



# Planning and Compulsory Purchase Act 2004

## 2004 CHAPTER 5

### PART 8

#### COMPULSORY PURCHASE

##### *Information*

#### **105 Power to require information**

- (1) The Acquisition of Land Act 1981 (c. 67) is amended as follows.
- (2) After section 5 (local inquiries) there is inserted—

##### **“5A Power to require information**

- (1) This section applies to information about land in relation to which an acquiring authority is entitled to exercise a power of compulsory purchase.
- (2) The acquiring authority may serve a notice on a person mentioned in subsection (4) requiring him to give to the authority in writing the following information—
  - (a) the name and address of any person he believes to be an owner, lessee, tenant (whatever the tenancy period) or occupier of the land;
  - (b) the name and address of any person he believes to have an interest in the land.
- (3) The power in subsection (2) is exercisable for the purpose of enabling the acquiring authority to acquire the land.
- (4) The persons are—
  - (a) the occupier of the land;

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*Status: This is the original version (as it was originally enacted).*

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- (b) any person who has an interest in the land either as freeholder, mortgagee or lessee;
  - (c) any person who directly or indirectly receives rent for the land;
  - (d) any person who, in pursuance of an agreement between himself and a person interested in the land, is authorised to manage the land or to arrange for the letting of it.
- (5) The notice must specify the period within which the information must be given to the acquiring authority (being a period of not less than 14 days beginning with the day on which the notice is served).
- (6) The notice must also specify or describe—
- (a) the land,
  - (b) the compulsory purchase power, and
  - (c) the enactment which confers the power.
- (7) The notice must be in writing.
- (8) Section 6(4) does not apply to notices to be served under this section.

### **5B Offences relating to information**

- (1) A person commits an offence if he fails without reasonable excuse to comply with a notice served on him under section 5A.
- (2) A person commits an offence if, in response to a notice served on him under section 5A—
- (a) he gives information which is false in a material particular, and
  - (b) when he does so, he knows or ought reasonably to know that the information is false.
- (3) If an offence under this section committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of—
- (a) a director, manager, secretary or other similar officer of the body corporate, or
  - (b) a person purporting to act in any such capacity,
- he, as well as the body corporate, is guilty of that offence and liable to be proceeded against accordingly.
- (4) The reference in subsection (3) to a director must be construed in accordance with section 331(2) of the Town and Country Planning Act 1990.
- (5) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 5 on the standard scale.”