



Tribunals, Courts and Enforcement Act 2007

2007 CHAPTER 15

PART 7

MISCELLANEOUS

Compulsory purchase

139 Enforcement by enforcement officers

- (1) In section 3 of the Lands Clauses Consolidation Act 1845 (c. 18) (interpretations in this and the special Act), at the end insert—

“Where any matter in relation to any lands is required to be done by an enforcement officer, the expression “the enforcement officer” means the officer or officers identified for that purpose in paragraph 3A of Schedule 7 to the Courts Act 2003.”

- (2) In section 91 of that Act (proceedings in case of refusal to deliver possession of lands)

- (a) after “the sheriff” in the first place insert “or the enforcement officer”;
- (b) for “the sheriff” in the second place substitute “the person to whom it is issued”;
- (c) for “the sheriff” in the third place substitute “the person executing the warrant”;
- (d) after the existing words, which (as amended) become subsection (1), insert—

“(2) If, by virtue of paragraph 3A of Schedule 7 to the Courts Act 2003, the warrant is issued to two or more persons collectively, the duty in subsection (1) to deliver possession of lands shall apply to the person to whom the warrant is allocated in accordance with the approved arrangements mentioned in that Schedule.”

- (3) Subsections (1) and (2) extend only to England and Wales.

Status: This is the original version (as it was originally enacted).

- (4) Section 13 of the Compulsory Purchase Act 1965 (c. 56) (refusal to give possession to acquiring authority) is amended as follows.
- (5) In subsection (1), for the words from “the sheriff” to the end substitute “—
- (a) the sheriff, or
 - (b) the enforcement officer,
- to deliver possession of it to the person appointed in the warrant to receive it.”
- (6) In subsection (2), for “the sheriff” substitute “the person to whom it is issued”.
- (7) After subsection (2) insert—
- “(2A) If, by virtue of paragraph 3A of Schedule 7 to the Courts Act 2003, the warrant is issued to two or more persons collectively, the duty in subsection (2) of this section shall apply to the person to whom the warrant is allocated in accordance with the approved arrangements mentioned in that Schedule.”
- (8) In subsection (3), for “the sheriff” substitute “the person executing the warrant”.
- (9) In subsection (6), after “In this section” insert “—
- “the enforcement officer”, in relation to a warrant to deliver possession of land under this section, means the officer or officers identified for that purpose in paragraph 3A of Schedule 7 to the Courts Act 2003, and”.
- (10) Schedule 22 makes consequential amendments.