STATUTORY INSTRUMENTS

1990 No. 613

ACQUISITION OF LAND, ENGLAND AND WALES

The Compulsory Purchase of Land Regulations 1990

Made - - - -	*14th March 1990*
Coming into force -	*31st March 1990*

The Secretary of State for the Environment, in relation to England, and the Secretary of State for Wales, in relation to Wales, in exercise of the powers conferred upon them by sections 7(2)(**a**), 10(2), 11(1), 12(1), 15 and 22 of, and paragraphs 2(1), 3(1) and 6 of Schedule 1 and paragraph 9 of Schedule 3 to, the Acquisition of Land Act 1981(**b**), and of all other powers enabling them in that behalf, hereby make the following Regulations:–

Citation and commencement

1. These Regulations may be cited as the Compulsory Purchase of Land Regulations 1990, and shall come into force on 31st March 1990.

Interpretation

2. In these Regulations–

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

"clearance area order" means a compulsory purchase order made pursuant to section 290 of the Housing Act 1985(**c**);

"the Planning Act" means the Town and Country Planning Act 1971(**d**);

and any reference to a numbered form is a reference to the form bearing that number in the Schedule hereto.

Prescribed forms in connection with compulsory purchase orders

3. The prescribed forms in relation to the provisions of the Act mentioned below are as follows–

(a) for the purposes of section 10, the form of compulsory purchase order (other than a clearance area order) shall be–

(i) Form 1; or

(ii) if the order provides for the vesting of land given in exchange pursuant to section 19 (commons, open spaces etc.), Form 2; or

(iii) if the order does not provide for the vesting of land given in exchange pursuant to section 19, but provides for discharging the land purchased from rights, trusts and incidents pursuant to that section, Form 3;

(b) for the purposes of section 10, the form of a clearance area order shall be–

(i) Form 4; or

(**a**) *See* definition of "prescribed".
(**b**) 1981 c.67.
(**c**) 1985 c.68; Part IX of the Act is amended by Part II of Schedule 9 to the Local Government and Housing Act 1989 (c.42).
(**d**) 1971 c.78.

(ii) if the order provides for the vesting of land given in exchange pursuant to section 19 (commons, open spaces etc.), Form 5; or

(iii) if the order does not provide for the vesting of land given in exchange pursuant to section 19, but provides for discharging the land purchased from rights, trusts and incidents pursuant to that section, Form 6;

(c) for the purposes of section 11(1) and paragraph 2(1) of Schedule 1, the form of newspaper notice shall be Form 7;

(d) subject to regulation 4 below, for the purposes of section 12(1) and paragraph 3(1) of Schedule 1, the form of notice to owners, lessees and occupiers shall be Form 8, or if the order is made on behalf of a parish (or, in Wales, community) council, Form 9;

(e) for the purposes of section 15 and paragraph 6 of Schedule 1, the form of notice of confirmation of a compulsory purchase order shall be Form 10; but in relation to an order made by a Minister, that form shall have effect with the substitution for references to the confirmation of an order submitted of references to the making of the order;

(f) for the purposes of section 22 and paragraph 9 of Schedule 3, the form of newspaper notice stating that a certificate has been given under section 16 or 19 of, or paragraph 3 or 6 of Schedule 3 to, the Act shall be Form 11.

Additional provisions with respect to listed buildings

4. Where a compulsory purchase order is made under section 114 of the Planning Act (compulsory acquisition of listed buildings in need of repair), there shall be included in Form 8, after the end of paragraph 2, the additional paragraphs set out after the notes to that Form, as follows–

(a) the additional paragraph numbered 3 shall be included in every case;

(b) the additional paragraph numbered 4 shall be included in any case where the notice is required by section 117(3) of the Planning Act (minimum compensation in the case of a building deliberately left derelict) to include a statement that the authority or Minister has included a direction for minimum compensation;

(c) the additional paragraph numbered 5 shall be included in every case;

and the remaining paragraphs shall be re-numbered as necessary.

Revocation

5. The Compulsory Purchase of Land Regulations 1982(a) are, with the exception of regulation 5, hereby revoked.

Chris Patten
14th March 1990 — Secretary of the State for the Environment

Peter Walker
14th March 1990 — Secretary of State for Wales

(a) S.I. 1982/6.

SCHEDULE

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Form 1 Compulsory purchase order (other than a clearance area order).

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Form 4 Clearance area order.

Form 5 Clearance area order providing for the vesting of exchange land.

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Form 7 Newspaper notice concerning a compulsory purchase order.

Form 8 Notice to owners, lessees and occupiers of land comprised in a compulsory purchase order.

Form 9 Notice to owners, lessees and occupiers of land comprised in a compulsory purchase order made on behalf of a parish or community council.

Form 10 Notice of confirmation of a compulsory purchase order.

Form 11 Newspaper notice of the giving of a certificate under section 16 or 19 of, or paragraph 3 or 6 of Schedule 3 to, the Acquisition of Land Act 1981.

