

SCHEDULE

AMENDMENT OF ENACTMENTS RELATING TO COMPULSORY PURCHASE

Transport and Works Act 1992

5.—(1) After section 14 of the Transport and Works Act 1992⁽¹⁾ (publicity for making or refusing orders) insert—

“14A Compulsory acquisition: notice requirements

(1) This section applies where the appropriate national authority has determined under section 13(1) to make an order under section 1 or 3—

- (a) authorising the compulsory acquisition of land in England or Wales, and
- (b) applying Parts 2 and 3 of the Compulsory Purchase (Vesting Declarations) Act 1981 to the acquisition.

(2) As soon as practicable after the appropriate national authority has made the determination, the acquiring authority must give a notice to any person who, if Part 2 of the Acquisition of Land Act 1981 applied to the acquisition, would be entitled to a notice under section 12 of that Act (notice to owners, lessees and occupiers).

(3) The notice must—

- (a) contain a statement about the effect of Parts 2 and 3 of the Compulsory Purchase (Vesting Declarations) Act 1981, and
- (b) invite any person who would be entitled to claim compensation if a declaration were executed under section 4 of the Compulsory Purchase (Vesting Declarations) Act 1981 to give the acquiring authority information about the person’s name, address and interest in land, using a form set out in the notice.

(4) The statement referred to in subsection (3)(a) must be the same as the relevant statement prescribed under—

- (a) section 15(4)(e) of the Acquisition of Land Act 1981, where the determination was made following an application, or
- (b) paragraph 6(4)(e) of Schedule 1 to that Act, where the determination was made otherwise than following an application,

subject to any necessary modifications.

(5) The form mentioned in subsection (3)(b) must be the same as the relevant form that is prescribed under—

- (a) section 15(4)(f) of the Acquisition of Land Act 1981, where the determination was made following an application, or
- (b) paragraph 6(4)(f) of Schedule 1 to that Act, where the determination was made otherwise than following an application,

subject to any necessary modifications.

(6) The acquiring authority must send a copy of the notice to the Chief Land Registrar and it shall be a local land charge in respect of the land in England or Wales to which it relates.

(7) For the purposes of subsections (4) and (5), a statement or a form is “relevant”—

- (a) where the order under section 1 or 3 is made by the Welsh Ministers, if it was prescribed by the Welsh Ministers, or

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(b) where the order under section 1 or 3 is made by the Secretary of State, if it was prescribed by the Secretary of State.

(8) In this section—

the “acquiring authority” means the person authorised to carry out the compulsory acquisition, and

the “appropriate national authority” means—

- (a) where an order authorises the compulsory acquisition of land wholly in England, the Secretary of State,
- (b) where an order authorises the compulsory acquisition of land in both England and Wales, the Secretary of State, and
- (c) where an order authorises the compulsory acquisition of land wholly in Wales, the Welsh Ministers.”

(2) The amendment made by this paragraph applies only where the Secretary of State or the Welsh Ministers determine to make an order under section 1 or 3 of the Transport and Works Act 1992 after this paragraph comes into force.