
STATUTORY INSTRUMENTS

2024 No. 92

The Levelling-up and Regeneration Act 2023 (Commencement No. 2 and Transitional Provisions) Regulations 2024

Transitional provisions relating to compulsory purchase

6.—(1) The amendments made to the Acquisition of Land Act 1981⁽¹⁾, and consequential amendments to the Compulsory Purchase Act 1965⁽²⁾, Compulsory Purchase (Vesting Declarations) Act 1981⁽³⁾ and Housing Act 1985⁽⁴⁾, by section 185 of the Act do not apply in relation to a compulsory purchase order where—

- (a) notice of the making of the order pursuant to section 11(1) of the Acquisition of Land Act 1981, or
- (b) notice of the preparation in draft of the order pursuant to paragraph 2(1) of Schedule 1 of the Acquisition of Land Act 1981,

has already been published before the day on which that section comes into force.

(2) The amendments made to the Compulsory Purchase (Vesting Declarations) Act 1981 by section 186 of the Act do not apply to a general vesting declaration that has been executed under section 4 of the Compulsory Purchase (Vesting Declarations) Act 1981 before the day on which that section comes into force.

(3) The amendments made to the Land Compensation Act 1961⁽⁵⁾ by section 189 of the Act do not apply to any acquisition where the first relevant notification date is before the date on which section 189 of the Act comes into force.

(4) In paragraph (3) “relevant notification date” means the date on which—

- (a) in the case of an acquisition authorised by a compulsory purchase order—
 - (i) notice of the making of the order, or
 - (ii) where the order was made by a Minister, notice of the preparation in draft of the order,

has been published or served,

- (b) in the case of an acquisition authorised by a special enactment, the special enactment was introduced to Parliament,
- (c) an offer in writing has been made by or on behalf of a relevant authority to negotiate for the purchase of an interest,
- (d) in the case of a notice served under any enactment requiring the purchase of an interest (other than as set out in sub-paragraphs (e) to (g) below), the relevant authority is to be deemed to have served a notice to treat in respect of that interest,

(1) 1981 c. 67.

(2) 1965 c. 56.

(3) 1981 c. 66. Section 4 was amended by sections 184 and 185 of, and paragraph 2 of Schedule 18 to, the Housing and Planning Act 2016 (c. 22).

(4) 1985 c. 68.

(5) 1961 c. 33.

- (e) in the case of an acquisition authorised by an order made under the Transport and Works Act 1992⁽⁶⁾, notice of the application for such order was published under article 14 (publicity for application) of The Transport and Works (Applications and Objections Procedure) (England and Wales) Rules 2006⁽⁷⁾,
 - (f) in the case of an acquisition authorised by an order made under the Planning Act 2008⁽⁸⁾, the applicant first gave notice of its application under section 56 (notifying persons of accepted application) of that Act, or
 - (g) in the case of an acquisition authorised by an order made under the Harbours Act 1964⁽⁹⁾, notice of the application for such order was served under paragraph 11 of Schedule 3 (procedure for making harbour revision and empowerment orders) of that Act.
- (5) In paragraph (4) “special enactment” means—
- (a) a local or private Act which authorises the compulsory purchase of land specifically identified in that Act, or
 - (b) a provision which—
 - (i) is contained in an Act other than a local or private Act, and
 - (ii) authorises the compulsory purchase of land specifically identified in that Act.
- (6) The amendments made to the Acquisition of Land Act 1981, the Land Compensation Act 1961, the New Towns Act 1981⁽¹⁰⁾, the Welsh Development Agency Act 1975⁽¹¹⁾, and the Town and Country Planning Act 1990⁽¹²⁾ by section 190 of the Act do not apply in relation to a compulsory purchase order where—
- (a) notice of the making of the order pursuant to section 11(1) of the Acquisition of Land Act 1981, or
 - (b) notice of the preparation in draft of the order pursuant to paragraph 2(1) of Schedule 1 of the Acquisition of Land Act 1981,
- has already been published before the day on which that section comes into force.

⁽⁶⁾ 1992 c. 42.
⁽⁷⁾ S.I. 2006/1466.
⁽⁸⁾ 2008 c. 29.
⁽⁹⁾ 1964 c. 40.
⁽¹⁰⁾ 1981 c. 64.
⁽¹¹⁾ 1975 c. 70.
⁽¹²⁾ 1990 c. 8.