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Changes to legislation: There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Schedule 18. (See end of Document for details)

SCHEDULES

PROSPECTIVE

SCHEDULE 18

Section 183(4)

CONDITIONAL CONFIRMATION AND MAKING OF COMPULSORY PURCHASE ORDERS: CONSEQUENTIAL AMENDMENTS

Land Compensation Act 1973 (c. 26)

1 In section 33D of the Land Compensation Act 1973 (exclusions from entitlement to loss payments), for subsection (6) substitute—

“(6) The relevant time is the time at which any of the following occurs in respect of the compulsory purchase order relating to the person’s interest in the land—

- (a) the order is confirmed, other than conditionally, under section 13 or 13A of the Acquisition of Land Act 1981;
- (b) the order is made, other than conditionally, under paragraph 4 or 4A of Schedule 1 to that Act;
- (c) a decision is made under section 13BA(2)(a) of the Acquisition of Land Act 1981 (decision that conditions subject to which order was confirmed have been met);
- (d) a decision is made under paragraph 4AA(2)(a) of Schedule 1 to that Act (decision that conditions subject to which order was made have been met).”

Commencement Information

I1 Sch. 18 para. 1 not in force at Royal Assent, see [s. 255\(7\)](#)

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

2 In section 5(2) of the Compulsory Purchase (Vesting Declarations) Act 1981 (vesting declaration not to be executed before purchase order operative), for “26(1)” substitute “26”.

Commencement Information

I2 Sch. 18 para. 2 not in force at Royal Assent, see [s. 255\(7\)](#)

Acquisition of Land Act 1981 (c. 67)

3 (1) The Acquisition of Land Act 1981 is amended as follows.

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- (2) In section 7—
- (a) in subsection (3) (regulations subject to negative procedure)—
 - (i) after “13A” insert “or 13BA”;
 - (ii) after “paragraph 4A” insert “or 4AA”;
 - (b) after subsection (3) insert—
 - “(4) So far as anything is required or authorised to be prescribed as mentioned in subsection (2) in relation to orders that fall to be made or confirmed by the Welsh Ministers—
 - (a) the reference in that subsection to the Secretary of State is to be read as a reference to the Welsh Ministers, and
 - (b) the reference in subsection (3) to either House of Parliament is to be read as a reference to Senedd Cymru.”
- (3) In section 26 (date of operation of orders and certificates), for subsections (1) and (2) substitute—
- “(1A) A compulsory purchase order confirmed under Part 2 becomes operative—
 - (a) if it is confirmed unconditionally, on the date on which a confirmation notice in respect of the order is first published as required by section 15(3)(a);
 - (b) if it is confirmed conditionally, on the date on which a fulfilment notice in respect of the order is first published as required by section 15(4C)(b)(i).
 - (1B) A compulsory purchase order made under Schedule 1 becomes operative—
 - (a) if it is made unconditionally, on the date on which a making notice in respect of the order is first published as required by paragraph 6(3)(a) of that Schedule;
 - (b) if it is made conditionally, on the date on which a fulfilment notice in respect of the order is first published as required by paragraph 6(4C)(b)(i) of that Schedule.
 - (1C) Subsections (1A) and (1B) do not apply to an order to which the Statutory Orders (Special Procedure) Act 1945 applies.
 - (2A) A certificate given under Part 3 becomes operative on the date on which it is first published as required by section 22(a).
 - (2B) A certificate given under Schedule 3 becomes operative on the date on which it is first published as required by paragraph 9(a) of that Schedule.
 - (3) This section is subject to section 24.”

Commencement Information

I3 Sch. 18 para. 3 not in force at Royal Assent, see [s. 255\(7\)](#)

Housing Act 1985 (c. 68)

- 4 (1) The Housing Act 1985 is amended as follows.

