

SCHEDULES

SCHEDULE 19

COMPULSORY PURCHASE: CORRESPONDING PROVISION FOR PURCHASES BY MINISTERS

Conditional orders

- 3 (1) Schedule 1 to the Acquisition of Land Act 1981 (compulsory purchase by Minister) is amended as follows.
- (2) After paragraph 4A insert—
- “4AA (1) The Minister may make a compulsory purchase order conditionally.
- (2) The effect of making an order conditionally is that the order—
- (a) does not become operative until the Minister has decided, following consideration by the appropriate authority (see paragraph 4(8)), that certain conditions have been met, and
- (b) expires if the Minister has not decided that by a certain time.
- (3) The conditions and the time are to be specified by the Minister when making the order.
- (4) The procedure to be followed in connection with the consideration and decision referred to in sub-paragraph (2)(a) is to be prescribed.
- (5) The prescribed procedure must include provision for each relevant objector—
- (a) to be given notice that the appropriate authority is to consider whether the conditions have been met (or for steps to be taken with a view to notifying them), and
- (b) to have the opportunity to make written representations relating to that consideration;
- and may include provision as to the giving of reasons for the decision by the Minister.
- (6) In sub-paragraph (5), “relevant objector” means a person who made an objection to the draft order that—
- (a) was a remaining objection for the purposes of paragraph 4A, and
- (b) had not been withdrawn by the time the order was made.”
- (3) In paragraph 6 (notices after making of order)—
- (a) in sub-paragraph (2)(b), for “date when the order becomes operative” substitute “day on which the Minister takes the final step needed to comply with sub-paragraph (1)(a)”;
- (b) in sub-paragraph (3), at the beginning insert “Unless the order was made conditionally,”;
- (c) in sub-paragraph (4), after paragraph (b) insert—

*Changes to legislation: There are currently no known outstanding effects for the
 Levelling-up and Regeneration Act 2023, Paragraph 3. (See end of Document for details)*

- “(ba) if the order was made conditionally, stating the conditions and time specified under paragraph 4AA(3);”;
- (d) after sub-paragraph (4A) (inserted by paragraph 1(6)) insert—
- “(4B) If the order was made conditionally and the Minister decides under paragraph 4AA that the conditions have been met, the Minister must serve—
- (a) a copy of the order, and
- (b) a fulfilment notice,
- on each person on whom a notice was required to be served under paragraph 3.
- (4C) Where sub-paragraph (4B) applies, the Minister must also—
- (a) affix a fulfilment notice to a conspicuous object or objects on or near the land comprised in the order, and
- (b) publish a fulfilment notice—
- (i) in one or more local newspapers circulating in the locality in which the land comprised in the order is situated, and
- (ii) on an appropriate website, until the end of the period of 6 weeks beginning with the day on which the Minister takes the final step needed to comply with sub-paragraph (4B).
- (4D) A fulfilment notice is a notice—
- (a) stating that the conditions subject to which the order was made have been met and that the order will therefore become operative, and
- (b) annexing the information that was contained in the making notice.”;
- (e) in sub-paragraph (5), after “notice” insert “or fulfilment notice”;
- (f) in sub-paragraph (6)—
- (i) after “notice” insert “, and any fulfilment notice.”;
- (ii) for “it” substitute “each such notice”.

Commencement Information

- I1** Sch. 19 para. 3 not in force at Royal Assent, see [s. 255\(7\)](#)
- I2** [Sch. 19 para. 3](#) in force at 31.3.2024 for specified purposes by [S.I. 2024/389](#), [reg. 2\(f\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Paragraph 3.