



Compulsory Purchase Act 1965

1965 CHAPTER 56

PART I

COMPULSORY PURCHASE UNDER ACQUISITION OF LAND ACT OF 1946

Compulsory Purchase

8 Other provisions as to divided land.

- [^{F1}(1) Schedule 2A makes provision in respect of a proposal by an acquiring authority to acquire part only of a—
- (a) house, building or factory, or
 - (b) park or garden belonging to a house.]
- (2) If any land which is not situated in a town or built upon is cut through and divided by the works so as to leave, either on both sides of the works, or on one side, a quantity of land which is less than half an acre, the owner of the land may require the acquiring authority to purchase the land along with the land subject to compulsory purchase: Provided that this subsection shall not apply if the owner has other land adjoining the land so left into which it can be thrown so as to be conveniently occupied with it, and in that case the acquiring authority shall, if so required by the owner, at their own expense throw the piece of land so left into the adjoining land by removing the fences and levelling the sites thereof, and by soiling it in a satisfactory and workmanlike manner.
- (3) If the owner of any land cut through and divided by the works requires the acquiring authority under the provisions of the special Act to make any bridge, culvert or other communication between the land so divided, and—
- (a) the land is so cut through and divided as to leave, either on both sides or on one side, a quantity of land which is less than half an acre, or which is of less value than the expense of making the communication between the divided land, and
 - (b) the owner has not other land adjoining that piece of land,
- the acquiring authority may require the owner to sell them the piece of land.

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Any dispute as to the value of the piece of land, or as to the expense of making a communication between the divided land shall be determined by the [^{F2}Upper Tribunal], and either party to proceedings for determining the compensation to be paid for the land acquired may require the [^{F2}Upper Tribunal] to make [^{F3}its determination] under this subsection in those proceedings.

Textual Amendments

- F1** S. 8(1) substituted (3.2.2017) by [Housing and Planning Act 2016 \(c. 22\)](#), s. 216(3), **Sch. 17 para. 2**; [S.I. 2017/75](#), reg. 3(g) (with reg. 5)
- F2** Words in s. 8(3) substituted (1.6.2009) by [The Transfer of Tribunal Functions \(Lands Tribunal and Miscellaneous Amendments\) Order 2009 \(S.I. 2009/1307\)](#), art. 1, **Sch. 1 para. 62(b)** (with Sch. 5)
- F3** Words in s. 8(3) substituted (1.6.2009) by [The Transfer of Tribunal Functions \(Lands Tribunal and Miscellaneous Amendments\) Order 2009 \(S.I. 2009/1307\)](#), art. 1, **Sch. 1 para. 62(c)** (with Sch. 5)

Modifications etc. (not altering text)

