



# Compulsory Purchase Act 1965

## 1965 CHAPTER 56

### PART I

#### COMPULSORY PURCHASE UNDER ACQUISITION OF LAND ACT OF 1946

##### *Further provision as to compensation for injurious affection*

#### **10 Further provision as to compensation for injurious affection.**

- (1) If any person claims compensation in respect of any land, or any interest in land, which has been taken for or injuriously affected by the execution of the works, and for which the acquiring authority have not made satisfaction under the provisions of this Act, or of the special Act, any dispute arising in relation to the compensation shall be referred to and determined by the [<sup>F1</sup>Upper Tribunal].
- (2) This section shall be construed as affording in all cases a right to compensation for injurious affection to land which is the same as the right which section 68 of the <sup>M1</sup>Lands Clauses Consolidation Act 1845 has been construed as affording in cases where the amount claimed exceeds fifty pounds.
- (3) Where this Part of this Act applies by virtue of [<sup>F2</sup>Part IX of the Town and Country Planning Act 1990] references in this section to the acquiring authority shall be construed in accordance with [<sup>F3</sup>section 245(4)(b) of that Act].

#### **Textual Amendments**

- F1** Words in s. 10(1) substituted (1.6.2009) by [The Transfer of Tribunal Functions \(Lands Tribunal and Miscellaneous Amendments\) Order 2009 \(S.I. 2009/1307\)](#), art. 1, **Sch. 1 para. 63** (with Sch. 5)
- F2** Words substituted by [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123:1, 2\)](#), s. 4, **Sch. 2 para. 13(2)(a)**
- F3** Words substituted by [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123:1, 2\)](#), s. 4, **Sch. 2 para. 13(2)(b)**

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### Modifications etc. (not altering text)

