



Compulsory Purchase Act 1965

1965 CHAPTER 56

PART I

COMPULSORY PURCHASE UNDER ACQUISITION OF LAND ACT OF 1946

Preliminary

1 Application of Part I and interpretation

[^{F1}(1) This Part of this Act shall apply in relation to any compulsory purchase to which Part II of the Acquisition of Land Act 1981, or Schedule 1 to that Act, applies, and in this Part of this Act—

- (a) “the Acquisition of Land Act” means that Act,
- (b) “compulsory purchase order” has the same meaning as in that Act.]

(2) In construing this Part of this Act the enactment under which the purchase is authorised and the compulsory purchase order ^{F2}... shall be deemed to be the special Act.

(3) In this Part of this Act, unless the context otherwise requires.—

“acquiring authority” means the person authorised by the compulsory purchase order ^{F2}... to purchase the land;

“land” includes anything falling within any definition of that expression in the enactment under which the purchase is authorised;

“lease” includes an agreement for a lease;

“notice to treat” has the meaning given by section 5 of this Act;

“subject to compulsory purchase”, in relation to land, means land the compulsory purchase of which is authorised by the compulsory purchase order.

(4) In this Part of this Act “the works” or “the undertaking” means the works or undertaking, of whatever nature, authorised to be executed by the special Act.

Provided that where this Part of this Act applies by virtue of [^{F3}Part IX of the Town and Country Planning Act 1990 or section 52 of the Planning (Listed Buildings and

Status: Point in time view as at 15/11/2017.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Compulsory Purchase Act 1965. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

Conservation Areas) Act 1990] references in this Part of this Act to the execution of the works shall be construed in accordance with [^{F4}section 245(4) of the Town and Country Planning Act 1990 or, as the case may be, section 52(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990].

^{F5}(5)

- (6) Where under this Act any notice is to be given to the owner of any land or where any act is authorised or required to be done with the consent of any such owner, the word “owner” shall, unless the context otherwise requires, mean any person having power to sell and convey the land to the acquiring authority.

Textual Amendments

- F1** S. 1(1) substituted by [Acquisition of Land Act 1981 \(c. 67, SIF 28:1\)](#), **Sch. 4 para. 14(2)**
- F2** Words repealed by [Acquisition of Land Act 1981 \(c. 67, SIF 28:1\)](#), **Sch. 6 Pt. 1**
- F3** Words substituted by [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123:1, 2\)](#), s. 4, **Sch. 2 para. 13(1)(a)**
- F4** Words substituted by [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123:1, 2\)](#), s. 4, **Sch. 2 para. 13(1)(b)**
- F5** S. 1(5) repealed (1.4.2005) by [Courts Act 2003 \(c. 39\)](#), s. 110(1), Sch. 8 para. 124, **Sch. 10**; S.I. 2005/910, art. 3(y)

Modifications etc. (not altering text)

- C1** S. 1 applied (with modifications) (15.11.2017) by [The Network Rail \(Summerway Overbridge\) Order 2017 \(S.I. 2017/1027\)](#), arts. 1, 5
- C2** S. 1(3) amended by [Places of Worship \(Enfranchisement\) Act 1920 \(c. 56\)](#), s. 2 as now amended by [Leasehold Reform Act 1967 \(c. 88\)](#), s. 40(4), **Sch. 6**

2 Persons without power to sell their interests.

Schedule 1 to this Act (which gives owners power to sell to the acquiring authority) shall have effect for the purposes of this Act.

3 Acquisition by agreement in pursuance of compulsory purchase order.

It shall be lawful for the acquiring authority to agree with the owners of any of the land subject to compulsory purchase, and with all parties having an estate or interest in any of the land, or who are by Schedule 1 to this Act or any other enactment enabled to sell and convey or release any of that land, for the absolute purchase, for a consideration in money [^{F6}or money’s worth], of any of that land, and of all estates and interests in the land.

Textual Amendments

- F6** Words in s. 3 inserted (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 70, **Sch. 15, Pt. 1, para.3**; S.I. 1991/2067, art. 3.

Modifications etc. (not altering text)

- C3** S. 3 applied (with modifications) (15.11.2017) by [The Network Rail \(Summerway Overbridge\) Order 2017 \(S.I. 2017/1027\)](#), arts. 1, 5

Status:

Point in time view as at 15/11/2017.

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to Compulsory Purchase Act 1965. Any changes that have already been made by the team appear in the content and are referenced with annotations.