FORM 1

Regulation 3(a)(i)

FORM OF COMPULSORY PURCHASE ORDER

The Act(a)
and the Acquisition of Land Act 1981

[The Acts(s)(a)]

The (b) hereby make the following order:–

1. Subject to the provisions of this order, the (b) are, under section of the Act (a), hereby authorised to purchase compulsorily [on behalf of the [parish][community] council of](c) for the purpose of (d) the land which is described in the Schedule hereto and is delineated and shown (e) on the map prepared in duplicate, sealed with the common seal of the (b) and marked "Map referred to in the (f) Compulsory Purchase Order 19 ". One duplicate of the map is deposited in the offices of the (b) and the other is deposited in the offices of the (g).

[**2.** Section 27 of the Compulsory Purchase Act 1965 shall not apply in relation to a purchase of land authorised by this order.](h)

[**3.** Parts[s] II [and III] of Schedule 2 to the Acquisition of Land Act 1981 [is][are] hereby incorporated with this order subject to the modifications that (j)](k).

4. This order may be cited as the (f) Compulsory Purchase Order 19 .

SCHEDULE

Number on map (n)	*Extent, description and situation of the land* (o)	*Owners or reputed owners*	*Lessees or reputed lessees*	*Occupiers (except licensees or tenants for a month or less)*
(1)	(2)	(3)	(4)	(5)

[(p) This order includes land falling within special categories to which section 17(2), 18 or 19 of the Acquisition of Land Act 1981 applies, namely–

Number on map *Special category*(q)]

Date (s)

For Notes on the use of this Form, see after Form 3.

FORM 2

Regulation 3(a)(ii)

FORM OF COMPULSORY PURCHASE ORDER PROVIDING FOR THE VESTING OF EXCHANGE LAND

The Act (a)
and the Acquisition of Land Act 1981

[The Acts(s)(a)]

The (b) hereby make the following order:–

1. Subject to the provisions of this order, the (b) are under section of the Act (a) hereby authorised to purchase compulsorily [on behalf of the [parish][community] council of](c)

(i) for the purpose of (d) the land which is described in Schedule 1 hereto and is delineated and shown (e) on the map prepared in duplicate, sealed with the common seal of the (b) and marked "Map referred to in the (f) Compulsory Purchase Order 19 "; and

(ii) for the purpose of giving in exchange for (m) [the land referred to in paragraph (i) above] [the land numbered in Schedule 1] the land which is described in Schedule 2 and is delineated and shown (e) on the said map.]

One duplicate of the map is deposited in the offices of the (b) the other is deposited in the offices of the (g).

[**2.** Section 27 of the Compulsory Purchase Act 1965 shall not apply in relation to a purchase of land authorised by this order.](h)

[**3.** Parts[s] II [and III] of Schedule 2 to the Acquisition of Land Act 1981 [is][are] hereby incorporated with this order, subject to the modifications that (j) .](k)

4.—(1) In this paragraph "the order land" means (m) [the land referred to in paragraph 1(i) hereof][the land numbered in Schedule 1 hereto] and "the exchange land" means the land described in Schedule 2 hereto.

(2) Subject to paragraph (3), as from the date on which this order becomes operative, the date on which the order land, or any of it, is vested in the (b) or the date on which the exchange land is vested in the (b) (whichever is the latest) the exchange land shall vest in the persons in whom the order land was vested immediately before it was vested in the (b) subject to the same rights, trusts and incidents as attached thereto; and the order land shall thereupon be discharged from all rights, trusts and incidents to which it was previously subject.

(3) If different parts of the order land are vested in different persons, paragraph (2) shall have effect with the substitution for the words from "the exchange land" at the second place where it occurs to "thereto" of the words "each plot of the exchange land shall vest in the persons in whom the corresponding plot of the order land was vested immediately before that date, subject to the same rights, trusts and incidents as attached to that corresponding plot"; and for the purposes of this paragraph, a plot of the order land corresponds to the plot of the exchange land next to the description of which in Schedule 2 the number of that plot is placed.

5. This order may be cited as the (f) Compulsory Purchase Order 19

SCHEDULE 1

LAND TO BE PURCHASED

Number on map (n)	*Extent, description and situation of the land* (o)	*Owners or reputed owners*	*Lessees or reputed lessees*	*Occupiers (except licensees or tenants for a month or less)*
(1)	(2)	(3)	(4)	(5)

[(p) This order includes land falling within special categories to which section 17(2), 18 or 19 of the Acquisition of Land Act 1981 applies, namely–

Number on map *Special category*(q)]

SCHEDULE 2

THE EXCHANGE LAND

Number on map (n)	*Extent, description and situation of the land* (o)	*In exchange for–* (r)
(1)	(2)	(3)

Date (s)

For Notes on the use of this Form, see after Form 3.

