STATUTORY INSTRUMENTS

2026 No. 308

ACQUISITION OF LAND, ENGLAND AND WALES

The Compulsory Purchase of Land (Conditional Confirmation) Regulations 2026

Made - - - -	*17th March 2026*
Laid before Parliament	*18th March 2026*
Coming into force - -	*11th April 2026*

The Secretary of State makes these Regulations in exercise of the powers conferred by section 7(2) and 13BA(4), (5) and (7) of, and paragraph 4AA(4) and (5) of Schedule 1 to, the Acquisition of Land Act 1981(**a**).

PART 1
INTRODUCTORY

Citation, commencement, extent and application

1.—(1) These Regulations may be cited as the Compulsory Purchase of Land (Conditional Confirmation) Regulations 2026 and come into force on 11th April 2026.

(2) These Regulations extend to England and Wales.

(3) These Regulations apply to a compulsory purchase order(**b**)—

(a) subject to confirmation under Part 2 of the Acquisition of Land Act 1981 by a confirming authority(**c**) other than the Welsh Ministers(**d**), or

(b) prepared in draft under paragraph 1 of Schedule 1 to that Act by an acquiring authority(**e**) other than the Welsh Ministers.

(**a**) 1981 c. 67. The function of the Secretary of State under section 7(2) to prescribe by regulations was transferred to the National Assembly for Wales so far as it is exercisable in relation to such orders as fall to be made or confirmed by the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672). This function was subsequently transferred from the National Assembly to the Welsh Ministers by paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c. 32). See the definition of "prescribed" in section 7(1). Section 13BA was inserted by section 183 of the Levelling-up and Regeneration Act 2023 (c. 55). Paragraph 4AA of Schedule 1 was inserted by section 184 and paragraph 3(2) of Schedule 19 to that Act.

(**b**) For the definition of "compulsory purchase order", see section 7(1) of the Acquisition of Land Act 1981 (c. 67).

(**c**) For the definition of "confirming authority", see section 7(1) of the Acquisition of Land Act 1981 (c. 67).

(**d**) See article 2 of, and Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) which transferred various functions of a Minister of the Crown, including under the Acquisition of Land Act 1981 (c. 67), to the National Assembly for Wales and paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c. 32) which transferred those functions to the Welsh Ministers.

(**e**) For the definition of "acquiring authority", see section 7(1) of the Acquisition of Land Act 1981 (c. 67).

Interpretation

2. In these Regulations—

"the Act" means the Acquisition of Land Act 1981;

"Ministerial order" means a compulsory purchase order made conditionally under paragraph 4AA(1) of Schedule 1 to the Act;

"non-Ministerial application" means an application made under regulation 3;

"non-Ministerial order" means a compulsory purchase order confirmed conditionally under section 13BA(1) of the Act;

"public holiday" means Christmas Day, Good Friday or a day which under the Banking and Financial Dealings Act 1971(**a**) is a bank holiday in England;

"relevant objector"—

(a) in relation to a non-Ministerial order, has the meaning given to that term by section 13BA(6) of the Act;

(b) in relation to a Ministerial order, has the meaning given to that term by paragraph 4AA(6) of Schedule 1 to the Act;

"working day" means a day which is not a Saturday, Sunday or public holiday.

PART 2

NON-MINISTERIAL ORDERS

Prescribed procedure for non-Ministerial orders

3.—(1) In relation to a non-Ministerial order, the acquiring authority may apply to the confirming authority for a decision that the conditions imposed on that order have been met.

(2) The application must be made in writing to the confirming authority and include a statement setting out the basis on which the acquiring authority considers the conditions imposed on the non-Ministerial order have been met.

(3) The application may be accompanied by any other information that the acquiring authority considers necessary in support of the application.

Acceptance or rejection of application

4.—(1) When an acquiring authority makes a non-Ministerial application the confirming authority must, within 10 working days beginning with the first working day after it receives the application, notify the acquiring authority that the confirming authority either—

(a) accepts the application as complying with the requirements of regulation 3, or

(b) rejects the application as not complying with the requirements of regulation 3.

(2) If the confirming authority accepts the application it must notify the acquiring authority in writing and, where there is at least one relevant objector, each relevant objector, that it has accepted the application.

(3) The notification to each relevant objector required by paragraph (2) must be accompanied by—

(**a**) 1971 c. 80.

(a) a copy of the application, together with any accompanying information received from the acquiring authority, and

(b) where there is at least one relevant objector, a statement that each relevant objector may make written representations within the period set out in regulation 5(2) on whether the conditions imposed on the non-Ministerial order have been met.

(4) If the confirming authority rejects the application it must notify the acquiring authority in writing that it has rejected the application and set out the confirming authority's reasons for rejecting the application.

