



# Acquisition of Land Act 1981

## 1981 CHAPTER 67

### PART I

#### GENERAL

#### *Supplemental*

#### **5 Local inquiries.**

- (1) For the purposes of the execution of his powers and duties under this Act, a Minister may cause to be held such public local inquiries as are directed by this Act and such other public local inquiries as he may think fit.
- (2) Subsections (2) and (3) of section 250 of the <sup>M1</sup>Local Government Act 1972 (giving of evidence on inquiries) shall apply to a public local inquiry held in pursuance of this Act.
- (3) In relation to—
  - (a) a proposed acquisition of land by an authority other than a Minister, or
  - (b) the proposed extinction under Part VI of this Act of a right of way over land acquired or proposed to be acquired by an authority other than a Minister,subsections (4) and (5) of the said section 250 (defraying of costs of inquiries) shall apply to a public local inquiry held in pursuance of this Act.
- [<sup>F1</sup>(4) In relation to each of the matters mentioned in paragraphs (a) and (b) of subsection (3), section 250(5) of the Local Government Act 1972 also applies—
  - (a) where arrangements are made for a public local inquiry to be held in England in pursuance of this Act but the inquiry does not take place;
  - (b) to the costs of a party to a public local inquiry held in England in pursuance of this Act who does not attend the inquiry.]

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#### Textual Amendments

**F1** S. 5(4) inserted (25.6.2013) by [Growth and Infrastructure Act 2013 \(c. 27\)](#), **ss. 3, 35(1)**; [S.I. 2013/1488](#), [art. 3\(b\)](#) (with [art. 8\(1\)](#))

#### Marginal Citations

**M1** [1972 c. 70](#).

### [<sup>F2</sup>5A Power to require information

- (1) This section applies to information about land in relation to which an acquiring authority is entitled to exercise a power of compulsory purchase.
- (2) The acquiring authority may serve a notice on a person mentioned in subsection (4) requiring him to give to the authority in writing the following information—
  - (a) the name and address of any person he believes to be an owner, lessee, tenant (whatever the tenancy period) or occupier of the land;
  - (b) the name and address of any person he believes to have an interest in the land.
- (3) The power in subsection (2) is exercisable for the purpose of enabling the acquiring authority to acquire the land.
- (4) The persons are—
  - (a) the occupier of the land;
  - (b) any person who has an interest in the land either as freeholder, mortgagee or lessee;
  - (c) any person who directly or indirectly receives rent for the land;
  - (d) any person who, in pursuance of an agreement between himself and a person interested in the land, is authorised to manage the land or to arrange for the letting of it.
- (5) The notice must specify the period within which the information must be given to the acquiring authority (being a period of not less than 14 days beginning with the day on which the notice is served).
- (6) The notice must also specify or describe—
  - (a) the land,
  - (b) the compulsory purchase power, and
  - (c) the enactment which confers the power.
- (7) The notice must be in writing.
- (8) Section 6(4) does not apply to notices to be served under this section.

#### Textual Amendments

**F2** Ss. 5A, 5B inserted (31.10.2004) by [Planning and Compulsory Purchase Act 2004 \(c. 5\)](#), **s. 105(2)**; [S.I. 2004/2593](#), [art. 2\(a\)](#)

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**Modifications etc. (not altering text)**

- C1** S. 5A power to apply (with modifications) conferred (16.7.2014 for E. for specified purposes, 2.12.2014 for E. in so far as not already in force) by [Business Rate Supplements Act 2009 \(c. 7\), s. 32, Sch. 2 para. 8\(2\)\(a\)](#) (with s. 31); S.I. 2014/1860, art. 2; S.I. 2014/3200, art. 2
- C2** S. 5A modified (11.2.2021) by [High Speed Rail \(West Midlands - Crewe\) Act 2021 \(c. 2\), s. 64\(1\), Sch. 7 para. 4\(2\)](#)

**5B Offences relating to information**

- (1) A person commits an offence if he fails without reasonable excuse to comply with a notice served on him under section 5A.
- (2) A person commits an offence if, in response to a notice served on him under section 5A—
- (a) he gives information which is false in a material particular, and
  - (b) when he does so, he knows or ought reasonably to know that the information is false.
- (3) If an offence under this section committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of—
- (a) a director, manager, secretary or other similar officer of the body corporate, or
  - (b) a person purporting to act in any such capacity,
- he, as well as the body corporate, is guilty of that offence and liable to be proceeded against accordingly.
- (4) The reference in subsection (3) to a director must be construed in accordance with section 331(2) of the Town and Country Planning Act 1990.
- (5) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 5 on the standard scale.]

**Textual Amendments**

- F2** Ss. 5A, 5B inserted (31.10.2004) by [Planning and Compulsory Purchase Act 2004 \(c. 5\), s. 105\(2\); S.I. 2004/2593, art. 2\(a\)](#)

**Modifications etc. (not altering text)**

- C3** S. 5B power to apply (with modifications) conferred (16.7.2014 for E. for specified purposes, 2.12.2014 for E. in so far as not already in force) by [Business Rate Supplements Act 2009 \(c. 7\), s. 32, Sch. 2 para. 8\(2\)\(b\)](#) (with s. 31); S.I. 2014/1860, art. 2; S.I. 2014/3200, art. 2

**6 Service of documents.**

- (1) Any notice or other document required or authorised to be served under this Act may be served on any person either by delivering it to him, or by leaving it at his proper address, or by post, so however that the document shall not be duly served by post unless it is sent by registered letter, or by the recorded delivery service.

