EXPLANATORY MEMORANDUM TO

THE COMPULSORY PURCHASE OF LAND (VESTING DECLARATIONS) (ENGLAND) (AMENDMENT) REGULATIONS 2026

2026 No. 19

1. Introduction

1.1 This Explanatory Memorandum has been prepared by the Ministry of Housing, Communities and Local Government and is laid before Parliament by Command of His Majesty.

2. Declaration

2.1 Matthew Pennycook MP, Minister of State for Housing and Planning at the Ministry of Housing, Communities and Local Government confirms that this Explanatory Memorandum meets the required standard.

2.2 Lucy Hargreaves, Deputy Director for Development Management, at the Ministry of Housing, Communities and Local Government confirms that this Explanatory Memorandum meets the required standard.

3. Contact

3.1 Andrew Ward at the Ministry of Housing, Communities and Local Government Telephone: 0303 444 4224 or email: PDMCorrespondence@communities.gov.uk can be contacted with any queries regarding the instrument.

Part One: Explanation, and context, of the Instrument

4. Overview of the Instrument

What does the legislation do?

Amendments to the Compulsory Purchase of Land (Vesting Declarations) (England) Regulations 2017

4.1 As part of compulsory acquisition processes, acquiring authorities must issue certain documents at different stages of the acquisition processes. The information which must be included in these documents is set out in legislation (known as prescribed forms).

4.2 This statutory instrument makes minor changes to the prescribed forms set out in the Compulsory Purchase of Land (Vesting Declarations) (England) Regulations 2017 ("the 2017 Regulations"). These changes are needed to give full effect to reforms introduced through the Planning and Infrastructure Act 2025 ("2025 Act") which allow land or property to be transferred to the acquiring authority, where a compulsory acquisition is authorised, via an expedited procedure. The expedited procedure is available where: (1) the land or property to be compulsorily acquired is unoccupied, by reason of disrepair, neglect, contamination, or risk to health or safety, the acquiring authority considers the land or property is unfit for its ordinary use, and where the acquisition is not of part only of a house, building or factory or (2) the acquiring authority has been unable to identify any person with an interest in the land or property to be compulsorily acquired.

Where does the legislation extend to, and apply?

4.3 The extent of this instrument (that is, the jurisdiction(s) which the instrument forms part of the law of) is England and Wales.

4.4 The territorial application of this instrument (that is, where the instrument produces a practical effect) is England.

5. Policy Context

What is being done and why?

5.1 The 2025 Act contains a package of reforms to improve the compulsory acquisition process and associated land compensation system. This statutory instrument makes minor changes to give full effect to aspects of those reforms. It amends the information which must be included in notices issued by acquiring authorities when they are about to take possession of land or property following the authorisation of a compulsory acquisition.

What was the previous policy, how is this different?

Expediated procedure for the transfer of land

5.2 Once a compulsory acquisition has been authorised, the acquiring authority can begin the process of taking possession of the land or property by giving notice to occupiers and others with an interest in the land. The actual transfer of possession of land or property may proceed by the acquiring authority executing a legal document known as a 'general vesting declaration' under the Compulsory Purchase (Vesting Declarations) Act 1981 ("the 1981 Act") (https://www.legislation.gov.uk/ukpga/1981/66/contents).

5.3 Previously, before land or property could transfer to an acquiring authority, that acquiring authority was required to give a minimum of 3 months' notice to those with an interest in the land or property. Generally, the purpose of the minimum 3 months' notice is to allow those who occupy or otherwise use the land or property (including to access other land), time to make alternative arrangements, including moving out, arranging replacement accommodation or access, or negotiating continuing access rights after transfer of the land/property to the acquiring authority.

5.4 Section 108 of the 2025 Act amends the 1981 Act and introduces an expedited notice procedure to allow acquiring authorities take earlier possession of land or property by giving a minimum of 6 weeks' notice (rather than 3 months' notice) where: (1) the land or property to be compulsorily acquired is unoccupied, by reason of disrepair, neglect, contamination, or risk to health or safety, the acquiring authority considers the land or property is unfit for its ordinary use or (2) the acquiring authority has been unable to identify any person with an interest in the land or property to be compulsorily acquired.

5.5 This statutory instrument makes corresponding amendments to forms prescribed by the 2017 Regulations to allow acquiring authorities to give notice that the expedited notice procedure applies and possession of the land or property subject of the compulsory acquisition will transfer at the end of a minimum 6 weeks' notice period. Furthermore, to give notice of how a person may make representations that they disagree the expedited notice procedure applies.