Representations

5.—(1) A relevant objector may make written representations to the confirming authority on whether the conditions imposed on a non-Ministerial order have been met.

(2) A representation made pursuant to paragraph (1) must be made within—

(a) 15 working days beginning with the working day after the date on which the relevant objector is notified they can make the representations, or

(b) such longer period as is specified by the confirming authority to the relevant objector in writing.

(3) As soon as reasonably practicable after receiving any written representations, the confirming authority must—

(a) send a copy of those representations to the acquiring authority, and

(b) notify the acquiring authority that it can make further written representations within the period set out in paragraph (4).

(4) The acquiring authority may make further written representations to the confirming authority responding to the relevant objector's written representations within—

(a) 15 working days beginning with the date on which the acquiring authority is notified it can make the representations, or

(b) such longer period as is specified by the confirming authority to the acquiring authority in writing.

Further information

6.—(1) The confirming authority may, after the date set out in paragraph (2), request a relevant objector or the acquiring authority, or both, to provide the confirming authority with further information relevant to its decision on a non-Ministerial application.

(2) The date referred to in paragraph (1) is—

(a) where there are no relevant objectors, the date on which the confirming authority accepts the application,

(b) where there is at least one relevant objector but no representations are made before the expiry of the period in regulation 5(2), the date after the expiry of that period, or

(c) where there is at least one relevant objector that makes a representation before the expiry of the period in regulation 5(2), the date after the expiry of the period in regulation 5(4).

(3) Such information must be provided—

(a) in writing, and

(b) within such period as is specified by the confirming authority to the relevant objector or the acquiring authority in writing.

Deciding the application

7.—(1) When deciding whether the conditions of a non-Ministerial order are met, the confirming authority—

(a) must take into account any information it receives in accordance with regulations 3, 5 and 6, and

(b) may disregard any information it receives otherwise than in accordance with regulations 3, 5 and 6.

(2) The confirming authority must not decide the application until the expiry of—

(a) the period in which a representation can be made under regulation 5, and

(b) where the confirming authority has requested further information under regulation 6, the period specified under regulation 6(3).

Notice of decision

8.—(1) The confirming authority must provide written notice of its decision on an application made under this Part to—

(a) the acquiring authority, and

(b) each relevant objector.

(2) That notice must include—

(a) the date of the confirming authority's decision,

(b) written reasons for that decision, and

(c) where the decision is that the conditions imposed on the non-Ministerial order have been met, a statement that the acquiring authority must comply with the requirements to—

(i) serve a copy of the non-Ministerial order and fulfilment notice(**a**) on each person on whom a notice was required to be served under section 12 of the Act, in accordance with section 15(4B) of the Act(**b**), and

(ii) affix near the land and publish the fulfilment notice, in accordance with section 15(4C) of the Act(**c**).

PART 3

Ministerial orders

Prescribed procedure for Ministerial orders

9.—(1) The Minister may only decide that the conditions to which a Ministerial order is subject have been met after—

(a) the Minister has complied with regulation 10, and

(**a**) For the meaning of "fulfilment notice", see section 15(4F) of the Acquisition of Land Act 1981 (c. 67).
(**b**) Section 15(4B) of the Act was inserted by section 183(3)(d) of the Levelling-up and Regeneration Act 2023 (c. 55).
(**c**) Section 15(4C) of the Act was inserted by section 183(3)(d) of the Levelling-up and Regeneration Act 2023 (c. 55).

(b) the appropriate authority(**a**) has set out its consideration in accordance with regulation 13.

(2) When making the decision on whether the conditions to which a Ministerial order is subject have been met, the Minister—

(a) must take into account and disregard the same matters the appropriate authority must take into account and disregard under regulation 13(2),

(b) must take into account the appropriate authority's written consideration required by regulation 13(4), and

(c) may adopt the appropriate authority's consideration as the Minister's decision.

Notification

10. To comply with this regulation the Minister must—

(a) prepare a written statement setting out the basis on which the Minister considers the conditions imposed on the Ministerial order have been met,

(b) where the appropriate authority is the Minister and the planning Minister(**b**) acting jointly, send to the planning Minister that statement and any other information that the Minister considers necessary in support of that statement, and

(c) where there is at least one relevant objector—

(i) send to each relevant objector that statement and that other information, and

(ii) notify each relevant objector that—

(aa) the appropriate authority is to consider whether the conditions have been met, and

(bb) the relevant objector can make written representations to the Minister within the period set out in regulation 11(2) on whether the conditions imposed on the Ministerial order have been met.

Representations

11.—(1) A relevant objector may make written representations to the Minister on whether the conditions imposed on a Ministerial order have been met.

