



Town and Country Planning Act 1962

1962 CHAPTER 38 10 and 11 Eliz 2

PART V

ACQUISITION AND APPROPRIATION OF LAND AND PROVISIONS RELATED THERETO

Expedited completion of compulsory acquisition

75 General effect of order providing for expedited completion

- (1) The provisions of this and the next following section and of the Fourth Schedule to this Act shall have effect in relation to a compulsory purchase order which includes such a direction as is mentioned in subsection (1) of the last preceding section.
- (2) When the order becomes operative, the incorporated enactments shall apply as if, on the relevant date, a notice to treat had (except as provided by the next following section) been served on every person on whom under section eighteen of the Lands Clauses Consolidation Act, 1845 (on the assumption that the acquiring authority required to take the whole of the relevant land and had knowledge of all the parties referred to in that section) the authority could have served such a notice.
- (3) Subject to the next following subsection, the acquiring authority, at any time or from time to time after the order becomes operative, may execute, in respect of any area consisting of the whole or part of the relevant land, a declaration designating that area and stating—
 - (a) that they intend to enter upon the land in the designated area, and take possession thereof, at the end of such period as may be specified in the declaration (not being less than fourteen days) from the date on which the service of notices on occupiers required by subsection (5) of this section is completed, and
 - (b) that the land in the designated area is to vest in the acquiring authority at the end of that period.
- (4) A declaration under the last preceding subsection shall not be executed before the end of the period of two months from the date of the first publication of the notice

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

of confirmation of the order as required by the Acquisition of Land (Authorisation Procedure) Act, 1946:

Provided that the order may substitute a period longer than two months for the purposes of the operation of this subsection in relation to any land, or, if the order as submitted to the Minister so provided in respect of any land, may substitute a period shorter than two months for the purposes of the operation of this subsection in relation to that land.

- (5) As soon as may be after executing a declaration under subsection (3) of this section, the acquiring authority shall serve—
- (a) on every occupier of any of the land in the area designated by the declaration (other than land excepted from this paragraph by the next following section), and
 - (b) on every other person who has given information to the acquiring authority with respect to any land in that area, in pursuance of the invitation in that behalf required (in accordance with paragraph 2 of the Fourth Schedule to this Act) to be included in the notice of confirmation of the order,
- a notice describing the designated area and stating the effect of the declaration.
- (6) At the end of the period specified in such a declaration in accordance with paragraph (a) of subsection (3) of this section there shall vest in the acquiring authority the right to enter upon, and take possession of, the land in the area designated by the declaration, or any of that land, without previous consent or compliance with sections eighty-four to ninety of the Lands Clauses Consolidation Act, 1845, and the land in that area shall vest in the acquiring authority as if, at the end of that period.—
- (a) the circumstances in which under that Act the promoters of an undertaking have powers to execute a deed poll (whether for vesting land or any interest in land in themselves or for extinguishing the whole or part of any rent-service, rentcharge, chief or other rent, or other payment or incumbrance) had arisen in respect of all the land in the designated area and in respect of all interests in that land, and
 - (b) the acquiring authority had duly exercised those powers accordingly:

Provided that, in relation to tenancies to which the next following section applies, this subsection shall have effect subject to the provisions of that section.

- (7) In this section “the incorporated enactments ” means the provisions of the Lands Clauses Acts and the Land Compensation Act, 1961, as modified by the Second Schedule to the Acquisition of Land (Authorisation Procedure) Act, 1946, and by the provisions of this and the next following section and the Fourth Schedule to this Act, and the “relevant land ”, in relation to a compulsory purchase order, means the aggregate of the land in respect of which it is directed by the order, in accordance with subsection (1) of the last preceding section, that the provisions of this Part of this Act relating to expedited completion shall apply to the order; and in this and the next following section “the relevant date ”, in relation to any land, means the date on which the compulsory purchase order in question is registered under subsection (2) of the last preceding section by the proper officer of the council of the county borough or county district in which that land is situated.