

Changes to legislation: There are currently no known outstanding effects for the High Speed Rail (West Midlands - Crewe) Act 2021, Cross Heading: Compulsory Purchase (Vesting Declarations) Act 1981 (c. 66). (See end of Document for details)

SCHEDULES

SCHEDULE 7

ACQUISITION OF LAND: APPLICATION OF COMPULSORY PURCHASE LEGISLATION

Compulsory Purchase (Vesting Declarations) Act 1981 (c. 66)

- 3 In its application by virtue of section 4(4), the Compulsory Purchase (Vesting Declarations) Act 1981 has effect as if—
- (a) before section 4 there were inserted—

Preliminary notices

“3A (1) Before making a declaration under section 4 with respect to any land which is subject to a compulsory purchase order, the acquiring authority must include the particulars specified in subsection (3) in a notice which is—

- (a) given to every person with a relevant interest in the land with respect to which the declaration is to be made (other than a mortgagee who is not in possession), and
- (b) published in the London Gazette.

(2) A notice under subsection (1) must be given before the service of any notice to treat in respect of the land with respect to which the declaration is to be made.

(3) The notice must—

- (a) contain a statement, in the form prescribed for the purposes of section 15(4)(e) of the Acquisition of Land Act 1981 (with any necessary modifications), about the effect of Parts 2 and 3 of this Act, and
- (b) invite any person who would be entitled to claim compensation if a declaration were executed under section 4 to give the acquiring authority information about the person's name, address and interest in land, using the form prescribed for the purposes of section 15(4)(f) of the Acquisition of Land Act 1981 (with any necessary modifications).

(4) A notice complying with the preceding provisions of this section must be sent to the Chief Land Registrar and it shall be a local land charge.

(5) For the purposes of this section, a person has a relevant interest in land if—

- (a) the person is for the time being entitled to dispose of the fee simple of the land, whether in possession or reversion, or

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- (b) the person holds, or is entitled to the rents and profits of, the land under a lease or agreement, the unexpired term of which exceeds one month.”,
- (b) sections 5 and 5A (which respectively set out the earliest date, and the time limit, for the execution of a general vesting declaration) were omitted,
- (c) in section 6 (notices after execution of general vesting declaration), the reference to the invitation under section 15 of, or paragraph 6 of Schedule 1 to, the Acquisition of Land Act 1981 were a reference to the invitation under section 3A(3) (as set out in sub-paragraph (a) above),
- (d) in section 9 (minor tenancies and tenancies about to expire: power to enter on and take possession of land the subject of a notice to treat after giving the specified notice), for “3 months” there were substituted “ 14 days ”,
- (e) in Schedule A1 (counter-notice requiring purchase of land not in general vesting declaration), paragraph 1(2) were omitted, and
- (f) references to the Compulsory Purchase Act 1965 were to that Act as applied by section 4(3) to the acquisition of land under section 4(1).

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