6. Legislative and Legal Context

How has the law changed?

Amendments to the Compulsory Purchase of Land (Vesting Declarations) (England) Regulations 2017

6.1 The 1981 Act sets out a process for authorities to, by declaration, vest in themselves land or property which they are authorised to acquire by compulsory purchase. That Act empowers the Secretary of State to prescribe the form of a general vesting declaration and the form of an associated notice.

6.2 The 2017 Regulations prescribe the relevant forms. This statutory instrument makes minor changes to the prescribed forms contained in the 2017 Regulations to reflect the reforms introduced through the 2025 Act to the compulsory acquisition process which allow acquiring authorities to follow an expedited procedure for taking possession of land or property by the general vesting declaration process.

Why was this approach taken to change the law?

Amendments to the Compulsory Purchase of Land (Vesting Declarations) (England) Regulations 2017

6.3 The changes to the 2017 Regulations reflecting the expedited procedure for taking possession of land or property by the general vesting declaration process are minor and directly reflect the changes made in the 2025 Act. Substantively, this is the only possible approach to make the necessary changes.

7. Consultation

Summary of consultation outcome and methodology

7.1 There has been no public consultation on the changes being introduced through this statutory instrument which reflect the 2025 Act. They are technical, procedural changes in nature which are necessary to give full effect to reforms set out section 108 of the 2025 Act. The reforms set out section 108 of the 2025 Act were subject to a public consultation in December 2024: Compulsory Purchase Process and Compensation Reforms - GOV.UK (https://www.gov.uk/government/consultations/compulsory-purchase-process-and-compensation-reforms/compulsory-purchase-process-and-compensation-reforms). The Government response to that consultation was published in September 2025: Compulsory Purchase Process and Compensation Reforms: Consultation outcome - GOV.UK (https://www.gov.uk/government/consultations/compulsory-purchase-process-and-compensation-reforms/outcome/compulsory-purchase-process-and-compensation-reforms-consultation-outcome).

7.2 The reforms introduced by section 108 of the 2025 Act were also subject to detailed Parliamentary scrutiny during the passage of the 2025 Act through Parliament.

8. Applicable Guidance

Amendments to the Compulsory Purchase of Land (Vesting Declarations) (England) Regulations 2017

8.1 This statutory instrument makes minor changes to the prescribed forms for general vesting declarations and the associated notices. Guidance on the use of the form is included in the "Notes" section of the prescribed forms.

Part Two: Impact and the Better Regulation Framework

9. Impact Assessment

9.1 A full Impact Assessment has not been prepared for this instrument because the changes being made are purely administrative and will not have a significant cost impact on any party.

Impact on businesses, charities and voluntary bodies

9.2 There is no, or no significant, impact on business, charities or voluntary bodies because the changes are procedural and minor in nature. No significant costs will be incurred by acquiring authorities which fall within these categories in using the new forms.

9.3 The legislation does not impact small or micro businesses.

9.4 There is no, or no significant, impact on the public sector because changes are procedural and minor in nature. No significant costs will be incurred by public sector acquiring authorities.

10. Monitoring and review

What is the approach to monitoring and reviewing this legislation?

10.1 The Ministry of Housing, Communities and Local Government will continue to keep the compulsory acquisition process under review. The approach to monitoring this legislation is through routine engagement with the sector and key stakeholders.

10.2 This instrument does not include a statutory review clause and, in line with the requirements of the Small Business, Enterprise and Employment Act 2015 and, in line with the requirements of the Small Business, Enterprise and Employment Act 2015, Matthew Pennycook MP, Parliamentary Under Secretary of State for Housing and Planning at the Ministry of Housing, Communities and Local Government has made the following statement:

The government considers that a statutory review provision is not an appropriate way of keeping these regulations under review because the regulations have no significant regulatory impact on businesses, in terms of the Statutory Guidance under section 31 of the Small Business, Enterprise and Employment Act: Determining whether it is appropriate to make provision for review (Post-Implementation Review Guidance) (September 2023) ("the Guidance").

Part Three: Statements and Matters of Particular Interest to Parliament

11. Matters of special interest to Parliament

11.1 None.

12. European Convention on Human Rights

12.1 As the instrument is subject to negative procedure and does not amend primary legislation, no statement is required.

13. The Relevant European Union Acts

13.1 This instrument is not made under the European Union (Withdrawal) Act 2018, the European Union (Future Relationship) Act 2020 or the Retained EU Law (Revocation and Reform) Act 2023 (“relevant European Union Acts”).