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- (2) Any such document required or authorised to be served upon an incorporated company or body shall be duly served if it is served upon the secretary or clerk of the company or body.
- (3) For the purposes of this section and of section 7 of the <sup>M2</sup>Interpretation Act 1978 the proper address of any person upon whom any such document as aforesaid is to be served shall, in the case of the secretary or clerk of any incorporated company or body, be that of the registered or principal office of the company or body, and in any other case be the last known address of the person to be served:

Provided that where the person to be served has furnished an address for service, his proper address for the purposes aforesaid shall be the address furnished.

- (4) If the authority or Minister having jurisdiction to make the order in connection with which the document is to be served is satisfied that reasonable inquiry has been made and that it is not practicable to ascertain the name or address of an owner, lessee [<sup>F3</sup>, tenant] or occupier of land on whom any such document as aforesaid is to be served, the document may be served by addressing it to him by the description of “owner”, “lessee” [<sup>F4</sup>, “tenant”] or “occupier” of the land (describing it) to which it relates, and by delivering it to some person on the [<sup>F5</sup>land or, if there is no person on the land to whom it may be delivered, by leaving it or a copy of it on or near the land].

#### Textual Amendments

- F3** Word in s. 6(4) inserted (6.8.2004 for specified purposes, 31.10.2004 in so far as not already in force) by [Planning and Compulsory Purchase Act 2004 \(c. 5\), s. 100\(2\)\(a\)](#) (with s. 100(8)); S.I. 2004/2097, art. 2; S.I. 2004/2593, art. 2(a)
- F4** Word in s. 6(4) inserted (6.8.2004 for specified purposes, 31.10.2004 in so far as not already in force) by [Planning and Compulsory Purchase Act 2004 \(c. 5\), s. 100\(2\)\(b\)](#) (with s. 100(8)); S.I. 2004/2097, art. 2; S.I. 2004/2593, art. 2(a)
- F5** Words in s. 6(4) substituted (25.09.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 28:1\), s. 70, Sch. 15, para8](#); S.I. 1991/2067, [art.3](#).

#### Modifications etc. (not altering text)

- C4** S. 6 applied (13. 2. 1992) by [British Railways Act 1992 \(c. i\), s.17\(2\)](#).
- C5** S. 6 applied (with modifications) (18.12.1996) by [1996 c. 61, s. 2, Sch. 2 paras. 6\(8\), 7\(8\)](#)  
S. 6 applied (with modifications) (21.7.1994) by [1994 c. xi, s. 23\(2\)](#)(with s. 39)  
S. 6 applied (with modifications) (21.7.1994) by [1994 c. xv, s. 22\(b\)](#)(with s. 47)
- C6** S. 6 applied (with modifications) (22.7.2008) by [Crossrail Act 2008 \(c. 18\), Sch. 2 paras. 5\(8\), 6\(8\)](#)

#### Marginal Citations

- M2** 1978 c. 30.

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

- Act applied by [2023 asc 3 s. 43\(2\)](#)
- Act applied by [2023 asc 3 s. 50\(13\)](#)
- Act applied by [2023 asc 3 s. 137\(6\)](#)

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

- s. 7(4) inserted by [2023 c. 55 Sch. 18 para. 3\(2\)\(b\)](#)
- s. 13A(1A)-(1I) substituted for s. 13A(2)-(6) by [2023 c. 55 s. 182\(2\)](#)
- s. 13BA inserted by [2023 c. 55 s. 183\(2\)](#)
- s. 14A(2A) inserted by [2023 c. 55 s. 190\(1\)\(b\)](#)
- s. 15(4)(ba) inserted by [2023 c. 55 s. 183\(3\)\(c\)](#)
- s. 15(4B)-(4F) inserted by [2023 c. 55 s. 183\(3\)\(d\)](#)
- s. 15A and cross-heading inserted by [2023 c. 55 s. 190\(1\)\(c\)](#)
- s. 26(1A)-(3) substituted for s. 26(1)(2) by [2023 c. 55 Sch. 18 para. 3\(3\)](#)
- Sch. 1 para. 4AA inserted by [2023 c. 55 Sch. 19 para. 3\(2\)](#)
- Sch. 1 para. 6(4)(ba) inserted by [2023 c. 55 Sch. 19 para. 3\(3\)\(c\)](#)
- Sch. 1 para. 6(4B)-(4D) inserted by [2023 c. 55 Sch. 19 para. 3\(3\)\(d\)](#)
- Sch. 1 para. 4A(1A)-(1J) substituted for Sch. 1 para. 4A(2)-(8) by [2023 c. 55 Sch. 19 para. 2\(2\)](#)
- Sch. 2A inserted by [2023 c. 55 s. 190\(1\)\(d\)](#)