- C1** Pt. 1 applied (with modifications) (29.8.2017) by [The East Anglia THREE Offshore Wind Farm Order 2017 \(S.I. 2017/826\)](#), art. 1, **Sch. 6 para. 3(2)-9** (with arts. 36, 37, Sch. 8 para. 34)
- C2** Pt. 1 applied (with modifications) (1.5.2020) by [The Riverside Energy Park Order 2020 \(S.I. 2020/419\)](#), arts. 1, **29** (with art. 7)
- C3** Pt. 1 applied (with modifications) (1.5.2020) by [The Riverside Energy Park Order 2020 \(S.I. 2020/419\)](#), art. 1, **Sch. 8 paras. 4, 5** (with art. 7)
- C4** Pt. 1 applied (with modifications) (25.5.2020) by [The West Midlands Rail Freight Interchange Order 2020 \(S.I. 2020/511\)](#), art. 1, **Sch. 12 paras. 4, 5**
- C5** Pt. 1 applied (with modifications) (25.5.2020) by [The West Midlands Rail Freight Interchange Order 2020 \(S.I. 2020/511\)](#), arts. 1, **30**
- C6** S. 8 modified (31.3.1994) by [British Railways Act 1994 \(c. iv\)](#), s. 17, **Sch. 2 para. 2**
S. 8 modified (1.3.1995) by [Barking Barrage Order 1995 \(S.I. 1995/519\)](#), art. 23(2), **Sch. 4 para. 5**
- C7** S. 8(1) amended by [Land Compensation Act 1973 \(c. 26, SIF 28:1\)](#), s. **58(1)**
- C8** S. 8(1) excluded by [Compulsory Purchase \(Vesting Declarations\) Act 1981 \(c. 66, SIF 28:1\)](#), s. 8(1), **Sch. 1 para. 2(3)**
S. 8 applied (with modifications) (22.10.1991) by [Greater Manchester \(Light Rapid Transit System\) Act 1991 \(c. xvi\)](#), ss.3(1)(2), 13, **Sch. para. 2** (with s. 14(3)(e))
S. 8(1) restricted (18.6.1992) by [British Railways \(No. 2\) Act 1992 \(c. xi\)](#), s. **30(1)** (with ss. 34, 45).
S. 8(1) excluded (13.2.1992) by [British Railways Act 1992 \(c. i\)](#), s. **23(1)** (with ss. 27, 34).
S. 8(1) excluded (16.3.1992) by [Aire and Calder Navigation Act 1992 \(c. iv\)](#), s. **25(1)** (with s. 38)
s. 8(1) excluded (27.7.1993) by [1993 Leeds Supertram Act 1993 \(c. xv\)](#), s. **28(1)** (with s. 44)
S. 8(1) excluded (21.7.1994) by [Greater Nottingham Light Rapid Transit Act 1994 \(c. xv\)](#), s. **29(1)**
S. 8(1) excluded (18.12.1996) by [Channel Tunnel Rail Link Act 1996 \(c. 61\)](#), s. 4, **Sch. 4 Pt. III para. 6(4)**
S. 8(1) excluded (10.2.1997) by [London Underground \(East London Line Extension\) Order 1997 \(S.I. 1997/264\)](#), art. **23(1)**
S. 8(1) excluded (21.5.1997) by [Greater Manchester \(Light Rapid Transit System\) \(Airport Extension\) Order 1997 \(S.I. 1997/1266\)](#), arts. **25**, 32(1)
S. 8(1) excluded (24.12.1999) by [Knowsley Industrial Park \(Rail Terminal\) Order 1999 \(S.I. 2000/428\)](#), art. **16**
S. 8(1) excluded (2.3.2001) by [Greater Manchester \(Light Rapid Transit System\) \(Trafford Park\) Order 2001 \(S.I. 2001/1367\)](#), art. **12(1)**
S. 8(1) excluded (22.3.2001) by [Channel Tunnel Rail Link \(Stratford Station and Subsidiary Works\) Order 2001 \(S.I. 2001/1451\)](#), art. **12(2)**
S. 8(1) excluded (18.7.2001) by [Railtrack \(Shortlands Junction\) Order 2001 \(S.I. 2001/2870\)](#), art. **18(1)**