FORM 3

Regulation 3(a)(iii)

FORM OF COMPULSORY PURCHASE ORDER PROVIDING FOR THE DISCHARGE OF RIGHTS, TRUSTS AND INCIDENTS

The Act(a)
and the Acquisition of Land Act 1981

[The Acts(s)(a)]

The (b) hereby make the following order:-

1. Subject to the provisions of this order, the (b) are, under section of the Act (a) hereby authorised to purchase compulsorily [on behalf of the [parish][community] council of](c) for the purpose of (d) the land which is described in the Schedule hereto and is delineated and shown (e) on the map prepared in duplicate, sealed with the common seal of the (b) and marked "Map referred to in the (f) Compulsory Purchase Order 19 ". One duplicate of the map is deposited in the offices of the (b) and the other is deposited in the offices of the (g).

[**2.** Section 27 of the Compulsory Purchase Act 1965 shall not apply in relation to a purchase of land authorised by this order.](h)

[**3.** Parts[s] II [and III] of Schedule 2 to the Acquisition of Land Act 1981 [is][are] hereby incorporated with this order, subject to the modifications that (j) .](k)

4.—(1) In this paragraph "the order land" means (m) [the land referred to in paragraph 1 hereof][the land numbered in the Schedule hereto].

(2) As from the date on which this order becomes operative or the date on which the order land, or any of it, is vested in the (b) (whichever is the later), the order land shall be discharged from all rights, trusts and incidents to which it was previously subject.

5. This order may be cited as the (f) Compulsory Purchase Order 19

SCHEDULE

LAND TO BE PURCHASED

Number on map (n)	*Extent, description and situation of the land* (o)	*Owners or reputed owners*	*Lessees or reputed lessees*	*Occupiers (except licensees or tenants for a month or less)*
(1)	(2)	(3)	(4)	(5)

[(p) This order includes land falling within special categories to which section 17(2), 18 or 19 of the Acquisition of Land Act 1981 applies, namely–

Number on map *Special category*(q)]

Date (s)

NOTES ON THE USE OF FORMS 1, 2 and 3

(a) Insert the title and date of the Act authorising compulsory purchase. If the purpose of acquisition as stated in paragraph 1 of the order is contained in some other Act, the title of that Act (or a collective title) should be added as a sub-heading.

(b) Insert name of acquiring authority.

(c) Delete material which is inapplicable.

(d) Describe the purpose in precise terms. Where practicable the words of the relevant Act may be used, but where those words are in general terms covering a range of purposes, the particular purpose for which the land is required should be stated.

(e) Describe the colouring or other method used to identify the land on the map. The boundaries of each parcel of land separately numbered in the schedule to the order should be clearly delineated. Further, the map itself should contain sufficient detail to enable the situation of the land to be readily identified by reference to the description given in the schedule. Maps should normally be on the scale of 1/500 or 1/1250.

(f) Insert title of order, which should indicate the general area within which the order land is situated.

(g) Insert name of confirming authority.

(h) This paragraph should be omitted in the case of an order under the Housing Act 1985 other than Part VIII, and is optional in other cases.

(j) Schedule 2 to the Acquisition of Land Act 1981 permits certain modifications. Insert any such modifications which are required – e.g. "references in the said Part[s] II [and III] to the undertaking shall be construed as references to the buildings or works constructed or to be constructed on that part of the land authorised to be purchased hatched black on the said map".

(k) This paragraph may be omitted, or may be inserted with or without reference to Part III of Schedule 2.

(m) Use the first alternative if all of the land referred to in paragraph 1 falls within section 19 of the Acquisition of Land Act 1981. Otherwise, use the second alternative and specify the parcel numbers of the land which does fall within section 19.

(n) Column (1) need not be included where the order relates only to one parcel of land or, in the case of Schedule 2 in Form 2, there is only one parcel of exchange land. Where there are two or more parcels they should be numbered 1, 2 etc. on the map and referred to accordingly in column (1). In the case of any land in respect of which the acquiring authority have served notice on owners, lessees and occupiers under section 6(4) of the Acquisition of Land Act 1981, enter "unknown" in the appropriate columns.

(o) This column should contain sufficient detail to tell the reader approximately where the land is situated without reference to the map.

(p) The compulsory acquisition of land–

(i) which is the property of a local authority but is proposed to be acquired by a person other than a person mentioned in section 17(3);

(ii) which has been acquired by statutory undertakers for the purposes of their undertaking but is proposed to be acquired by a person other than a person mentioned in section 17(3);

(iii) which is held inalienably by the National Trust; or

(iv) forming part of a common or open space, or of a fuel or field garden allotment;

is subject to special provisions in sections 17 to 19 of, and Part II of Schedule 3 to, the Acquisition of Land Act 1981 and consequently may be subject to special parliamentary procedure in certain circumstances.

(q) In the column "Special Category", state which section of the 1981 Act applies.

(r) Insert the relevant plot number, as shown in column (1) of Schedule 1, of land in respect of which each plot of exchange land is given. If the order relates to only one parcel of land, insert "the order land".

(s) The order should be made under seal, duly authenticated, and dated.

