
EXPLANATORY NOTE

(This note is not part of the Order)

Section 100(5) of the Planning and Compulsory Purchase Act 2004 (“the 2004 Act”) amends section 12 of the Acquisition of Land Act 1981 (c.67) (“the 1981 Act”). The effect of the amendment is to entitle a person who is a tenant (whatever the period of the tenancy) of land proposed for compulsory purchase by an authority other than a Minister, to receive notice of the making of a compulsory purchase order. Before that amendment, the entitlement under the 1981 Act had been restricted, so far as tenants were concerned, to those whose tenancy was for a period of more than one month.

Section 101(3) of the 2004 Act makes similar provision in relation to Schedule 1 to the 1981 Act, which applies where land is proposed to be compulsorily purchased by a Minister.

The Acts specified in the Schedule to this Order contain provisions broadly comparable to those in section 12 of, and Schedule 1 to, the 1981 Act before their amendment. The provisions of those Acts are amended by this Order, as specified in the Schedule, to reflect the amendments that have been made to section 12 of, and Schedule 1 to, the 1981 Act.

This Order extends to England and Wales only. The amendments do not affect any order of which notice was served before the coming into force of this Order.

A full regulatory impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.