



Land Compensation Act 1961

CHAPTER 33

LAND COMPENSATION ACT 1961

PART I

DETERMINATION OF QUESTIONS OF DISPUTED COMPENSATION

- 1 Upper Tribunal to assess compensation in respect of land compulsorily acquired.
- 2 Procedures on references under s. 1.
- 3 Consolidation of proceedings on claims in respect of several interests in the same land.
- 4 Costs.
- 4A Making a claim for compensation

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- 5 Rules for assessing compensation.
- 5A Relevant valuation date
- 6 Disregard of actual or prospective development in certain cases.
- 6A No-scheme principle
- 6B Lower compensation if other land gains value
- 6C Increased compensation if other land loses value
- 6D Meaning of “scheme” etc.
- 6E Further provisions in relation to relevant transport projects
- 7 Effect of certain actual or prospective development of adjacent land in same ownership.
- 8 Subsequent acquisition of adjacent land and acquisition governed by enactment corresponding to s. 7.

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- 9 Disregard of depreciation due to prospect of acquisition by authority possessing compulsory purchase powers.

Special Cases

- 10 Provisions determining amount of compensation
 10A Expenses of owners not in occupation.
 11 Land of statutory undertakers.
 12 Outstanding right to compensation for refusal etc. of planning permission.
 13 Provisions determining amount of compensation

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- 14 Taking account of actual or prospective planning permission.
 14A Cases where prospect of planning permission to be ignored
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 16 Special assumptions in respect of certain land comprised in development plans.

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 20 Power to prescribe matters relevant to Part III.
 21 Proceedings for challenging validity of decision on appeal under s. 18.
 22 Interpretation of Part III.

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- 23 Compensation where planning decision made after acquisition.
 24 Provisions as to claims under section 23.
 25 Extension to planning permission where no planning decision made.
 26 Extension to Crown development.
 27 Application of Part IV to certain cases.
 28 Regulations for purposes of Part IV.
 29 Interpretation of Part IV.

PART V

MISCELLANEOUS AND GENERAL

- 30
 31 Withdrawal of notices to treat.
 32 Rate of interest after entry on land.
 33 Application of Act to Crown.
 34 Special provision as to ecclesiastical property in England.
 35 Certificates of value.
 36 Saving for certain statutory purchases of statutory undertakings.
 37 Local inquiries.
 38 Services of notices.

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- 39 Interpretation.
- 40 †Consequential amendments, repeals, and transitional provisions.
- 41 Saving for transactions before commencement of Act.
- 42 Short title, commencement and extent.

SCHEDULES

FIRST SCHEDULE — Actual or Prospective Development relevant for purposes of Sections 6 & 7

Part I — DESCRIPTION OF DEVELOPMENT

Part II — SPECIAL PROVISIONS AS TO NEW TOWNS

- 5 In this Part of this Schedule “the transfer date”, in...
 - 6 Land shall not be treated as forming part of such...
 - 7 In determining whether the relevant land forms part of such...
 - 8 For the purpose of determining whether any development of which...
 - 9 (1) This paragraph applies where, before the date of service...
- #### Part III — SPECIAL PROVISIONS AS TO URBAN DEVELOPMENT AREAS
- 10 For the avoidance of doubt it is hereby declared—
 - 11 Paragraph 10 of this Schedule shall have effect in relation...

SECOND — . . . SCHEDULE

Schedule 2A — Additional compensation where section 14A applied

- 1 Directions for additional compensation
- 2 Amount of additional compensation
- 3 Time limit for application for direction
- 4 Mortgages
- 5 Successors-in-title
- 6 Consequential losses
- 7 Procedure etc
- 8 Regulations
- 9 Interpretation

THIRD SCHEDULE — Application of Part IV to Certain Cases

Disturbance, severance and injurious affection

- 1 Subject to paragraph 2 of this Schedule, any reference in...
- 2 If the person entitled to the compensation under section 23...

Increase in value of contiguous or adjacent land

- 3 In determining for the purposes of section 23 of this...

Mortgaged land

- 4 Subject to the provisions of this Schedule relating to settled...
- 5 For the purposes of the application of section 23 of...
- 6 No compensation shall be payable by virtue of section 23...

Settled land

- 7 (1) Where, in a case falling within section 23(1) of...