FORM 4

Regulation 3(b)(i)

FORM OF CLEARANCE AREA ORDER

The Housing Act 1985 and the Acquisition of Land Act 1981

The (a) hereby make the following order:–

1. Subject to the provisions of this order, the (a) are, under section 290 of the Housing Act 1985, hereby authorised to purchase compulsorily for the purpose[s] of [undertaking or otherwise securing the demolition of buildings in a clearance area] [and] [securing a cleared area of convenient shape and dimensions] [and] [the satisfactory development or use of the cleared area](b)–

(i) the land which is described in Part I of the Schedule hereto and is delineated and shown coloured pink on the map prepared in duplicate, and marked "Map referred to in the (c) Compulsory Purchase Order 19 ", which land was included in the (d) clearance area pursuant to a resolution of the (a) passed on (e); and

(ii) the land which is described in Part II of the Schedule hereto and is delineated and shown coloured grey on the said map, which land is situated outside the (d) clearance area.

One duplicate of the map is deposited in the offices of the (a) and the other is deposited in the offices of the (f).

[**2.** Parts II [and III] of Schedule 2 to the Acquisition of Land Act 1981 [is][are] hereby incorporated with this order subject to the modifications that (g)].(h)

3. This order may be cited as the (c) Compulsory Purchase Order 19

SCHEDULE

LAND TO BE PURCHASED

Number on map (j)	*Extent, description, and situation of land* (k)	*Owners or reputed owners*	*Lessees or reputed lessees*	*Occupiers (except licensees or tenants for a month or less)*
(1)	(2)	(3)	(4)	(5)
		PART I		
		LANDS WITHIN THE CLEARANCE AREA		
		PART II		
		LANDS OUTSIDE THE CLEARANCE AREA		

[(n) This order includes land falling within special categories to which section 17(2), 18 or 19 of the Acquisition of Land Act 1981 applies, namely–

Number on map *Special Category*(o)].

Date (p)

For Notes on the use of this Form, see after Form 6.

FORM 5

Regulation 3(b)(ii)

FORM OF CLEARANCE ORDER PROVIDING FOR THE VESTING OF EXCHANGE LAND

The Housing Act 1985 and the Acquisition of Land Act 1981

The (a) hereby make the following order:–

1. Subject to the provisions of this order, the (a) are, under section 290 of the Housing Act 1985, hereby authorised to purchase compulsorily for the purpose[s] of [undertaking or otherwise securing the demolition of buildings in a clearance area] [and] [securing a cleared area of convenient shape and dimensions] [and] [the satisfactory development or use of the cleared area](b)–

(i) the land which is described in Part I of Schedule 1 hereto and is delineated and shown coloured pink on the map prepared in duplicate, and marked "Map referred to in the (c) Compulsory Purchase Order 19 ", which land was included in the (d) clearance area pursuant to a resolution of the (a) passed on (e);

(ii) the land which is described in Part II of Schedule 1 hereto and is delineated and shown coloured grey on the said map, which land is situated outside the (d) clearance area; and

(iii) for the purpose of giving in exchange for the order land, the land which is described in Schedule 2 and is delineated and shown (r) on the said map.

One duplicate of the map is deposited in the offices of the (a) and the other is deposited in the offices of the (f).

[**2.** Part[s] II [and III] of Schedule 2 to the Acquisition of Land Act 1981 [is][are] hereby incorporated with this order subject to the modifications that (g)].(h)

3.—(1) In this order "the order land" means (q) [the land referred to in paragraph 1(i) and (ii) hereof] [the land numbered in Schedule 1].

(2) Subject to paragraph (3), as from the date on which this order becomes operative, the date on which the order land, or any of it, is vested in the (a) or the date on which the exchange land is vested in the (a) (whichever is the latest) the exchange land shall vest in the persons in whom the order land was vested immediately before it was vested in the (a), subject to the same rights, trusts and incidents as attached thereto; and the order land shall thereupon be discharged from all rights, trusts and incidents to which it was previously subject.

(3) If different parts of the order land are vested in different persons, paragraph (2) shall have effect with the substitution for the words from "the exchange land" at the second place where it occurs to "thereto" of the words "each plot of the exchange land shall vest in the persons in whom the corresponding plot of the order land was vested immediately before that date, subject to the same rights, trusts and incidents as attached to that corresponding plot" and for the purposes of this paragraph a plot of the order land corresponds to the plot of the exchange land next to the description of which in Schedule 2 the number of that plot is placed.

4. This order may be cited as the (c) Compulsory Purchase Order 19

SCHEDULE 1

LAND TO BE PURCHASED

Number on map (j)	*Extent, description, and situation of land* (k)	*Owners or reputed owners*	*Lessees or reputed lessees*	*Occupiers (except licensees or tenants for a month or less)*
(1)	(2)	(3)	(4)	(5)
	PART I			
	LANDS WITHIN THE CLEARANCE AREA			
	PART II			
	LANDS OUTSIDE THE CLEARANCE AREA			

SCHEDULE 2

THE EXCHANGE LAND

Number on map (j)	*Extent, description and situation of the land* (k)	*In exchange for–* (m)
(1)	(2)	(3)

[(n) This order includes land falling within special categories to which section 17(2), 18 or 19 of the Acquisition of Land Act 1981 applies, namely–

Number on map *Special Category*(o)].

