



Compulsory Purchase Act 1965

1965 CHAPTER 56

PART I

COMPULSORY PURCHASE UNDER ACQUISITION OF LAND ACT OF 1946

Compulsory Purchase

7 Measure of compensation in case of severance.

In assessing the compensation to be paid by the acquiring authority under this Act regard shall be had not only to the value of the land to be purchased by the acquiring authority, but also to the damage, if any, to be sustained by the owner of the land by reason of the severing of the land purchased from the other land of the owner, or otherwise injuriously affecting that other land by the exercise of the powers conferred by this or the special Act.

Modifications etc. (not altering text)

- C1** Pt. 1 applied (with modifications) (18.7.2023) by [The Longfield Solar Farm Order 2023 \(S.I. 2023/734\)](#), arts. 1, 25, Sch. 10 paras. 4, 5 (with art. 19)
- C2** Pt. I applied (with modifications) (18.7.2023) by [The Longfield Solar Farm Order 2023 \(S.I. 2023/734\)](#), arts. 1, 25 (with art. 19)
- C3** Pt. 1 applied (with modifications) (27.7.2023) by [The Boston Alternative Energy Facility Order 2023 \(S.I. 2023/778\)](#), arts. 1, 31 (with arts. 5, 27, 53, Sch. 8 paras. 6, 64)
- C4** Pt. 1 applied (with modifications) (4.8.2023) by [The A303 \(Amesbury to Berwick Down\) Development Consent Order 2023 \(S.I. 2023/834\)](#), arts. 1, 25, Sch. 5 paras. 4, 5 (with arts. 6(2), 18, 21, Sch. 11 paras. 5, 30)
- C5** Pt. I applied (with modifications) (4.8.2023) by [The A303 \(Amesbury to Berwick Down\) Development Consent Order 2023 \(S.I. 2023/834\)](#), art. 1, Sch. 5 paras. 4, 5 (with arts. 6(2), 18, Sch. 11 paras. 5, 30)
- C6** S. 7 applied by [Post Office \(Subway\) Act 1966 \(c. 25\)](#), s. 2(2)
- C7** S. 7 applied (with modifications) (31.3.1994) by 1994 c. iv, s. 17, **Sch. 2 para. 1**
S. 7 applied (18.12.1996) by 1996 c. 61, s. 51(6)

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Compulsory Purchase Act 1965. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- S. 7 applied (with modifications) (1.10.1998) by 1975 c. 70, **Sch. 4 Pt. III para. 6(4)(a)** (as inserted (1.10.1998) by 1998 c. 38, s. 127, **Sch. 13 para. 3** (with ss. 139(2), 143(2)); S.I. 1998/2244, **art. 4**)
- C8** S. 7 applied (1.12.2008) by Housing and Regeneration Act 2008 (c. 17), s. 325(1), **Sch. 3 para. 2(1)**; S.I. 2008/3068, **art. 2(1)(f)** (with arts. 6arts. 6-13)
- C9** S. 7 applied (7.8.2015) by The Preesall Underground Gas Storage Facility Order 2015 (S.I. 2015/1561), **arts. 1, 21(5)(a)** (with art. 44)
- C10** S. 7 applied (13.7.2016) by Housing and Planning Act 2016 (c. 22), **ss. 204(2)**, 216(3); S.I. 2016/733, **reg. 3(m)**
- C11** S. 7 applied (10.8.2016) by The York Potash Harbour Facilities Order 2016 (S.I. 2016/772), **arts. 1, 25(6)(a)** (with arts. 35, 36)
- C12** S. 7 applied (15.9.2016) by The River Humber Gas Pipeline Replacement Order 2016 (S.I. 2016/853), **arts. 1, 25(4)** (with art. 43)
- C13** S. 7 modified by 1981 c. 66, Sch. A1 para. 16(4) (as inserted (19.7.2017) by Neighbourhood Planning Act 2017 (c. 20), **ss. 41, 46(1)**; S.I. 2017/767, **reg. 2(j)**)
- C14** S. 7 applied (31.5.2018) by The Silvertown Tunnel Order 2018 (S.I. 2018/574), **arts. 1(2), 24(4)**
- C15** S. 7 applied (1.5.2020) by The Riverside Energy Park Order 2020 (S.I. 2020/419), **arts. 1, 27(4)** (with art. 7)
- C16** S. 7 applied (25.5.2020) by The West Midlands Rail Freight Interchange Order 2020 (S.I. 2020/511), **arts. 1, 27(5)** (with art. 27(7))
- C17** S. 7 applied (22.12.2021) by The Morlais Demonstration Zone Order 2021 (S.I. 2021/1478), **arts. 1, 34(4)** (with arts. 15, 50, Sch. 11 para. 29)
- C18** S. 7 applied (10.3.2022) by The Thurrock Flexible Generation Plant Development Consent Order 2022 (S.I. 2022/157), **arts. 1, 20(4)** (with art. 20(5), Sch. 8 Pt. 6 para. 19)
- C19** S. 7 applied (18.7.2023) by The Longfield Solar Farm Order 2023 (S.I. 2023/734), **arts. 1, 24(4)** (with art. 24(6))
- C20** S. 7 applied (27.7.2023) by The Boston Alternative Energy Facility Order 2023 (S.I. 2023/778), **arts. 1, 29(4)** (with arts. 5, 29(6), 51, 53, Sch. 8 paras. 6, 64)
- C21** S. 7 applied (4.8.2023) by The A303 (Amesbury to Berwick Down) Development Consent Order 2023 (S.I. 2023/834), **arts. 1, 24(3)** (with arts. 6(2), 18, 24(5), Sch. 11 paras. 5, 30)