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- (2) In section 582 (suspension of recovery of possession of certain premises when compulsory purchase order made)—
- (a) in subsection (2), for paragraph (b) substitute—
- “(b) any earlier date on which—
- (i) the Secretary of State notifies the authority that the Secretary of State declines to confirm the order,
- (ii) the order (having been confirmed conditionally) expires by virtue of section 13BA(2)(b) of the Acquisition of Land Act 1981, or
- (iii) the order is quashed by a court.”;
- (b) in subsection (6), for paragraph (a) substitute—
- “(aa) the Secretary of State notifies the authority that the Secretary of State declines to confirm the compulsory purchase order,
- (ab) the order (having been confirmed conditionally) expires by virtue of section 13BA(2)(b) of the Acquisition of Land Act 1981,
- (ac) the order is quashed by a court, or”.
- (3) In paragraph 3 of Schedule 5A (termination of initial demolition notices)—
- (a) in sub-paragraph (2), after “(3)(a)” insert “or (aa)”;
- (b) in sub-paragraph (3)—
- (i) omit the “or” at the end of paragraph (a);
- (ii) after paragraph (a) insert—
- “(aa) a decision under section 13BA(2)(b)(ii) of that Act that conditions subject to which the order was confirmed have not been met, or”;
- (c) in sub-paragraph (4), after “(3)(a)” insert “or (aa)”;
- (d) after sub-paragraph (6) insert—
- “(6A) If—
- (a) a compulsory purchase order has been made as described in sub-paragraph (2),
- (b) the order expires by virtue of section 13BA(2)(b)(i) of the Acquisition of Land Act 1981, and
- (c) the effect of the expiry is that the landlord will not be able, by virtue of that order, to carry out the demolition of the dwelling-house,
- the notice ceases to be in force as from the date when the order expires.”;
- (e) in sub-paragraph (7), after “(2)” insert “or (6A)”.

Commencement Information

I4 Sch. 18 para. 4 not in force at Royal Assent, see [s. 255\(7\)](#)

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Town and Country Planning Act 1990 (c. 8)

- 5 (1) TCPA 1990 is amended as follows.
- (2) In section 137(7)(b) (discontinuance of compulsory purchase for purpose of blight notice exception)—
- (a) in sub-paragraph (i), after “order” insert “or the order (having been made conditionally) expires by virtue of paragraph 4AA(2) of Schedule 1 to the Acquisition of Land Act 1981”;
 - (b) in sub-paragraph (ii), at the end insert “or (having been confirmed conditionally) it expires by virtue of section 13BA(2)(b) of the Acquisition of Land Act 1981”.
- (3) In Note (2) in paragraph 22 of Schedule 13 (land ceasing to be blighted by proposed compulsory purchase order)—
- (a) omit the “or” at the end of paragraph (a);
 - (b) at the end of paragraph (b) insert “; or
 - (c) the order (having been confirmed or made conditionally) expires by virtue of section 13BA(2)(b) of, or paragraph 4AA(2) of Schedule 1 to, the Acquisition of Land Act 1981.”

Commencement Information

I5 Sch. 18 para. 5 not in force at Royal Assent, see [s. 255\(7\)](#)

Planning (Listed Buildings and Conservation Areas) Act 1990 (c. 9)

- 6 In section 48(6)(b) of the Listed Buildings Act (discontinuance of compulsory purchase for purpose of listed building purchase notice exception)—
- (a) in sub-paragraph (i), at the end insert “or the order (having been made conditionally) expires by virtue of paragraph 4AA(2) of Schedule 1 to the Acquisition of Land Act 1981”;
 - (b) in sub-paragraph (ii), at the end insert “or (having been confirmed conditionally) it expires by virtue of section 13BA(2)(b) of the Acquisition of Land Act 1981”.

Commencement Information

I6 Sch. 18 para. 6 not in force at Royal Assent, see [s. 255\(7\)](#)

Historic Environment (Wales) Act 2023

- 7 In section 111(8)(b) of the Historic Environment (Wales) Act 2023 (discontinuance of compulsory purchase for purpose of listed building purchase notice exception)—
- (a) in the English language text—
 - (i) in sub-paragraph (i), at the end insert “or (having been confirmed conditionally) it expires by virtue of section 13BA(2)(b) of the Acquisition of Land Act 1981”;

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- (ii) in sub-paragraph (ii), at the end insert “or the order (having been made conditionally) expires by virtue of paragraph 4AA(2) of Schedule 1 to that Act”;
- (b) in the Welsh language text—
 - (i) in sub-paragraph (i), at the end insert “neu pan fydd (ar ôl cael ei gadarnhau’n amodol) yn dod i ben yn rhinwedd adran 13BA(2)(b) o Ddeddf Caffael Tir 1981”;
 - (ii) in sub-paragraph (ii), at the end insert “neu pan fydd y gorchymyn (ar ôl cael ei wneud yn amodol) yn dod i ben yn rhinwedd paragraff 4AA(2) o Atodlen 1 i’r Ddeddf honno”.

Commencement Information

I7 Sch. 18 para. 7 not in force at Royal Assent, see [s. 255\(7\)](#)

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