



Planning and Compensation Act 1991

1991 CHAPTER 34

PART III

LAND COMPENSATION, ETC: ENGLAND AND WALES

Acquisition of land

67 Time limit on validity of notice to treat

In section 5 of the Compulsory Purchase Act 1965 (notice to treat) after subsection (2) there is inserted—

“(2A) A notice to treat shall cease to have effect at the end of the period of three years beginning with the date on which it is served unless—

- (a) the compensation has been agreed or awarded or has been paid or paid into court,
- (b) a general vesting declaration has been executed under section 4 of the Compulsory Purchase (Vesting Declarations) Act 1981,
- (c) the acquiring authority have entered on and taken possession of the land specified in the notice, or
- (d) the question of compensation has been referred to the Lands Tribunal.

(2B) If the person interested in the land, or having power to sell and convey or release it, and the acquiring authority agree to extend the period referred to in subsection (2A) of this section, the notice to treat shall cease to have effect at the end of the period as extended unless—

- (a) any of the events referred to in that subsection have then taken place, or
- (b) the parties have agreed to a further extension of the period (in which case this subsection shall apply again at the end of the period as further extended, and so on).

(2C) Where a notice to treat ceases to have effect by virtue of subsection (2A) or (2B) of this section, the acquiring authority—

Status: This is the original version (as it was originally enacted).

- (a) shall immediately give notice of that fact to the person on whom the notice was served and any other person who, since it was served, could have made an agreement under subsection (2B) of this section, and
 - (b) shall be liable to pay compensation to any person entitled to such a notice for any loss or expenses occasioned to him by the giving of the notice and its ceasing to have effect.
- (2D) The amount of any compensation payable under subsection (2C) shall, in default of agreement, be determined by the Lands Tribunal.
- (2E) Compensation payable to any person under subsection (2C) shall carry interest at the rate prescribed under section 32 of the Land Compensation Act 1961 from the date on which he was entitled to to be given notice under that subsection until payment.”