Changes to legislation:

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

- Act power to amend conferred by [2023 c. 55 s. 132](#)

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

- s. 4(1) words in s. 4 renumbered as s. 4(1) by [2023 c. 55 s. 185\(2\)\(a\)\(i\)](#)
- s. 4(1) words substituted by [2023 c. 55 s. 185\(2\)\(a\)\(ii\)](#)
- s. 4(2) inserted by [2023 c. 55 s. 185\(2\)\(a\)\(iii\)](#)



Compulsory Purchase Act 1965

1965 CHAPTER 56

PART I

COMPULSORY PURCHASE UNDER ACQUISITION OF LAND ACT OF 1946

Further provision as to compensation for injurious affection

10 Further provision as to compensation for injurious affection.

- (1) If any person claims compensation in respect of any land, or any interest in land, which has been taken for or injuriously affected by the execution of the works, and for which the acquiring authority have not made satisfaction under the provisions of this Act, or of the special Act, any dispute arising in relation to the compensation shall be referred to and determined by the [^{F1}Upper Tribunal].
- (2) This section shall be construed as affording in all cases a right to compensation for injurious affection to land which is the same as the right which section 68 of the ^{MI}Lands Clauses Consolidation Act 1845 has been construed as affording in cases where the amount claimed exceeds fifty pounds.
- (3) Where this Part of this Act applies by virtue of [^{F2}Part IX of the Town and Country Planning Act 1990] references in this section to the acquiring authority shall be construed in accordance with [^{F3}section 245(4)(b) of that Act].

Textual Amendments

- F1** Words in s. 10(1) substituted (1.6.2009) by [The Transfer of Tribunal Functions \(Lands Tribunal and Miscellaneous Amendments\) Order 2009 \(S.I. 2009/1307\)](#), art. 1, **Sch. 1 para. 63** (with Sch. 5)
- F2** Words substituted by [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123:1, 2\)](#), s. 4, **Sch. 2 para. 13(2)(a)**
- F3** Words substituted by [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123:1, 2\)](#), s. 4, **Sch. 2 para. 13(2)(b)**

*Changes to legislation: There are currently no known outstanding effects for the
 Compulsory Purchase Act 1965, Section 10. (See end of Document for details)*

Modifications etc. (not altering text)

