of the declaration. Clause 2 may, in any event, be omitted where there is no "long tenancy about to expire", as to which see section 2(2) of the Compulsory Purchase (Vesting Declarations) Act 1981.
- (g) The declaration should be made under seal, duly authenticated, and dated.

Regulation 3(2)(b)

FORM 2

FORM OF NOTICE SPECIFYING LAND AND STATING EFFECT OF GENERAL VESTING DECLARATION

The Order 20 (a)

To:

of

NOTICE IS HEREBY GIVEN that the (the)
(b) on 20 executed a general vesting declaration under section 4 of the Compulsory Purchase (Vesting Declarations) Act 1981 ("the Act") vesting the land described in the Schedule to this notice ("the land") in themselves as from the end of the period of [insert period of 3 months or longer] from the date on which the service of the notices required by section 6 of the Act is completed.

The (b) will in due course tell you the date on which the service of the notices was completed.

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

On the first day after the end of the period referred to in the first paragraph of this notice ("the vesting date") the land, together with the right to enter upon and take possession of it, will vest in the (b).

Also, on the vesting date the Acts providing for compensation will apply as if, on the date on which the general vesting declaration was executed (namely, 20), a notice to treat had been served on every person on whom, under section 5 of the Compulsory Purchase Act 1965, the (b) could have served such a notice (other than any person entitled to a "minor tenancy" or a "long tenancy which is about to expire". These expressions are defined in Appendix A to this notice).

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 (b) 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 3 months from the date of the service of the notice) 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.

Schedules A1 and 1 to the Act contain supplementary provisions as to general vesting declarations. If a counter-notice is served under paragraph 2 of Schedule A1 within the period referred to in the first paragraph of this notice, the vesting date for the land which is the subject of the counter-notice will be determined in accordance with that Schedule. The provisions of Schedules A1 and 1 are set out in Appendix B to this notice.

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

SCHEDULE

[Description of the land taken from the Schedule to 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 Schedules A1 and 1 to the Act.]

[Date and signature]

NOTES ON USE OF FORM 2

- (a) Complete the title of the order.
- (b) Insert the name of the authority, and define them by an appropriate term. Thereafter rely on that definition wherever “(b)” appears in the text.
- (c) Insert address of the office where documents may be inspected.