



Land Settlement (Facilities) Act 1919

1919 CHAPTER 59 9 and 10 Geo 5

PART I

PROVISIONS AS TO THE ACQUISITION OF LAND

2 Power of entry on land.

- (1) [^{F1}Where the council authorised to purchase any land compulsorily under the principal Act have, by virtue of [^{F2}section 11(1) of the Compulsory Purchase Act 1965], entered on the land]

[^{F1}Where an order for the compulsory purchase of land has been made, and where necessary confirmed, under the principal Act, whether such order was made before or after the passing of this Act, the council entitled to purchase the land under the order may, at any time after a notice to treat has been served, and on giving not less than fourteen days' notice to each owner, lessee and occupier of the land, enter on and take possession of the land or such part thereof as is specified in the notice without previous consent or compliance with sections eighty-four to ninety of the ^{M1}Lands Clauses (Consolidation) Act, 1845 but subject to the payment of the like compensation for the land of which possession is taken and interest thereon as would have been payable if the provisions of those sections had been complied with:]

[Provided that, where a council have so entered on land], the council shall not be entitled to exercise the powers conferred by subsection (8) of section thirty-nine of the principal Act.

- (2) Where a council have agreed for the purposes of the principal Act, to purchase land subject to the interest of the person in possession thereof, and that interest is not greater than that of a tenant for a year, or from year to year, then at any time after such agreement has been made the council may, after giving not less than fourteen days' notice to the person so in possession, enter on and take possession of the land or of such part thereof as is specified in the notice without previous consent, but subject to the payment to the person so in possession of the like compensation for the land of which possession is taken, with such interest thereon as aforesaid, as if the council had been authorised to purchase the land compulsorily and such person had, in pursuance of such power, been required to quit possession before the expiration of his term or

*Changes to legislation: There are currently no known outstanding effects for the
Land Settlement (Facilities) Act 1919, Section 2. (See end of Document for details)*

interest in the land, but without the necessity of compliance with sections eighty-four to ninety of the ^{M2}Lands Clauses (Consolidation) Act, 1845.

- (3) Where a notice of entry [^{F3}given in the circumstances mentioned in subsection (1) of this section, or given under the last foregoing subsection,][^{F3}under this section] relates to land on which there is a dwelling-house and the length of notice is less than three calendar months, the occupier of the dwelling-house may, by notice served on the council within ten days after the service on him of the notice of entry, appeal against such notice, and in any such case the appeal shall be determined by an arbitrator under and in accordance with the provisions of the [^{F4}Agricultural Holdings Act 1986](except that the arbitrator shall, in default of agreement, be appointed by the President of the Surveyors' Institution), and the council shall not be entitled to enter on the land [^{F5}under this section] except on such date and on such conditions as the arbitrator may award.
- (4) This section shall with such necessary adaptations as may be prescribed apply in the case of an order authorising the compulsory hiring of land, or of an agreement to hire land.

Textual Amendments

- F1** Words “Where the council” to “entered on the land” substituted for “Where an order” to “entered on the land” except in the application of s. 2 to the compulsory Living of land or an agreement to hire land by [Acquisition of Land \(Authorisation Procedure\) Act 1946 \(c. 49\)](#), **Sch. 4**
- F2** Words substituted by [Acquisition of Land Act 1981 \(c. 67, SIF 28:1\)](#), s. 34, **Sch. 4 para. 2(1)**
- F3** Words “given in the circumstances” to “last foregoing subsection”, substituted for “under this section” where first occurring except in the application of s. 2 to the compulsory hiring of land or an agreement to hire land by [Acquisition of Land \(Authorisation Procedure\) Act 1946 \(c. 49\)](#), **Sch. 4**
- F4** Words substituted by [Agricultural Holdings Act 1986 \(c. 5, SIF 2:3\)](#), ss. 99, 100, **Sch. 13 para. 3**, **Sch. 14 para. 6**
- F5** Words repealed except in the application of s. 2 to the compulsory hiring of land or an agreement to hire land by [Acquisition of Land \(Authorisation Procedure\) Act 1946 \(c. 49\)](#), **Sch. 4**

Marginal Citations

- M1** 1845 c. 18.
M2 1845 c. 18

Changes to legislation:

There are currently no known outstanding effects for the Land Settlement (Facilities) Act 1919, Section 2.