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SCHEDULES

SCHEDULE 4

PROCEDURE FOR AUTHORISING COMPULSORY ACQUISITIONS

PART II

Special provisions applying to acquisitions by local highway authorities

- 7 (1) Subject to this paragraph, where a compulsory purchase order under section 11(1) above is submitted to the Secretary of State the notice required to be published under paragraph 2 above shall be published not only as mentioned in that paragraph but also by being exhibited at such places in the locality to which the order relates as appear to the acquiring authority to be suitable for bringing it to the attention of all persons concerned.
- (2) Sub-paragraph (1) above shall not apply in any case where the Secretary of State is satisfied that the land to which the compulsory purchase order relates is required for the purpose of a project—
- (a) which was adequately set out in a statement prepared for the purposes of an order under section 1 above which has been made; or
 - (b) which has been the subject of an inquiry for the purposes of section 10, or, so far as it relates to trunk roads, section 14 of the ^{M1}Highways Act 1980 or of any of the following enactments no longer in force, that is to say, section 7 or 9 of the ^{M2}Highways Act 1959 (to which, respectively, the said section 10 and, so far as it relates to trunk roads, the said section 14 correspond) and the enactments to which the said sections 7 and 9 corresponded (namely, section 1(3) of the ^{M3}Trunk Roads Act 1936, sections 1 and 4 of the ^{M4}Trunk Roads Act 1946 and section 14(1) of the ^{M5}Special Roads Act 1949).

Marginal Citations

- M1** 1980 c. 66.
M2 1959 c. 25.
M3 1936 c. 5. (1 Edw. 8 & Geo. 6.).
M4 1946 c. 30.
M5 1949 c. 32.

- 8 Where there is submitted to the Secretary of State a compulsory purchase order under section 11(1) above authorising the acquisition of any land forming a frontage to, or abutting on or adjacent to, a road, and the Secretary of State is satisfied as respects the whole or any part of the land—
- (a) that the acquisition would be requisite only for the purpose of controlling development, and

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- (b) that every owner has entered, or is willing to enter, into such an agreement with the local highway authority or the Secretary of State as is provided for by section 9(1) above or is bound by such an agreement, and that the agreement or proposed agreement is satisfactory for that purpose, the order shall not be confirmed so as to authorise the acquisition of any part of the land as to which the Secretary of State is satisfied as mentioned above.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 1A(1) omitted by [2023 c. 55 Sch. 16 para. 7\(3\)](#)
- s. 1A(2) omitted by [2023 c. 55 Sch. 16 para. 7\(3\)](#)
- s. 1A(4) word inserted by [2023 c. 55 Sch. 16 para. 7\(4\)\(b\)](#)
- s. 1A(4) words substituted by [2023 c. 55 Sch. 16 para. 7\(4\)\(a\)](#)
- s. 1A(5)(a) words substituted by [2023 c. 55 Sch. 16 para. 7\(5\)\(a\)](#)
- s. 1ZA1ZB inserted by [2023 c. 55 s. 172\(2\)](#)
- s. 2(1A) inserted by [2023 c. 55 Sch. 16 para. 8](#)
- s. 3(2B)-(2D) inserted by [2023 c. 55 s. 172\(3\)\(c\)](#)
- s. 3(2ZA)(2ZB) inserted by [2023 c. 55 s. 178\(2\)\(b\)](#)
- s. 7A7B inserted by [2023 c. 55 s. 175\(2\)](#)
- s. 60(1A) inserted by [2023 c. 55 s. 179\(2\)\(b\)](#)
- s. 77(3E) inserted by [2023 c. 55 Sch. 17 para. 1\(3\)](#)
- Sch. 3 para. 10A10B and cross-heading inserted by [2023 c. 55 s. 175\(3\)](#)
- Sch. 4 para. 5A inserted by [2023 c. 55 s. 190\(3\)\(a\)](#)
- Sch. 5 para. 5A inserted by [2023 c. 55 s. 190\(3\)\(b\)](#)