- C1** Pt. 1 applied (with modifications) (18.7.2023) by The Longfield Solar Farm Order 2023 (S.I. 2023/734), arts. 1, 25, Sch. 10 paras. 4, **5** (with art. 19)
- C2** Pt. I applied (with modifications) (18.7.2023) by The Longfield Solar Farm Order 2023 (S.I. 2023/734), arts. 1, **25** (with art. 19)
- C3** Pt. 1 applied (with modifications) (27.7.2023) by The Boston Alternative Energy Facility Order 2023 (S.I. 2023/778), arts. 1, **31** (with arts. 5, 27, 53, Sch. 8 paras. 6, 64)
- C4** Pt. 1 applied (with modifications) (3.8.2023) by The Hornsea Four Offshore Wind Farm Order 2023 (S.I. 2023/800), arts. 1, 26, **Sch. 7 para. 4(2)–5** (with arts. 20, 42, 43, Sch. 9 Pt. 1 para. 4, Sch. 9 Pt. 3 para. 6(1), Sch. 9 Pt. 4 para. 20, Sch. 9 Pt. 9 para. 4)
- C5** Pt. I applied (with modifications) (3.8.2023) by The Hornsea Four Offshore Wind Farm Order 2023 (S.I. 2023/800), art. 1, **Sch. 7 para. 4(2)–5** (with arts. 42, 43, Pt. 3 para. 6(1), 4 para. 20, 9 para. 4, Sch. 9 Pt. 1 para. 4)
- C6** Pt. 1 applied (with modifications) (4.8.2023) by The A303 (Amesbury to Berwick Down) Development Consent Order 2023 (S.I. 2023/834), arts. 1, 25, Sch. 5 paras. 4, **5** (with arts. 6(2), 18, 21, Sch. 11 paras. 5, 30)
- C7** Pt. I applied (with modifications) (4.8.2023) by The A303 (Amesbury to Berwick Down) Development Consent Order 2023 (S.I. 2023/834), art. 1, Sch. 5 paras. 4, **5** (with arts. 6(2), 18, Sch. 11 paras. 5, 30)
- C8** S. 10 applied by Local Government Act 1972 (c. 70, SIF 81:1), **ss. 122(4)**, 126(6), 273(1)
- C9** S. 10 amended by Land Compensation Act 1973 (c. 26, SIF 28:1), **s. 63(1)**
- C10** S. 10 applied by Development of Rural Wales Act 1976 (c. 75, SIF 64), s. 5(1), **Sch. 3 para. 35(3)**
 S. 10 applied (10.11.1993) by Leasehold Reform, Housing and Urban Development Act 1993 (c. 28), s. 169, **Sch. 20 para. 5(4)(7)(8)**; S.I. 1993/2762, **art. 3**.
- C11** S. 10 extended by Housing Act 1988 (c. 50, SIF 61), s. 78(2)(a), **Sch. 10 Pt. 11 para. 5(4)**
- C12** S. 10 extended by Town and Country Planning Act 1990 (c. 8, SIF 123:1), **s. 237(4)(a)**
