

## **Planning Act 2008 c. 29**

### **s. 122 Purpose for which compulsory acquisition may be authorised**



Version 2 of 2

1 April 2012 - Present

#### **Subjects**

Planning

#### **Keywords**

Compulsory purchase; Conditions; Development consent orders; Ministers' powers and duties

### **122 Purpose for which compulsory acquisition may be authorised**

- (1) An order granting development consent may include provision authorising the compulsory acquisition of land only if the [Secretary of State]<sup>1</sup> is satisfied that the conditions in subsections (2) and (3) are met.
- (2) The condition is that the land—
  - (a) is required for the development to which the development consent relates,
  - (b) is required to facilitate or is incidental to that development, or
  - (c) is replacement land which is to be given in exchange for the order land under section 131 or 132.
- (3) The condition is that there is a compelling case in the public interest for the land to be acquired compulsorily.

### **Notes**

- 1 Words substituted by Localism Act 2011 c. 20 Sch.13(1) para.62 (April 1, 2012)

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