- C1** Pt. 1 applied (with modifications) (18.7.2023) by [The Longfield Solar Farm Order 2023](#) (S.I. 2023/734), arts. 1, 25, Sch. 10 paras. 4, **5** (with art. 19) (as amended (21.11.23) by [The Longfield Solar Farm \(Correction\) Order 2023](#) (S.I. 2023/1241), art. 1(2), **Sch.**)
- C2** Pt. 1 applied (with modifications) (18.7.2023) by [The Longfield Solar Farm Order 2023](#) (S.I. 2023/734), arts. 1, **25** (with art. 19) (as amended (21.11.23) by [The Longfield Solar Farm \(Correction\) Order 2023](#) (S.I. 2023/1241), **Sch.**)
- C3** Pt. 1 applied (with modifications) (27.7.2023) by [The Boston Alternative Energy Facility Order 2023](#) (S.I. 2023/778), arts. 1, **31** (with arts. 5, 27, 53, Sch. 8 paras. 6, 64)
- C4** Pt. 1 applied (with modifications) (3.8.2023) by [The Hornsea Four Offshore Wind Farm Order 2023](#) (S.I. 2023/800), arts. 1, 26, **Sch. 7 para. 4(2)–5** (with arts. 20, 42, 43, Sch. 9 Pt. 1 para. 4, Sch. 9 Pt. 3 para. 6(1), Sch. 9 Pt. 4 para. 20, Sch. 9 Pt. 9 para. 4) (as amended (31.1.2024) by [The Hornsea Four Offshore Wind Farm \(Correction\) Order 2024](#) (S.I. 2024/117), art. 1(2), **Sch.**)
- C5** Pt. I applied (with modifications) (3.8.2023) by [The Hornsea Four Offshore Wind Farm Order 2023](#) (S.I. 2023/800), art. 1, **Sch. 7 para. 4(2)–5** (with arts. 42, 43, Pt. 3 para. 6(1), 4para. 20, 9para. 4, Sch. 9 Pt. 1 para. 4) (as amended (31.1.2024) by [The Hornsea Four Offshore Wind Farm \(Correction\) Order 2024](#) (S.I. 2024/117), **Sch.**)
- C6** Pt. 1 applied (with modifications) (4.8.2023) by [The A303 \(Amesbury to Berwick Down\) Development Consent Order 2023](#) (S.I. 2023/834), arts. 1, 25, Sch. 5 paras. 4, **5** (with arts. 6(2), 18, 21, Sch. 11 paras. 5, 30)
- C7** Pt. 1 applied (with modifications) (4.8.2023) by [The A303 \(Amesbury to Berwick Down\) Development Consent Order 2023](#) (S.I. 2023/834), art. 1, Sch. 5 paras. 4, **5** (with arts. 6(2), 18, Sch. 11 paras. 5, 30)
- C8** Pt. 1 applied (with modifications) (7.2.2024) by [The Drax Power Station Bioenergy with Carbon Capture and Storage Extension Order 2024](#) (S.I. 2024/70), arts. 1, **23** (with arts. 18(1)(a), 43, Sch. 12 paras. 5, 24)
- C9** Pt. 1 applied (with modifications) (7.2.2024) by [The Drax Power Station Bioenergy with Carbon Capture and Storage Extension Order 2024](#) (S.I. 2024/70), art. 1, Sch. 9 paras. 4, **5** (with art. 43, Sch. 12 paras. 5, 24)
- C10** S. 10 applied by [Local Government Act 1972](#) (c. 70, SIF 81:1), **ss. 122(4)**, 126(6), 273(1)
- C11** S. 10 amended by [Land Compensation Act 1973](#) (c. 26, SIF 28:1), **s. 63(1)**
- C12** S. 10 applied by [Development of Rural Wales Act 1976](#) (c. 75, SIF 64), s. 5(1), **Sch. 3 para. 35(3)**  
S. 10 applied (10.11.1993) by [Leasehold Reform, Housing and Urban Development Act 1993](#) (c. 28), s. 169, **Sch. 20 para. 5(4)(7)(8)**; S.I. 1993/2762, **art. 3**.
- C13** S. 10 extended by [Housing Act 1988](#) (c. 50, SIF 61), s. 78(2)(a), **Sch. 10 Pt. 11 para. 5(4)**
- C14** S. 10 extended by [Town and Country Planning Act 1990](#) (c. 8, SIF 123:1), **s. 237(4)(a)**
- C15** S. 10 modified by [Town and Country Planning Act 1990](#) (c. 8, SIF 123:1), **s. 229(4)**
- C16** S. 10 applied by [Post Office \(Subway\) Act 1966](#) (c. 25), **s. 2(2)**
- C17** S. 10 applied (with modifications) (18.12.1996) by [Channel Tunnel Rail Link Act 1996](#) (c. 61), **ss. 36, 51(6)(a)**
- C18** S. 10 applied (1.12.2008) by [Housing and Regeneration Act 2008](#) (c. 17), s. 325(1), **Sch. 3 para. 2(1)**; S.I. 2008/3068, art. 2(1)(f) (with arts. 6arts. 6–13)
- C19** S. 10 applied (7.8.2015) by [The Preesall Underground Gas Storage Facility Order 2015](#) (S.I. 2015/1561), arts. 1, **21(5)(a)** (with art. 44)
- C20** S. 10 applied (15.9.2016) by [The River Humber Gas Pipeline Replacement Order 2016](#) (S.I. 2016/853), arts. 1, **25(4)** (with art. 43)
- C21** S. 10 applied by 2003 c. 21, Sch. 3A para. 85(2) (as inserted (28.12.2017) by [Digital Economy Act 2017](#) (c. 30), s. 118(6), **Sch. 1** (with Sch. 2); S.I. 2017/1286, reg. 2(b))
- C22** S. 10 applied (31.5.2018) by [The Silvertown Tunnel Order 2018](#) (S.I. 2018/574), arts. 1(2), **24(4)**
- C23** S. 10 applied (25.5.2020) by [The West Midlands Rail Freight Interchange Order 2020](#) (S.I. 2020/511), arts. 1, **27(5)** (with art. 27(7))