Date (p)

For Notes on the use of this Form, see after Form 6.

FORM 6

Regulation 3(b)(iii)

FORM OF COMPULSORY PURCHASE ORDER PROVIDING FOR THE DISCHARGE OF RIGHTS, TRUSTS AND INCIDENTS

The Housing Act 1985 and the Acquisition of Land Act 1981

The (a) hereby make the following order:–

1. Subject to the provisions of this order, the (a) are, under section 290 of the Housing Act 1985, hereby authorised to purchase compulsorily for the purpose[s] of [undertaking or otherwise securing the demolition of buildings in a clearance area] [and] [securing a cleared area of convenient shape and dimensions] [and] [the satisfactory development or use of the cleared area](b)–

(i) the land which is described in Part I of the Schedule hereto and is delineated and shown coloured pink on the map prepared in duplicate, and marked "Map referred to in the (c) Compulsory Purchase Order 19 ", which land was included in the (d) clearance area pursuant to a resolution of the (a) passed on (e);

(ii) the land which is described in Part II of the Schedule hereto and is delineated and shown coloured grey on the said map, which land is situated outside the (d) clearance area.

One duplicate of the map is deposited in the offices of the (a) and the other is deposited in the offices of the (f).

2. (g) Part[s] II [and III] of Schedule 2 to the Acquisition of Land Act 1981 [is][are] hereby incorporated with this order subject to the modifications that (g)].(h)

3.—(1) In this paragraph "the order land" means (q) [the land referred to in paragraph 1(i) and (ii) hereof][the land numbered in the Schedule hereto].

(2) As from the date on which this order becomes operative or from the date on which the order land, or any of it, is vested in the (a) (whichever is the later), the order land shall be discharged from all rights, trusts and incidents to which it was previously subject.

4. This order may be cited as the (c) Compulsory Purchase Order 19

SCHEDULE

LAND TO BE PURCHASED

Number on map (j)	*Extent, description, and situation of land* (k)	*Owners or reputed owners*	*Lessees or reputed lessees*	*Occupiers (except licensees or tenants for a month or less)*
(1)	(2)	(3)	(4)	(5)
	PART I			
	LANDS WITHIN THE CLEARANCE AREA			
	PART II			
	LANDS OUTSIDE THE CLEARANCE AREA			

[(n) This order includes land falling within special categories to which section 17(2), 18 or 19 of the Acquisition of Land Act 1981 applies, namely–

Number on map *Special Category*(o)].

Date (p)

NOTES TO FORMS 4, 5 and 6

(a) Insert name of acquiring authority.

(b) Delete material which is inapplicable.

(c) Insert title of order, which should indicate the general area within which the order land is situated.

(d) State name of clearance area.

(e) Give date of relevant resolution.

(f) Insert name of confirming authority.

(g) Schedule 2 to the Act permits certain modifications. Insert any modifications required.

(h) This paragraph may be omitted or may be inserted with or without reference to Part III of Schedule 2.

(j) Column (1) need not be included where the order relates only to one parcel of land. Where there are two or more parcels they should be numbered 1, 2 etc. on the map and referred to accordingly in column (1). In the case of any land in respect of which the acquiring authority have served notice on owners, lessees and occupiers under section 6(4) of the Acquisition of Land Act 1981, enter "unknown" in the appropriate columns.

(k) This column should contain sufficient detail to tell the reader approximately where the land is situated without reference to the map.

(m) Insert the relevant plot number, as shown in column (1) of Schedule 1, of the land in respect of which each plot of exchange land is given. If the order relates to only one plot of land, insert "the order land".

(n) The compulsory acquisition of land–

(i) which is the property of a local authority but is proposed to be acquired by a person other than a person mentioned in section 17(3);

(ii) which has been acquired by statutory undertakers for the purposes of their undertaking but is proposed to be acquired by a person other than a person mentioned in section 17(3);

(iii) which is held inalienably by the National Trust; or

(iv) forming part of a common or open space or of a fuel or field garden allotment;

is subject to special provisions in sections 17 to 19 of, and Part II of Schedule 3 to, the Acquisition of Land Act 1981 and consequently may be subject to special parliamentary procedure in certain circumstances.

(o) In the column "Special Category", state which section of the 1981 Act applies.

(p) The order should be made under seal, duly authenticated, and dated.

(q) Use the first alternative if all the land referred to in paragraph 1(i) and (ii) falls within section 19 of the Acquisition of Land Act 1981. Otherwise, use the second alternative and specify the parcel number(s) of the land which does fall within section 19.