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Interpretation

8 References in this Schedule to sections 23 and 24 of...

FOURTH SCHEDULE — ENACTMENTS AMENDED

The Town and Country Planning Act, 1944, and that Act as applied by the New Towns Act, 1946

1—5
6, 7

The Lands Tribunal Act, 1949

8 In subsection (6) of section one, for the words “an...
9, 10

FIFTH SCHEDULE —

Changes to legislation:

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Changes and effects yet to be applied to :

- Pt. 1 applied by [S.I. 2020/1297 art. 10\(6\)](#) (This amendment not applied to [legislation.gov.uk](https://www.legislation.gov.uk). S.I. 2020/1297 was withdrawn following a request from the Department of Transport dated 9th August 2021 which followed the decision of the High Court of Justice to quash this Order in the judgement dated 2nd August 2021 (High Court of Justice — Planning Court — The Queen (on the application of Save Stonehenge World Heritage Site) v. Secretary of State for Transport — Case No. CO/4844/2020))
- Pt. 1 applied by [S.I. 2020/1297 art. 11\(5\)](#) (This amendment not applied to [legislation.gov.uk](https://www.legislation.gov.uk). S.I. 2020/1297 was withdrawn following a request from the Department of Transport dated 9th August 2021 which followed the decision of the High Court of Justice to quash this Order in the judgement dated 2nd August 2021 (High Court of Justice — Planning Court — The Queen (on the application of Save Stonehenge World Heritage Site) v. Secretary of State for Transport — Case No. CO/4844/2020))
- Pt. 1 applied by [S.I. 2020/1297 art. 14\(11\)](#) (This amendment not applied to [legislation.gov.uk](https://www.legislation.gov.uk). S.I. 2020/1297 was withdrawn following a request from the Department of Transport dated 9th August 2021 which followed the decision of the High Court of Justice to quash this Order in the judgement dated 2nd August 2021 (High Court of Justice — Planning Court — The Queen (on the application of Save Stonehenge World Heritage Site) v. Secretary of State for Transport — Case No. CO/4844/2020))
- Pt. 1 applied by [S.I. 2020/1297 art. 15\(6\)](#) (This amendment not applied to [legislation.gov.uk](https://www.legislation.gov.uk). S.I. 2020/1297 was withdrawn following a request from the Department of Transport dated 9th August 2021 which followed the decision of the High Court of Justice to quash this Order in the judgement dated 2nd August 2021 (High Court of Justice — Planning Court — The Queen (on the application of Save Stonehenge World Heritage Site) v. Secretary of State for Transport — Case No. CO/4844/2020))
- Pt. 1 applied by [S.I. 2020/1297 art. 17\(3\)](#) (This amendment not applied to [legislation.gov.uk](https://www.legislation.gov.uk). S.I. 2020/1297 was withdrawn following a request from the Department of Transport dated 9th August 2021 which followed the decision of the High Court of Justice to quash this Order in the judgement dated 2nd August 2021 (High Court of Justice — Planning Court — The Queen (on the application of Save Stonehenge World Heritage Site) v. Secretary of State for Transport — Case No. CO/4844/2020))
- Pt. 1 applied by [S.I. 2020/1297 art. 23\(4\)](#) (This amendment not applied to [legislation.gov.uk](https://www.legislation.gov.uk). S.I. 2020/1297 was withdrawn following a request from the Department of Transport dated 9th August 2021 which followed the decision of the High Court of Justice to quash this Order in the judgement dated 2nd August 2021 (High Court of Justice — Planning Court — The Queen (on the application of Save Stonehenge World Heritage Site) v. Secretary of State for Transport — Case No. CO/4844/2020))
- Pt. 1 applied by [S.I. 2020/1297 art. 28\(4\)](#) (This amendment not applied to [legislation.gov.uk](https://www.legislation.gov.uk). S.I. 2020/1297 was withdrawn following a request from the Department of Transport dated 9th August 2021 which followed the decision of the High Court of Justice to quash this Order in the judgement dated 2nd August 2021 (High Court of Justice — Planning Court — The Queen (on the application of Save Stonehenge World Heritage Site) v. Secretary of State for Transport — Case No. CO/4844/2020))