- C13** S. 10 modified by Town and Country Planning Act 1990 (c. 8, SIF 123:1), **s. 229(4)**
- C14** S. 10 applied by Post Office (Subway) Act 1966 (c. 25), **s. 2(2)**
- C15** S. 10 applied (with modifications) (18.12.1996) by Channel Tunnel Rail Link Act 1996 (c. 61), **ss. 36, 51(6)(a)**
- C16** S. 10 applied (1.12.2008) by Housing and Regeneration Act 2008 (c. 17), s. 325(1), **Sch. 3 para. 2(1)**; S.I. 2008/3068, art. 2(1)(f) (with arts. 6arts. 6–13)
- C17** S. 10 applied (7.8.2015) by The Preesall Underground Gas Storage Facility Order 2015 (S.I. 2015/1561), arts. 1, **21(5)(a)** (with art. 44)
- C18** S. 10 applied (15.9.2016) by The River Humber Gas Pipeline Replacement Order 2016 (S.I. 2016/853), arts. 1, **25(4)** (with art. 43)
- C19** S. 10 applied by 2003 c. 21, Sch. 3A para. 85(2) (as inserted (28.12.2017) by Digital Economy Act 2017 (c. 30), s. 118(6), **Sch. 1** (with Sch. 2); S.I. 2017/1286, reg. 2(b))
- C20** S. 10 applied (31.5.2018) by The Silvertown Tunnel Order 2018 (S.I. 2018/574), arts. 1(2), **24(4)**
- C21** S. 10 applied (25.5.2020) by The West Midlands Rail Freight Interchange Order 2020 (S.I. 2020/511), arts. 1, **27(5)** (with art. 27(7))
- C22** S. 10 applied (31.12.2020) by The Network Rail (Cambridgeshire Level Crossing Reduction) Order 2020 (S.I. 2020/1485), arts. 1, **15(6)**
- C23** S. 10 applied (22.12.2021) by The Morlais Demonstration Zone Order 2021 (S.I. 2021/1478), arts. 1, **34(4)** (with arts. 15, 50, Sch. 11 para. 29)
- C24** S. 10 applied (10.3.2022) by The Thurrock Flexible Generation Plant Development Consent Order 2022 (S.I. 2022/157), arts. 1, **20(4)** (with art. 20(5), Sch. 8 Pt. 6 para. 19)
- C25** S. 10 applied (18.7.2023) by The Longfield Solar Farm Order 2023 (S.I. 2023/734), arts. 1, **24(4)** (with art. 24(6))
- C26** S. 10 applied (27.7.2023) by The Boston Alternative Energy Facility Order 2023 (S.I. 2023/778), arts. 1, **29(4)** (with arts. 5, 29(6), 51, 53, Sch. 8 paras. 6, 64)
- C27** S. 10 applied (4.8.2023) by The A303 (Amesbury to Berwick Down) Development Consent Order 2023 (S.I. 2023/834), arts. 1, **24(3)** (with arts. 6(2), 18, 24(5), Sch. 11 paras. 5, 30)

