

UK Parliament Acts/L/LO-LT/Local Government (Miscellaneous Provisions) Act 1976 (1976 c 57)/Part I  
General (ss 1-44)/13 Compulsory acquisition by local authorities of rights over land

## *Land*

### **13 Compulsory acquisition by local authorities of rights over land**

(1) A local authority which may be authorised by a Minister of the Crown, by means of a compulsory purchase order, to purchase any land compulsorily for any purpose may be authorised by that Minister, by means of such an order, to purchase compulsorily for that purpose such new rights over the land as are specified in the order; and in this subsection “new rights” means rights which are not in existence when the order specifying them is made.

(2) . . . the [Compulsory Purchase Act 1965](#) shall have effect with the modifications necessary to make them apply to the compulsory purchase of rights by virtue of the preceding subsection as they apply to the compulsory purchase of land so that, in appropriate contexts, references in those Acts to land are read as referring, or as including references, to the rights or to land over which the rights are or are to be exercisable, according to the requirements of the particular context.

(3) Without prejudice to the generality of the preceding subsection, in relation to the purchase of rights in pursuance of subsection (1) of this section—

(a) . . .

(b) Part I of the said Act of 1965 . . . shall have effect with the modifications specified in Part II of Schedule 1 to this Act; and

(c) the enactments relating to compensation for the compulsory purchase of land shall apply with the necessary modifications as they apply to such compensation.

(4) Nothing in the preceding provisions of this section shall authorise the purchase of any rights by an authority for a purpose for which there is power by virtue of [\[section 250 of the Highways Act 1980\]](#) (which relates to the compulsory acquisition of rights by highway authorities) to authorise the authority to acquire the rights.

[(5) In this section “compulsory purchase order” has the same meaning as in the [Acquisition of Land Act 1981](#), and Schedule 3 to that Act shall apply to the compulsory purchase of rights by virtue of subsection (1) above.]

## **NOTES**

### **Initial Commencement**

### ***To be appointed***

To be appointed: see s 83(2).

### **Appointment**

Appointment: 14 February 1977: see [SI 1977/68, art 2](#).

### **Extent**

This Act does not extend to Scotland: see s 83(3).

### **Amendment**

Sub-ss (2), (3): words omitted repealed by the [Acquisition of Land Act 1981, s 34, Sch 6, Part I](#).

Sub-s (4): words in square brackets substituted by the [Highways Act 1980, s 343\(2\), Sch 24](#).

Sub-s (5): substituted by the [Acquisition of Land Act 1981, s 34, Sch 4, para 26](#).

### **Modification**

This section applies in relation to a National Park authority as if the authority were a local authority for the purposes of this Act, by virtue of the [Environment Act 1995, s 65, Sch 8, para 1\(2\)](#).

### **See Further**

See further: the High Speed Rail (London—West Midlands) Act 2017, s 49(7).

### **Transfer of Functions**

Functions of the Minister of the Crown, so far as exercisable in relation to Wales, transferred to the National Assembly for Wales, by the National Assembly for Wales (Transfer of Functions) Order 1999, [SI 1999/672, art 2, Sch 1](#).

<b>Document information</b>
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**Date made**

15/11/1976

UK Parliament Acts/L/LO-LT/Local Government (Miscellaneous Provisions) Act 1976 (1976 c 57)/Part I  
General (ss 1-44)/16 Power of local authorities to obtain particulars of persons interested in land

**16 Power of local authorities to obtain particulars of persons interested in land**

(1) Where, with a view to performing a function conferred on a local authority by any enactment, the authority considers that it ought to have information connected with any land, the authority may serve on one or more of the following persons, namely—

- (a) the occupier of the land; and
- (b) any person who has an interest in the land either as freeholder, mortgagee or lessee or who directly or indirectly receives rent for the land; and
- (c) any person who, in pursuance of an agreement between himself and a person interested in the land, is authorised to manage the land or to arrange for the letting of it,

a notice specifying the land and the function and the enactment which confers the function and requiring the recipient of the notice to furnish to the authority, within a period specified in the notice (which shall not be less than fourteen days beginning with the day on which the notice is served), the nature of his interest in the land and the name and address of each person whom the recipient of the notice believes is the occupier of the land and of each person whom he believes is, as respects the land, such a person as is mentioned in the provisions of paragraphs (b) and (c) of this subsection.

(2) A person who—

- (a) fails to comply with the requirements of a notice served on him in pursuance of the preceding subsection; or
- (b) in furnishing any information in compliance with such a notice makes a statement which he knows to be false in a material particular or recklessly makes a statement which is false in a material particular,

shall be guilty of an offence and liable on summary conviction to a fine not exceeding [level 5 on the standard scale].

**NOTES**

**Initial Commencement**

***To be appointed***

To be appointed: see s 83(2).

**Appointment**

Appointment: 14 February 1977: see [SI 1977/68, art 2](#).

**Extent**

This Act does not extend to Scotland: see s 83(3).

**Amendment**

Sub-s (2): maximum fine increased and converted to a level on the standard scale by virtue of the [Criminal Justice Act 1982, ss 37, 38, 46](#).

**Modification**

This section applies in relation to a National Park authority as if the authority were a local authority for the purposes of this Act, by virtue of the [Environment Act 1995, s 65, Sch 8, para 1\(2\)](#).

**See Further**

See further, in relation to the extension, with modifications, of this section in respect of any land comprised in or adjoining the navigation area (as defined in the [Norfolk and Suffolk Broads Act 1988, s 8](#)) or adjacent waters: the Broads Authority Act 2009, s 23.

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Local Government (Miscellaneous Provisions) Act 1976

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