(r) Describe the colouring or other method used to identify the relevant land on the map.

FORM 7

Regulation 3(c)

FORM OF NEWSPAPER NOTICE CONCERNING A COMPULSORY PURCHASE ORDER

COMPULSORY PURCHASE OF LAND IN (a)

Notice is hereby given that the (b) have made the (c) Compulsory Purchase Order 19 under the Act (d). They are about to submit this order to (e) for confirmation, and if confirmed, the order will authorise (b) to purchase compulsorily [on behalf of the [parish][community] council of](f) the land described below for the purpose of (g).

A copy of the order and of the accompanying map may be seen at all reasonable hours at (h).

Any objection to the order must be made in writing to (j) before (k) and should state the title of the order and the grounds of objection.

Description of land
(m)

[Date and signature]

NOTES

(a) Insert the name of the area in which the land concerned is situated.

(b) Insert name of acquiring authority.

(c) Insert title of the order.

(d) Insert the title of the Act authorising compulsory purchase. The Acquisition of Land Act 1981 need not be mentioned.

(e) Insert name of confirming authority.

(f) Delete material which is inapplicable.

(g) Insert the purpose of the acquisition as stated in the order.

(h) The place of deposit must be "within the locality". It should be within reasonably easy reach of persons living in the area affected.

(j) Insert name and address of confirming authority.

(k) Insert a date at least 21 days from the date of first publication of the notice (i.e. 21 days excluding the date of first publication).

(m) Insert description of all the land described in the order. This need not repeat the Schedule to the order, but must be in terms which enable the reader to appreciate what land is included.

FORM 8

Regulation 3(d)

FORM OF NOTICE TO OWNERS, LESSEES AND OCCUPIERS OF LAND COMPRISED IN A COMPULSORY PURCHASE ORDER

The Act(a)
and the Acquisition of Land Act 1981

[The Acts(s)(a)]

1. The (b), in exercise of their powers under the above Acts on 19 (c) made the (d) Compulsory Purchase Order 19 , which is about to be submitted to the (e) for confirmation. The order, if confirmed, will authorise the (b) to purchase compulsorily, for the purpose of (f), the land described below.

2. A copy of the order and of the map referred to therein have been deposited at (g) and may be seen there at all reasonable hours.

3. If no objection is duly made by an owner, lessee or occupier (except a licensee or a tenant for a month or less), or if all objections so made are withdrawn, or if the confirming authority is satisfied that every objection so made (h) [either] relates exclusively to matters of compensation which can be dealt with by the Lands Tribunal [or amounts in substance to an objection to the provisions of the development plan defining the proposed use of the land comprised in the order or any order land] [or amounts in substance to an objection to the Scheme/Order 19], the confirming authority may confirm the order with or without modifications.

4. In any other case where an objection has been made by an owner, lessee or occupier (except a tenant for a month or less), the confirming authority is required, before confirming the order, either to cause a public local inquiry to be held or to afford to the objector an opportunity of appearing before and being heard by a person appointed by the confirming authority for the purpose, and may then, after considering the objection and the report of the person who held the inquiry or hearing, confirm the order with or without modifications.

5. Any objection to the order must be made in writing to (j) before (k), and should state the title of the order and the grounds of objection.

Description of Land
(m)

NOTES

(a) The heading and any sub-heading should be the same as in the order.

(b) Insert name of acquiring authority.

(c) Insert date of making of order.

(d) Insert title of order.

(e) Insert name of confirming authority.

(f) Insert the purpose as stated in the order.

(g) The place of deposit must be "within the locality". It should be within reasonably easy reach of persons living in the area affected.

(h) The words in square brackets containing the reference to the development plan are required only where the order is made under section 112 or 113 of the Town and Country Planning Act 1971. The words in square brackets containing the reference to "the Scheme/Order 19 " are required only when the order is made under highway land acquisition powers (as defined in section 250(1) of the Highways Act 1980) and the circumstances specified in section 258(1) of the Highways Act 1980 apply. In all other cases the bracketed words should be omitted.

(j) Insert the name and address of the confirming authority.

(k) Insert a date at least 21 days from the date of service of the notice (i.e. 21 days excluding the date of service).

(m) Insert description of all the land comprised in the order. This need not repeat the schedule to the order, but must be in terms from which persons interested can readily see how their land is affected.

Additional provisions in relation to compulsory purchase orders made under section 114 of the Town and Country Planning Act 1971

3. Under section 114 of the Town and Country Planning Act 1971, any person having an interest in a listed building which it is proposed to acquire compulsorily under that section may, within 28 days after the service of this notice, apply to the magistrates' court for an order staying further proceedings on the compulsory purchase order, and if the court is satisfied that reasonable steps have been taken for properly preserving the building, the court must make an order accordingly.