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- C24** S. 10 applied (31.12.2020) by The Network Rail (Cambridgeshire Level Crossing Reduction) Order 2020 (S.I. 2020/1485), arts. 1, **15(6)**
- C25** S. 10 applied (22.12.2021) by The Morlais Demonstration Zone Order 2021 (S.I. 2021/1478), arts. 1, **34(4)** (with arts. 15, 50, Sch. 11 para. 29)
- C26** S. 10 applied (10.3.2022) by The Thurrock Flexible Generation Plant Development Consent Order 2022 (S.I. 2022/157), arts. 1, **20(4)** (with art. 20(5), Sch. 8 Pt. 6 para. 19)
- C27** S. 10 applied (18.7.2023) by The Longfield Solar Farm Order 2023 (S.I. 2023/734), arts. 1, **24(4)** (with art. 24(6))
- C28** S. 10 applied (27.7.2023) by The Boston Alternative Energy Facility Order 2023 (S.I. 2023/778), arts. 1, **29(4)** (with arts. 5, 29(6), 51, 53, Sch. 8 paras. 6, 64)
- C29** S. 10 applied (4.8.2023) by The A303 (Amesbury to Berwick Down) Development Consent Order 2023 (S.I. 2023/834), arts. 1, **24(3)** (with arts. 6(2), 18, 24(5), Sch. 11 paras. 5, 30)
- C30** S. 10(1) modified (19.2.1999) by S.I. 1999/537, **art. 8**  
S. 10(1) modified (22.3.2001) by S.I. 2001/1451, **art. 11**  
S. 10(1) modified (12.8.2002) by S.I. 2002/1943, **art. 5**
- C31** S. 10(1) modified (22.7.2008) by Crossrail Act 2008 (c. 18), **s. 45**
- C32** S. 10(1) modified (23.2.2017) by High Speed Rail (London - West Midlands) Act 2017 (c. 7), **ss. 19, 70(1)**
- C33** S. 10(1) modified (23.2.2017) by High Speed Rail (London - West Midlands) Act 2017 (c. 7), **ss. 22(10)(a), 70(1)**
- C34** S. 10(1) modified (23.2.2017) by High Speed Rail (London - West Midlands) Act 2017 (c. 7), **ss. 50(14)(a), 70(1)**
- C35** S. 10(1) modified (11.2.2021) by High Speed Rail (West Midlands - Crewe) Act 2021 (c. 2), **ss. 16, 47(8)(a), 64(1)**
- C36** S. 10(2) saved (9.5.1991) by Heathrow Express Railway Act 1991 (c. vii), **s. 17(1)(f)**; and saved (22.10.1991) by Greater Manchester (Light Rapid Transit System) Act 1991 (c. xvi), **s. 14(3)(e)**; and saved (26.7.1991) by S.I. 1991/1760, **art. 6(3)(e)**.
- C37** S. 10(2) excluded (23.8.1999) by S.I. 1999/2981, **arts. 20(7), 21(8)**
- C38** S. 10(2) applied (30.3.2006) by London Olympic Games and Paralympic Games Act 2006 (c. 12), **ss. 4(5)(b), 40(1)(b)** (with s. 4(6)(b))
- C39** S. 10(2) applied (1.3.2010) by Planning Act 2008 (c. 29), **ss. 152(5), 241(8)** (with s. 226); S.I. 2010/101, **art. 3(h)** (with art. 6)  
S. 10(2) applied (24.9.2014) by The Thames Water Utilities Limited (Thames Tideway Tunnel) Order 2014 (S.I. 2014/2384), **arts. 1, 33(4)**
- C40** S. 10(2) applied (14.8.2015) by The Hirwaun Generating Station Order 2015 (S.I. 2015/1574), arts. 1, **18(4)** (with arts. 18(5), 30)
- C41** S. 10(2) applied (2.8.2016) by The Meaford Gas Fired Generating Station Order 2016 (S.I. 2016/779), arts. 1, **21(4)**
- C42** S. 10(2) modified (19.8.2016) by The North Wales Wind Farms Connection Order 2016 (S.I. 2016/818), arts. 1, **20(4), (5)** (with art. 35)
- C43** S. 10(2) applied (28.10.2016) by The Brechfa Forest Wind Farm Connection Order 2016 (S.I. 2016/987), arts. 1, **20(4), (5)** (with art. 37)
- C44** S. 10(2) applied (29.3.2017) by The Glyn Rhonwy Pumped Storage Generating Station Order 2017 (S.I. 2017/330), **arts. 1, 19(3)(b)** (with arts. 19(4), 31)
- C45** S. 10(2) applied (5.4.2017) by The Keuper Underground Gas Storage Facility Order 2017 (S.I. 2017/433), arts. 1, **25(4)**
- C46** S. 10(2) applied (8.8.2017) by The Wrexham Gas Fired Generating Station Order 2017 (S.I. 2017/766), arts. 1, **21(4)**
- C47** S. 10(2) applied (with modifications) (12.10.2018) by The Eggborough Gas Fired Generating Station Order 2018 (S.I. 2018/1020), arts. 1, **18(4)(5)** (with arts. 6, 17(4), 42)
- C48** S. 10(2) applied (3.4.2019) by The Millbrook Gas Fired Generating Station Order 2019 (S.I. 2019/578), arts. 1, **19(4)** (with art. 19(5))