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- S. 8(1) excluded (29.3.2001) by Leeds Supertram (Land Acquisition and Road Works) Order 2001 (S.I. 2001/1348), **art. 8(1)**
- C9** S. 8(1) excluded (8.10.2005) by Leicestershire County Council (Ashby de la Zouch Canal Extension) Order 2005 (S.I. 2005/2786), arts. 1, **21**
- C10** S. 8(1) modified (12.1.2007) by Network Rail (West Coast Main Line) (Stowe Hill) Order 2006 (S.I. 2006/3471), arts. 1, **7**
- C11** S. 8(1) excluded (22.7.2008) by Crossrail Act 2008 (c. 18), **Sch. 6 para. 11(3)(a)**
- C12** S. 8(1) restricted (28.2.2013) by The Rookery South (Resource Recovery Facility) Order 2011 2013 (S.I. 2013/680), **art. 23(1)**
- C13** S. 8(1) excluded (15.8.2013) by The North Blyth Biomass Power Station Order 2013 (S.I. 2013/1873), arts. 1, **20(1)** (with art. 30)
- C14** S. 8(1) excluded (21.11.2013) by The Network Rail (Redditch Branch Enhancement) Order 2013 (S.I. 2013/2809), arts. 1, **21(1)** (with arts. 27(2), 39, Sch. 10 para. 4)
- C15** S. 8(1) excluded (24.9.2014) by The Thames Water Utilities Limited (Thames Tideway Tunnel) Order 2014 (S.I. 2014/2384), **arts. 1, 41(1)**
- C16** S. 8(1) excluded (23.6.2015) by The Norfolk County Council (Norwich Northern Distributor Road (A1067 to A47(T))) Order 2015 (S.I. 2015/1347), arts. 1, **27(1)**
- C17** S. 8(1) excluded (30.6.2015) by The Swansea Bay Tidal Generating Station Order 2015 (S.I. 2015/1386), arts. 1, **31(1)** (with arts. 51, 53)
- C18** S. 8(1) excluded (7.8.2015) by The Preesall Underground Gas Storage Facility Order 2015 (S.I. 2015/1561), arts. 1, **28(1)** (with arts. 19(3), 44)
- C19** S. 8(1) excluded (14.8.2015) by The Hirwaun Generating Station Order 2015 (S.I. 2015/1574), arts. 1, **24** (with art. 30)
- C20** S. 8(1) excluded (30.9.2015) by The Network Rail (Blackthorn and Piddington) (Land Acquisition) Order 2015 (S.I. 2015/1684), arts. 1, **10(1)**
- C21** S. 8(1) excluded (16.12.2015) by The Network Rail (Tinsley Chord) Order 2015 (S.I. 2015/1876), arts. 1, **22**
- C22** S. 8(1) excluded (9.2.2016) by The National Grid (Hinkley Point C Connection Project) Order 2016 (S.I. 2016/49), arts. 1, **27** (with art. 32)
- C23** S. 8(1) excluded (18.2.2016) by The A19/A1058 Coast Road (Junction Improvement) Development Consent Order 2016 (S.I. 2016/73), arts. 1, **25(1)** (with art. 37)
- C24** S. 8(1) excluded (25.3.2016) by The Thorpe Marsh Gas Pipeline Order 2016 (S.I. 2016/297), arts. 1, **27** (with art. 39)
- C25** S. 8(1) excluded (1.6.2016) by The A14 Cambridge to Huntingdon Improvement Scheme Development Consent Order 2016 (S.I. 2016/547), arts. 1, **28** (with arts. 4, 5(3))
- C26** S. 8(1) excluded (2.8.2016) by The Midland Metro (Wolverhampton City Centre Extension) Order 2016 (S.I. 2016/684), arts. 1, **37(1)** (with arts. 46, 47, Sch. 9 para. 4, Sch. 10 para. 12(2))
- C27** S. 8(1) excluded (7.9.2016) by The Hornsea Two Offshore Wind Farm Order 2016 (S.I. 2016/844), arts. 1(2), **24** (with arts. 37, 38)
- C28** S. 8(1) excluded (15.9.2016) by The River Humber Gas Pipeline Replacement Order 2016 (S.I. 2016/853), arts. 1, **32** (with art. 43)
- C29** S. 8(1) excluded (23.9.2016) by The M4 Motorway (Junctions 3 to 12) (Smart Motorway) Development Consent Order 2016 (S.I. 2016/863), arts. 1, **26**
- C30** S. 8(1) excluded (27.9.2016) by The Triton Knoll Electrical System Order 2016 (S.I. 2016/880), arts. 1(2), **23(1)** (with arts. 39, 40, Sch. 8 para. 19)
- C31** S. 8(1) modified by Coal Industry Act 1994 (c. 21), Sch. 1B para. 4 (as substituted (3.2.2017) by Housing and Planning Act 2016 (c. 22), s. 216(3), Sch. 17 paras. 6, 7; S.I. 2017/75, reg. 3(g) (with reg. 5))
- C32** S. 8(1) modified by Postal Services Act 2000 (c. 26), Sch. 5 para. 8 (as substituted (3.2.2017) by Housing and Planning Act 2016 (c. 22), s. 216(3), Sch. 17 paras. 6, 7; S.I. 2017/75, reg. 3(g) (with reg. 5))