4. The (n) have included in the order a direction for minimum compensation (the meaning of which is explained (o)). Under section 117 of the Town and Country Planning Act 1971, any person having an interest in the building may, within 28 days after the service of this notice, apply to the magistrates' court for an order that the direction be not included in the order as [confirmed][made] (p); and if the court is satisfied that the building has not been deliberately allowed to fall into disrepair for the purpose of justifying its demolition and the development or redevelopment of the site or any adjoining site, the court must make the order applied for.

5. Subject to any action taken under the 1971 Act (which also provides for appeals against decisions of the Court) the position with respect to this order is as set out below.

NOTES

(n) Insert the name of the acquiring authority. If the acquiring authority is a Minister, the paragraph should begin "The [Title of Minister] has included in the draft order".

(o) Insert a reference to the place where the meaning of "direction for minimum compensation" is explained e.g. "below" or "in the attached note". (This explanation is required by section 117(3) of the Town and Country Planning Act 1971 in any case where a direction is included in an order; it should normally include the text of section 117(4)).

(p) Delete as appropriate.

FORM 9

Regulation 3(d)

FORM OF NOTICE TO OWNERS, LESSEES AND OCCUPIERS OF LAND COMPRISED IN A COMPULSORY PURCHASE ORDER MADE ON BEHALF OF A PARISH OR COMMUNITY COUNCIL

The Local Government Act 1972
and the Acquisition of Land Act 1981

[The Acts(s)(a)]

1. The (b), in exercise of their powers under the above Acts, on (c) 19 made the (d) Compulsory Purchase Order 19 , which is about to be submitted to the (e) for confirmation. The order, if confirmed, will authorise the council to purchase compulsorily, on behalf of the [parish][community] council of](f) for the purpose of (g), the land described below.

2. A copy of the order and the map referred to therein have been deposited at (h) and may be seen there at all reasonable hours.

3. If no objection is duly made by any owner, lessee or occupier (except a tenant for a month or less) or if all objections so made are withdrawn, or if the Secretary of State is satisfied that the objection relates exclusively to matters of compensation which can be dealt with by the Lands Tribunal and disregards the objection the Secretary of State may confirm the order with or without modification.

4. In any other case where an objection has been made by an owner, lessee or occupier (except a tenant for a month or less) the Secretary of State is required, before confirming the order, either to cause a public local inquiry to be held or to afford to an objector an opportunity of appearing before and being heard by a person appointed by the Secretary of State for the purpose, and may then, after considering the objection and the report of the person who held the inquiry or hearing, confirm the order with or without modifications.

5. Any objection to the order must be made in writing to the (j) before (k), and should state the title of the order and the grounds of objection.

Description of Land
(m)

[Date and signature]

NOTES

(a) Any sub-heading should be the same as the sub-heading in the order.
(b) Insert name of acquiring authority.
(c) Insert date of making of order.
(d) Insert title of order.
(e) Insert name of confirming authority.
(f) Delete material which is inapplicable.
(g) Insert the purpose as stated in the order.
(h) The place of deposit must be "within the locality". It should therefore be within reasonably easy reach of persons living in the area affected.
(j) Insert name and address of confirming authority.
(k) Insert a date at least 21 days from the date of service of the notice (i.e. 21 days excluding the date of service).
(m) Insert description of all the land comprised in the order. This need not repeat the schedule to the order, but must be in terms from which persons interested can readily see how their land is affected.

FORM 10

Regulation 3(e)

FORM OF NOTICE OF CONFIRMATION OF A COMPULSORY PURCHASE ORDER

The Act(a)
and the Acquisition of Land Act 1981

[The Acts(s)(a)]

1. Notice is hereby given that the (b), in exercise of his powers under the above Acts, on (c) confirmed [with modifications] the (d) Compulsory Purchase Order 19 submitted by the (e) [on behalf of the [parish][community] council of] (f).

2. The order as confirmed provides for the purchase for the purpose of (g) of the land described in [the] Schedule [1] (f) hereto. [By a direction given under section 132 of the Town and Country Planning Act 1971, consideration of the order, so far as it relates to the land described in Schedule 2 hereto, has been postponed until (h)]. [By a direction given under section 259 of the Highways Act 1980 consideration of the order, so far as it relates to the land described in Schedule 2 hereto, has been postponed until (h)]. [By a direction given under paragraph 2 of Schedule 20 to the Local Government, Planning and Land Act 1980 consideration of the order, so far as it relates to the land described in Schedule 2 hereto, has been postponed until (h)]. [By a direction given under paragraph 2 of Schedule 28 to the Local Government, Planning and Land Act 1980 consideration of the order, so far as it relates to the land described in Schedule 2 hereto, has been postponed until (h)]. [By a direction given under paragraph 2 of Schedule 10 to the Housing Act 1988, consideration of the order, so far as it relates to the land described in Schedule 2 hereto, has been postponed until (h)]. (j)

3. A copy of the order as confirmed by the (b) and of the map referred to therein have been deposited at (k) and may be seen there at all reasonable hours.