Changes to legislation: There are currently no known outstanding effects for the Compulsory Purchase Act 1965, Section 10. (See end of Document for details)

- C28** S. 10(1) modified (19.2.1999) by S.I. 1999/537, **art. 8**
S. 10(1) modified (22.3.2001) by S.I. 2001/1451, **art. 11**
S. 10(1) modified (12.8.2002) by S.I. 2002/1943, **art. 5**
- C29** S. 10(1) modified (22.7.2008) by Crossrail Act 2008 (c. 18), **s. 45**
- C30** S. 10(1) modified (23.2.2017) by High Speed Rail (London - West Midlands) Act 2017 (c. 7), **ss. 19, 70(1)**
- C31** S. 10(1) modified (23.2.2017) by High Speed Rail (London - West Midlands) Act 2017 (c. 7), **ss. 22(10)(a), 70(1)**
- C32** S. 10(1) modified (23.2.2017) by High Speed Rail (London - West Midlands) Act 2017 (c. 7), **ss. 50(14)(a), 70(1)**
- C33** S. 10(1) modified (11.2.2021) by High Speed Rail (West Midlands - Crewe) Act 2021 (c. 2), **ss. 16, 47(8)(a), 64(1)**
- C34** S. 10(2) saved (9.5.1991) by Heathrow Express Railway Act 1991 (c. vii), **s. 17(1)(f)**; and saved (22.10.1991) by Greater Manchester (Light Rapid Transit System) Act 1991 (c. xvi), **s. 14(3)(e)**; and saved (26.7.1991) by S.I. 1991/1760, **art. 6(3)(e)**.
- C35** S. 10(2) excluded (23.8.1999) by S.I. 1999/2981, **arts. 20(7), 21(8)**
- C36** S. 10(2) applied (30.3.2006) by London Olympic Games and Paralympic Games Act 2006 (c. 12), **ss. 4(5)(b), 40(1)(b)** (with s. 4(6)(b))
- C37** S. 10(2) applied (1.3.2010) by Planning Act 2008 (c. 29), **ss. 152(5), 241(8)** (with s. 226); S.I. 2010/101, **art. 3(h)** (with art. 6)
S. 10(2) applied (24.9.2014) by The Thames Water Utilities Limited (Thames Tideway Tunnel) Order 2014 (S.I. 2014/2384), **arts. 1, 33(4)**
- C38** S. 10(2) applied (14.8.2015) by The Hirwaun Generating Station Order 2015 (S.I. 2015/1574), **arts. 1, 18(4)** (with arts. 18(5), 30)
- C39** S. 10(2) applied (2.8.2016) by The Meaford Gas Fired Generating Station Order 2016 (S.I. 2016/779), **arts. 1, 21(4)**
- C40** S. 10(2) modified (19.8.2016) by The North Wales Wind Farms Connection Order 2016 (S.I. 2016/818), **arts. 1, 20(4), (5)** (with art. 35)
- C41** S. 10(2) applied (28.10.2016) by The Brechfa Forest Wind Farm Connection Order 2016 (S.I. 2016/987), **arts. 1, 20(4), (5)** (with art. 37)
- C42** S. 10(2) applied (29.3.2017) by The Glyn Rhonwy Pumped Storage Generating Station Order 2017 (S.I. 2017/330), **arts. 1, 19(3)(b)** (with arts. 19(4), 31)
- C43** S. 10(2) applied (5.4.2017) by The Keuper Underground Gas Storage Facility Order 2017 (S.I. 2017/433), **arts. 1, 25(4)**
- C44** S. 10(2) applied (8.8.2017) by The Wrexham Gas Fired Generating Station Order 2017 (S.I. 2017/766), **arts. 1, 21(4)**
- C45** S. 10(2) applied (with modifications) (12.10.2018) by The Eggborough Gas Fired Generating Station Order 2018 (S.I. 2018/1020), **arts. 1, 18(4)(5)** (with arts. 6, 17(4), 42)
- C46** S. 10(2) applied (3.4.2019) by The Millbrook Gas Fired Generating Station Order 2019 (S.I. 2019/578), **arts. 1, 19(4)** (with art. 19(5))
- C47** S. 10(2) applied (10.10.2019) by The Abergelli Power Gas Fired Generating Station Order 2019 (S.I. 2019/1268), **arts. 1, 20(4)(5)**
- C48** S. 10(2) applied (25.10.2019) by The Drax Power (Generating Stations) Order 2019 (S.I. 2019/1315), **arts. 1, 20(4)**
- C49** S. 10(2) applied (with modifications) (14.4.2020) by The Reinforcement to the North Shropshire Electricity Distribution Network Order 2020 (S.I. 2020/325), **arts. 1, 19(4)(5)** (with art. 7)
- C50** S. 10(2) applied (1.9.2020) by The Immingham Open Cycle Gas Turbine Order 2020 (S.I. 2020/847), **arts. 1, 19(4)(5)** (with Sch. 9 para. 144)
- C51** S. 10(2) applied (11.8.2022) by The Sizewell C (Nuclear Generating Station) Order 2022 (S.I. 2022/853), **arts. 1, 30(4)** (with arts. 62, 76, 87, Sch. 19 paras. 4, 78)
- C52** S. 10(2) applied (29.12.2022) by The Keadby 3 (Carbon Capture Equipped Gas Fired Generating Station) Order 2022 (S.I. 2022/1396), **arts. 1, 19(4)** (with art. 32, Sch. 10 paras. 26(2), 68)

*Changes to legislation: There are currently no known outstanding effects for the
Compulsory Purchase Act 1965, Section 10. (See end of Document for details)*

C53 S. 10(2) applied (3.8.2023) by [The Hornsea Four Offshore Wind Farm Order 2023 \(S.I. 2023/800\)](#), arts. 1, **24(4)** (with arts. 42, 43, Sch. 9 Pt. 1 para. 4, Sch. 9 Pt. 3 para. 6(1), Sch. 9 Pt. 4 para. 20, Sch. 9 Pt. 9 para. 4)

Marginal Citations

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