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- C33** S. 8(1) modified by Local Government (Miscellaneous Provisions) Act 1976 (c. 57), Sch. 1 para. 7 (as substituted (3.2.2017) by Housing and Planning Act 2016 (c. 22), s. 216(3), Sch. 17 paras. 6, 7; S.I. 2017/75, reg. 3(g) (with reg. 5))
- C34** S. 8(1) modified by Housing Act 1988 (c. 50), Sch. 10 para. 22 (as substituted (3.2.2017) by Housing and Planning Act 2016 (c. 22), s. 216(3), Sch. 17 paras. 6, 7; S.I. 2017/75, reg. 3(g) (with reg. 5))
- C35** S. 8(1) modified by Highways Act 1980 (c. 66), Sch. 19 para. 7 (as substituted (3.2.2017) by Housing and Planning Act 2016 (c. 22), s. 216(3), Sch. 17 paras. 6, 7; S.I. 2017/75, reg. 3(g) (with reg. 5))
- C36** S. 8(1) modified by Gas Act 1986 (c. 44), Sch. 3 para. 8 (as substituted (3.2.2017) by Housing and Planning Act 2016 (c. 22), s. 216(3), Sch. 17 paras. 6, 7; S.I. 2017/75, reg. 3(g) (with reg. 5))
- C37** S. 8(1) modified by Water Resources Act 1991 (c. 57), Sch. 18 para. 4 (as substituted (3.2.2017) by Housing and Planning Act 2016 (c. 22), s. 216(3), Sch. 17 paras. 6, 7; S.I. 2017/75, reg. 3(g) (with reg. 5))
- C38** S. 8(1) modified by Electricity Act 1989 (c. 29), Sch. 3 para. 9 (as substituted (3.2.2017) by Housing and Planning Act 2016 (c. 22), s. 216(3), Sch. 17 paras. 6, 7; S.I. 2017/75, reg. 3(g) (with reg. 5))
- C39** S. 8(1) modified by Local Government, Planning and Land Act 1980 (c. 65), Sch. 28 para. 23(2) (as substituted (3.2.2017) by Housing and Planning Act 2016 (c. 22), s. 216(3), Sch. 17 paras. 6, 7; S.I. 2017/75, reg. 3(g) (with reg. 5))
- C40** S. 8(1) modified by Water Industry Act 1991 (c. 56), Sch. 9 para. 4 (as substituted (3.2.2017) by Housing and Planning Act 2016 (c. 22), s. 216(3), Sch. 17 paras. 6, 7; S.I. 2017/75, reg. 3(g) (with reg. 5))
- C41** S. 8(1) modified by Housing and Regeneration Act 2008 (c. 17), Sch. 2 para. 11 (as substituted (3.2.2017) by Housing and Planning Act 2016 (c. 22), s. 216(3), Sch. 17 paras. 6, 7; S.I. 2017/75, reg. 3(g) (with reg. 5))
- C42** S. 8(1) excluded (23.2.2017) by High Speed Rail (London - West Midlands) Act 2017 (c. 7), ss. 6(1), 7(2), 8(2), 70(1) (with ss. 6(2), 8(2))
- C43** S. 8(1) excluded (5.4.2017) by The Keuper Underground Gas Storage Facility Order 2017 (S.I. 2017/433), arts. 1, 24(1)
- C44** S. 8(1) excluded (29.8.2017) by The East Anglia THREE Offshore Wind Farm Order 2017 (S.I. 2017/826), arts. 1, 21 (with arts. 36, 37, Sch. 8 para. 34)

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