4. (m). The notice as confirmed becomes operative on the date on which this notice is first published; but a person aggrieved by the order may, by application to the High Court within 6 weeks from that date, question its validity on the grounds (i) that the authorisation granted by the order is not empowered to be granted or (ii) that there has been a failure to comply with any statutory requirement relating to the order

OR

4. The order as confirmed is subject to special parliamentary procedure and will become operative as provided by the Statutory Orders (Special Procedure) Act 1945. Unless the order is confirmed by Act of Parliament under section 6 of that Act, a person aggrieved by the order may, by application to the High Court within 6 weeks from the operative date, question its validity on the ground (i) that the authorisation granted by the order is not empowered to be granted or (ii) that there has been a failure to comply with any statutory requirement relating to the order.

Schedule [1]

Land comprised in the order as confirmed

[Schedule 2

Land in respect of which consideration has been postponed](f)

(n)
[Date and signature]

NOTES

(a) The heading and any sub-heading should be the same as in the order as confirmed.
(b) Insert name of confirming authority, or, if the order has been made by a Minister, the title of that Minister.
(c) Insert date of confirmation of the order.
(d) Insert title of the order.
(e) Insert name of acquiring authority.

(f) Delete material which is inapplicable.

(g) Insert the purpose as stated in the order.

(h) Insert date until which consideration is postponed.

(j) Omit the passages in square brackets where inapplicable.

(k) The place of deposit should be within reasonably easy reach of persons living in the area affected.

(m) Use whichever alternative is appropriate.

(n) Where this form is to include a statement concerning general vesting declarations, (in conformity with the Compulsory Purchase of Land (Vesting Declarations) Regulations 1990) the statement should be included at this point.

FORM 11

Regulation 3(f)

NOTICE OF THE GIVING OF A CERTIFICATE UNDER PART III OF OR SCHEDULE 3 TO THE ACQUISITION OF LAND ACT 1981

The Acquisition of Land Act 1981

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1. The (a) Compulsory Purchase Order 19 , which has been [submitted by (b) to the (c) for confirmation] [prepared in draft by (d)] (e), includes the land described in the Schedule hereto.

2. This land was acquired by (f) for the purposes of their undertaking and the Secretary of State is satisfied that [it is used] [an interest is held in it] for the purposes of the carrying on of their undertaking. (e)

OR

2. This land [is] [forms part of] [a common] [an open space] [a fuel or field garden allotment]. (e)

3. Notice is hereby given that the Secretary of State, in exercise of his powers under [section [16] [19] of] [paragraph [3] [6] of Schedule 3 to] (e) the above-mentioned Act, has certified (g).

4. A map showing the land to which the certificate relates [and the land proposed to be given in exchange] (e) may be inspected at (h) at all reasonable hours.

5. The certificate becomes operative on the date on which this notice is first published; but a person aggrieved by the certificate may, by application to the High Court within 6 weeks from that date, question its validity on the ground that there has been a failure to comply with any statutory requirement relating to the certificate.

Schedule

(j)

[Date and signature]

NOTES

(a) Insert title of order.
(b) Insert name of acquiring authority.
(c) Insert name of confirming authority.
(d) Insert name of authority by whom draft has been prepared.
(e) Delete material which is inapplicable.
(f) Insert name of relevant undertaker.
(g) Insert the terms of the certificate.
(h) The place of deposit should be within reasonably easy reach of persons living in the area affected.
(j) Insert description of the land to which the certificate relates.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations re-enact with amendments the Compulsory Purchase of Land Regulations 1982, other than regulation 5, insofar as they prescribe forms for use in connection with the compulsory purchase of land under the procedure of the Acquisition of Land Act 1981.

The forms prescribed by these Regulations are—

(i) for the compulsory purchase order itself, Forms 1, 2 and 3 for an order (other than a clearance area order made pursuant to section 290 of the Housing Act 1985), and Forms 4, 5 and 6 in respect of a clearance area order;

(ii) the preliminary notices i.e. newspaper notice and the personal notice to owners, lessees and occupiers, describing the effect of the order and specifying how objections can be made (Forms 7, 8 and 9);

(iii) the notice of confirmation or making of the order (Form 10);

(iv) the notice that a certificate has been given under Part III of, or Schedule 3 to, the Acquisition of Land Act 1981 (Form 11).

In addition to minor and drafting amendments, the Regulations make the following changes of substance. Section 43 of the Housing and Planning Act 1986 (c.63) substitutes, with effect from 31st March 1990, a new section 125 of the Local Government Act 1972, which relates to the compulsory purchase of land on behalf of parish or community councils. This has required changes in Forms 7 and 9 and the omission of a prescribed form relating to inquiries where a district council propose to purchase land on behalf of a parish or community council.

Regulations 3(a)(iii) and 3(b)(iii) prescribe new forms of compulsory purchase order, Forms 3 and 6, for use where the land to be purchased forms part of a common, open space or fuel or field garden allotment, where no land is being given in exchange but where the order will provide for the land purchased to be discharged from rights, trusts and incidents to which it was previously subject.