(2) A representation made pursuant to paragraph (1) must be made within—

(a) 15 working days beginning with the date on which the relevant objector is notified they can make the representations, or

(b) such longer period as is specified by the Minister to the relevant objector in writing.

(3) Where the appropriate authority is the Minister and the planning Minister acting jointly, the Minister must send any representations they receive under this regulation to the planning Minister.

Further information

12.—(1) After the date on which the period in regulation 11(2) has expired, the appropriate authority may in writing request that a relevant objector provide the Minister with further information relevant to whether the conditions to which the Ministerial order is subject have been met.

(2) Such information must be provided—

(**a**) For the meaning of "appropriate authority", see paragraph 4(8) of Schedule 1 to the Acquisition of Land Act 1981 (c. 67).

(**b**) For the meaning of "planning Minister", see paragraph 4(10) of Schedule 1 to the Acquisition of Land Act 1981 (c. 67).

(a) in writing, and

(b) within such period as is specified by the appropriate authority to the relevant objector in writing.

(3) Where the appropriate authority is the Minister and the planning Minister acting jointly, the Minister must send any further information they receive under this regulation to the planning Minister.

Appropriate authority consideration

13.—(1) This regulation applies to the consideration by the appropriate authority of whether the conditions to which a Ministerial order is subject have been met.

(2) When considering whether the conditions to which a Ministerial order is subject have been met, the appropriate authority—

(a) must take into account the Minister's written statement and any other information sent to the planning Minister, relevant objectors, or both, under regulation 10,

(b) must take into account any information that it or the Minister receives in accordance with regulations 11 and 12, and

(c) may disregard any information that it or the Minister receives otherwise than in accordance with regulations 11 and 12.

(3) The appropriate authority may only finalise its consideration after the expiry of—

(a) the period in which representations can be made under regulation 11, and

(b) where the appropriate authority has requested further information under regulation 12, the period specified under regulation 12(2).

(4) The appropriate authority must set out its consideration in writing.

Notice of decision

14.—(1) The Minister must provide written notice of their decision made under regulation 9 to each relevant objector.

(2) That notice must include—

(a) the date of the Minister's decision,

(b) written reasons for that decision, including whether the Minister has adopted the appropriate authority's consideration as the Minister's decision, and

(c) the appropriate authority's written consideration of whether the conditions have been met set out under regulation 13(4).

Signed by authority of the Secretary of State for Housing, Communities and Local Government

Matthew Pennycook
Minister of State
17th March 2026 Ministry of Housing, Communities and Local Government

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations set out the procedures that apply where an acquiring authority or Minister is seeking to make operative a compulsory purchase order ("CPO") confirmed conditionally. A CPO can be confirmed conditionally under section 13BA(1) of, or made conditionally under paragraph 4AA(1) of Schedule 1 to, the Acquisition of Land Act 1981 (c. 67) ("the Act"). Where a CPO has been confirmed conditionally or made conditionally it does not become operative until the confirming authority or Minister has decided that the conditions imposed on the CPO have been met.

Part 2 sets out the procedure for CPOs confirmed conditionally under section 13BA(1) of the Act ("non-Ministerial orders"), where the acquiring authority is not a Minister.

Regulation 3 provides the required contents of applications for a decision that the conditions imposed on a non-Ministerial order have been met.

Regulation 4 provides the notification requirements that the confirming authority must comply with when it has accepted or rejected an application.

Regulation 5 provides for relevant objectors and the acquiring authority to make representations and sets the period of time in which they can do so.

Regulation 6 allows the confirming authority to request further information from the parties.

Regulation 7 sets out the factors the confirming authority must consider when deciding on the application and prevents the confirming authority from making the decision until the relevant periods in which representations can be made or further information can be provided have expired.

Regulation 8 provides who the confirming authority must notify about its decision and what the notification must contain.

Part 3 sets out the procedure for CPOs confirmed conditionally under paragraph 4AA(1) of Schedule 1 to the Act ("Ministerial orders") where the acquiring authority is a Minister.

Regulation 9(1) sets out what must happen before the Minister makes their decision on whether the conditions imposed on a Ministerial order have been met. Regulation 9(2) sets out the factors the Minister must consider when making their decision.

Regulation 10 requires the Minister to comply with certain notification requirements prior to making their decision.

Regulation 11 provides for relevant objectors to make representations and sets the period of time in which they can do so.

Regulation 12 allows the appropriate authority to request further information from relevant objectors.

Regulation 13 sets out how the appropriate authority must conduct its consideration of whether the conditions have been met.

Regulation 14 provides who the Minister must notify about their decision and what the notification must contain.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

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