- Pt. 1 applied by [S.I. 2020/1297 art. 29\(6\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/1297 was withdrawn following a request from the Department of Transport dated 9th August 2021 which followed the decision of the High Court of Justice to quash this Order in the judgement dated 2nd August 2021 (High Court of Justice — Planning Court — The Queen (on the application of Save Stonehenge World Heritage Site) v. Secretary of State for Transport — Case No. CO/4844/2020))
- Pt. 1 applied by [S.I. 2020/1297 art. 30\(7\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/1297 was withdrawn following a request from the Department of Transport dated 9th August 2021 which followed the decision of the High Court of Justice to quash this Order in the judgement dated 2nd August 2021 (High Court of Justice — Planning Court — The Queen (on the application of Save Stonehenge World Heritage Site) v. Secretary of State for Transport — Case No. CO/4844/2020))
- Pt. 1 applied by [S.I. 2021/51 art. 15\(5\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2021/51 removed from the website by request from the Department of Transport dated 12th July 2021 which followed the decision of the High Court of Justice to quash these Regulations in the judgement dated 8th July 2021 (High Court of Justice — Planning Court — The Queen (on the application of Mair Bain) v. Secretary of State for Transport — Case No. CO/642/2021).)
- Pt. 1 applied by [S.I. 2021/51 art. 16\(6\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2021/51 removed from the website by request from the Department of Transport dated 12th July 2021 which followed the decision of the High Court of Justice to quash these Regulations in the judgement dated 8th July 2021 (High Court of Justice — Planning Court — The Queen (on the application of Mair Bain) v. Secretary of State for Transport — Case No. CO/642/2021).)
- Pt. 1 applied by [S.I. 2021/51 art. 21\(10\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2021/51 removed from the website by request from the Department of Transport dated 12th July 2021 which followed the decision of the High Court of Justice to quash these Regulations in the judgement dated 8th July 2021 (High Court of Justice — Planning Court — The Queen (on the application of Mair Bain) v. Secretary of State for Transport — Case No. CO/642/2021).)
- Pt. 1 applied by [S.I. 2021/51 art. 22\(5\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2021/51 removed from the website by request from the Department of Transport dated 12th July 2021 which followed the decision of the High Court of Justice to quash these Regulations in the judgement dated 8th July 2021 (High Court of Justice — Planning Court — The Queen (on the application of Mair Bain) v. Secretary of State for Transport — Case No. CO/642/2021).)
- Pt. 1 applied by [S.I. 2021/51 art. 28\(5\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2021/51 removed from the website by request from the Department of Transport dated 12th July 2021 which followed the decision of the High Court of Justice to quash these Regulations in the judgement dated 8th July 2021 (High Court of Justice — Planning Court — The Queen (on the application of Mair Bain) v. Secretary of State for Transport — Case No. CO/642/2021).)
- Pt. 1 applied by [S.I. 2021/51 art. 32\(4\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2021/51 removed from the website by request from the Department of Transport dated 12th July 2021 which followed the decision of the High Court of Justice to quash these Regulations in the judgement dated 8th July 2021 (High Court of Justice — Planning Court — The Queen (on the application of Mair Bain) v. Secretary of State for Transport — Case No. CO/642/2021).)
- Pt. 1 applied by [S.I. 2021/51 art. 33\(7\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2021/51 removed from the website by request from the Department of Transport dated 12th July 2021 which followed the decision of the High Court of Justice to quash these Regulations in the judgement dated 8th July 2021 (High Court of Justice — Planning Court — The Queen (on the application of Mair Bain) v. Secretary of State for Transport — Case No. CO/642/2021).)
- Pt. 1 applied by [S.I. 2021/51 art. 34\(8\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2021/51 removed from the website by request from the