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- C49** S. 10(2) applied (10.10.2019) by [The Abergelli Power Gas Fired Generating Station Order 2019 \(S.I. 2019/1268\)](#), arts. 1, **20(4)(5)**
- C50** S. 10(2) applied (25.10.2019) by [The Drax Power \(Generating Stations\) Order 2019 \(S.I. 2019/1315\)](#), arts. 1, **20(4)**
- C51** S. 10(2) applied (with modifications) (14.4.2020) by [The Reinforcement to the North Shropshire Electricity Distribution Network Order 2020 \(S.I. 2020/325\)](#), arts. 1, **19(4)(5)** (with art. 7)
- C52** S. 10(2) applied (1.9.2020) by [The Immingham Open Cycle Gas Turbine Order 2020 \(S.I. 2020/847\)](#), arts. 1, **19(4)(5)** (with Sch. 9 para. 144)
- C53** S. 10(2) applied (11.8.2022) by [The Sizewell C \(Nuclear Generating Station\) Order 2022 \(S.I. 2022/853\)](#), arts. 1, **30(4)** (with arts. 62, 76, 87, Sch. 19 paras. 4, 78)
- C54** S. 10(2) applied (29.12.2022) by [The Keadby 3 \(Carbon Capture Equipped Gas Fired Generating Station\) Order 2022 \(S.I. 2022/1396\)](#), arts. 1, **19(4)** (with art. 32, Sch. 10 paras. 26(2), 68)
- C55** S. 10(2) applied (3.8.2023) by [The Hornsea Four Offshore Wind Farm Order 2023 \(S.I. 2023/800\)](#), arts. 1, **24(4)** (with arts. 42, 43, Sch. 9 Pt. 1 para. 4, Sch. 9 Pt. 3 para. 6(1), Sch. 9 Pt. 4 para. 20, Sch. 9 Pt. 9 para. 4)
- C56** S. 10(2) applied (7.2.2024) by [The Drax Power Station Bioenergy with Carbon Capture and Storage Extension Order 2024 \(S.I. 2024/70\)](#), arts. 1, **17(5)** (with arts. 17(7), 43, Sch. 12 paras. 5, 24)

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#### Marginal Citations

- M1** 1845 c. 18.

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**Changes and effects yet to be applied to :**

- s. 10 applied by [S.I. 2024/230 art. 28\(4\)](#)
- s. 10 applied by [S.I. 2024/360 art. 24\(3\)](#)
- s. 10(2) applied by [S.I. 2024/174 art. 23\(4\)](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Act applied (with modifications) by [S.I. 2024/393 Sch. 10 para. 13-9](#)