- Department of Transport dated 12th July 2021 which followed the decision of the High Court of Justice to quash these Regulations in the judgement dated 8th July 2021 (High Court of Justice — Planning Court — The Queen (on the application of Mair Bain) v. Secretary of State for Transport — Case No. CO/642/2021).)
- Pt. 1 applied by [S.I. 2021/51 art. 40\(4\)](#) (This amendment not applied to [legislation.gov.uk](#). S.I. 2021/51 removed from the website by request from the Department of Transport dated 12th July 2021 which followed the decision of the High Court of Justice to quash these Regulations in the judgement dated 8th July 2021 (High Court of Justice — Planning Court — The Queen (on the application of Mair Bain) v. Secretary of State for Transport — Case No. CO/642/2021).)
 - Pt. 1 applied by [S.I. 2024/1014 art. 12\(3\)26\(5\)27\(10\)](#)
 - Pt. 1 applied by [S.I. 2024/752 art. 16\(5\)17\(4\)22\(10\)23\(5\)29\(5\)33\(4\)34\(6\)35\(7\)39\(3\)40\(4\)](#)
 - Pt. 3 applied by [S.I. 2021/51 art. 39\(3\)](#) (This amendment not applied to [legislation.gov.uk](#). S.I. 2021/51 removed from the website by request from the Department of Transport dated 12th July 2021 which followed the decision of the High Court of Justice to quash these Regulations in the judgement dated 8th July 2021 (High Court of Justice — Planning Court — The Queen (on the application of Mair Bain) v. Secretary of State for Transport — Case No. CO/642/2021).)
 - s. 4 applied (with modifications) by [2023 asc 3 s. 203\(2\)](#)
 - s. 4 applied (with modifications) by [2024 asc 3 s. 108\(7\)](#)
 - s. 4 applied (with modifications) by [2024 asc 3 Sch. 2 para. 10](#)
 - s. 4 applied (with modifications) by [2023 c. 55 s. 216\(4\)](#)
 - s. 4 applied by 2008 c. 29, s. 204T (as inserted) by [2023 c. 55 Sch. 12 para. 1](#)
 - s. 5 applied (with modifications) by [2023 asc 3 s. 204\(1\)](#)
 - s. 5 applied (with modifications) by [2024 asc 3 Sch. 2 para. 9\(1\)](#)
 - s. 5(2)-(4) applied (by 1954 c. 56, s. 34C(3) (as inserted)) by [2022 c. 46 s. 63](#)
 - s. 12 applied (with modifications) by [2024 asc 3 Sch. 2 para. 8\(8\)](#)
 - s. 14(2)(b) substituted by [2023 c. 55 s. 189\(2\)\(a\)](#)
 - s. 14(5) words substituted by [2023 c. 55 s. 189\(2\)\(c\)](#)
 - s. 14(9) words substituted by [2023 c. 55 s. 189\(2\)\(d\)](#)
 - s. 17(1) words substituted by [2023 c. 55 s. 189\(3\)\(a\)](#)
 - s. 17(10) words omitted by [2023 c. 55 s. 189\(3\)\(e\)\(ii\)](#)
 - s. 17(10) words substituted by [2023 c. 55 s. 189\(3\)\(e\)\(i\)](#)
 - s. 18(3) words substituted by [2023 c. 55 s. 189\(4\)\(c\)](#)
 - s. 18(4) inserted by [2023 c. 55 s. 189\(4\)\(d\)](#)
 - s. 19(3) words substituted by [2023 c. 55 s. 189\(5\)\(a\)](#)
 - s. 20(a) words substituted by [2023 c. 55 s. 189\(6\)](#)
 - s. 31 excluded by [2023 asc 3 Sch. 9 para. 4\(7\)](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act applied by [2023 asc 3 s. 142\(5\)](#)
- Act applied by [S.I. 2024/1014 art. 19\(3\)](#)
- Act applied (with modifications) by [S.I. 2024/1014 Sch. 5 para. 12](#)
- Act applied (with modifications) by [S.I. 2024/752 Sch. 6 para. 12](#)
- Act excluded by [2023 asc 3 s. 140\(4\)\(a\)](#)
- Act modified by [S.I. 2020/1297 art. 36](#) (This amendment not applied to [legislation.gov.uk](#). S.I. 2020/1297 was withdrawn following a request from the Department of Transport dated 9th August 2021 which followed the decision of the High Court of Justice to quash this Order in the judgement dated 2nd August 2021 (High Court of Justice — Planning Court — The Queen (on the application of Save Stonehenge World Heritage Site) v. Secretary of State for Transport — Case No. CO/4844/2020))
- Act modified by [S.I. 2020/1297 Sch. 5 para. 2](#) (This amendment not applied to [legislation.gov.uk](#). S.I. 2020/1297 was withdrawn following a request from the Department of Transport dated 9th August 2021 which followed the decision of the

High Court of Justice to quash this Order in the judgement dated 2nd August 2021 (High Court of Justice — Planning Court — The Queen (on the application of Save Stonehenge World Heritage Site) v. Secretary of State for Transport — Case No. CO/4844/2020))

- Act modified by [S.I. 2021/51 Sch. 6 para. 2](#) (This amendment not applied to [legislation.gov.uk](#). S.I. 2021/51 removed from the website by request from the Department of Transport dated 12th July 2021 which followed the decision of the High Court of Justice to quash these Regulations in the judgement dated 8th July 2021 (High Court of Justice — Planning Court — The Queen (on the application of Mair Bain) v. Secretary of State for Transport — Case No. CO/642/2021).)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 14(2A)(2B) substituted for s. 14(3)(4) by [2023 c. 55 s. 189\(2\)\(b\)](#)
- s. 17(1A)-(1C) inserted by [2023 c. 55 s. 189\(3\)\(b\)](#)
- s. 17(3)(ba) substituted for s. 17(3)(a)(b) by [2023 c. 55 s. 189\(3\)\(c\)](#)
- s. 17(5A)-(5C) substituted for s. 17(5)-(8) by [2023 c. 55 s. 189\(3\)\(d\)](#)
- s. 18(2)(b)(iia) inserted by [2023 c. 55 s. 189\(4\)\(a\)\(ii\)](#)
- s. 18(2)(aa) inserted by [2023 c. 55 s. 189\(4\)\(a\)\(i\)](#)
- s. 18(2A)(2B) inserted by [2023 c. 55 s. 189\(4\)\(b\)](#)
- s. 22(2A) inserted by [2023 c. 55 s. 189\(7\)](#)