



# New Towns Act (Northern Ireland) 1965

## 1965 CHAPTER 13

### GENERAL POWERS OF THE MINISTER AND THE MINISTRY

#### **1 Power to designate site of new town.**

- (1) Where the Minister of Development (in this Act referred to as “the Minister” ) is satisfied, after consultation with any [<sup>F1</sup> district councils] who appear to him to be concerned, that it is expedient in the interests of Northern Ireland that any area of land (whether or not that area includes an existing town) should be developed as a new town in pursuance of this Act, he may by an order made with the concurrence of the Minister of Finance designate that area as the site of the proposed new town.
- (2) An order shall not be made under this section until a draft thereof has been approved by resolution of each House of Parliament, and shall take effect subject to any modifications and adaptations which may be agreed to by both Houses of Parliament.
- (3) The provisions of Part I of Schedule 1 shall have effect with respect to matters preliminary to and consequent upon the making of an order under this section.

**F1** SRO (NI) 1973/285

#### **2 New town advisory committees.**

- (1) For the purpose of securing the provision of advice upon any matter arising in connection with the performance of the functions under this Act of—
  - (a) the Minister, or
  - (b) the Ministry of Development (in this Act referred to as “the Ministry” ), or
  - (c) a new town commission established in accordance with the succeeding provisions of this Act,

in relation to a new town or a proposed new town, the Minister may appoint a committee (in this section referred to as a “new town advisory committee” ).

*Status: Point in time view as at 01/01/2006.*

*Changes to legislation: There are currently no known outstanding effects for the New Towns Act (Northern Ireland) 1965. (See end of Document for details)*

- (2) A new town advisory committee shall consist of<sup>F2</sup>. . . two members of the council of each [<sup>F3</sup> district] within which any part of the said area is situated, nominated by the respective councils, or such other number of members of each such council (being a number greater than two) so nominated as the Minister may, in any case, direct.
- (3) A new town advisory committee may appoint one of their members to be their chairman and may regulate their procedure (including the fixing of a quorum).
- (4) A new town advisory committee may act notwithstanding any vacancy in their membership.
- (5) The functions of a new town advisory committee shall be—
  - (a) to advise the Minister or, as the case may be, the Ministry or a new town commission, upon any matter referred to them by the Minister, the Ministry and the new town commission respectively; and
  - (b) to make to the Minister, the Ministry or a new town commission such representations as they think proper in relation to matters affecting the new town or proposed new town.
- (6) The Ministry shall, if a new town advisory committee so request, appoint an officer to be secretary of the committee, and shall make available for the purposes of the committee such other facilities as they may reasonably require.
- (7) The Ministry shall pay to the members of a new town advisory committee such reasonable allowances in respect of expenses properly incurred in the performance of their duties as may be determined by the Ministry with the approval of the Ministry of Finance.

**F2** SRO (NI) 1973/285

**F3** SRO (NI) 1973/285

### **3 Power to make surveys, etc.**

- (1) For the purposes of any order or proposed order under section 1 with respect to a new town, the Ministry may at any time cause such surveys to be made and do all such things as are necessary or appropriate for purposes preliminary to or connected with the designation of an area under that section as the site of the new town or the creation of the new town.
- (2) Without prejudice to the generality of subsection (1), the things that the Ministry may do in pursuance of that subsection shall include the provision of such services and the carrying out of such works as are necessary or appropriate for promoting the expeditious development of the new town.
- (3) Things done by the Ministry before the commencement of this Act for purposes preliminary to or connected with the designation of an area under section 1 or the creation of a new town shall be deemed to have been done under this Act as if this Act had then been in force.

### **4 Power to acquire land.**

- (1) Where an order is made under section 1 designating an area as the site of a proposed new town, the Ministry shall have power to acquire (either by agreement

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or compulsorily in accordance with the following provisions of this section) any land within any portion of that area which has been distinguished under paragraph 1( b) of Part I of Schedule 1 as land that is proposed to be acquired by the Ministry.

- (2) Where the Ministry in exercise of the power conferred by subsection (1) desires to acquire any land otherwise than by agreement, the Ministry may make an order (in this section referred to as a “vesting order” ) vesting that land in the Ministry.
- (3) Schedule 5 to the Roads Act (Northern Ireland) 1948 shall, subject to the modifications thereof specified in Schedule 2, apply for the purposes of the acquisition of land by means of a vesting order made under this section in the same manner as it applies to the acquisition of land by the Ministry within the meaning of that Act by means of a vesting order made under that Act.
- (4) In any enquiry with respect to proposals for the compulsory acquisition of land under this section, the objections to which consideration shall be given shall include objections taken with respect to the location, severance or separation of individual holdings of land, to special features relating to such holdings and to any other local or individual aspect of the proposed acquisition, but shall not include any objections which question the expediency in the interests of Northern Ireland, as recognised and sanctioned by Parliament in approving the order made under section 1, of creating the proposed new town in the area designated in that order, nor shall they include any objection directed solely to the amount of compensation payable by law in respect of the acquisition.
- (5) The powers conferred on the Ministry by the foregoing provisions of this section may be exercised notwithstanding that the land the subject of such exercise is the property of a [<sup>F4</sup> district council] or of any statutory undertakers within the meaning of the said Act of 1948, or is declared to be inalienable.
- <sup>F5</sup>(6) Nothing in this section shall authorise the Ministry to acquire, without the consent of the Ministry of Finance, any land on or in which there is, to the knowledge of the Ministry, any historic monument or archaeological object.
- (7) In subsection (6), “historic monument” and “archaeological object” have the same meanings as in the Historic Monuments Act (Northern Ireland) 1971 .]

**F4** SRO (NI) 1973/285

**F5** 1971 c. 17 (NI)

## **5 Power to dispose of land.**

- (1) Subject to subsection (2), the Ministry may dispose of any land acquired by the Ministry under section 4 for the purposes of a new town to such persons, in such manner, and on such terms or conditions as the Ministry considers expedient for securing the development of the new town.
- <sup>F6</sup>(1A) Where at any time it appears to the Department that any land acquired by the Department under section 4 for the purposes of a new town is no longer required by the Department for that purpose, the Department may, subject to subsection (2), dispose of that land to such persons, in such manner and on such terms or conditions as the Department thinks fit.]

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- (2) [<sup>F7</sup> Subsection (1)] shall not enable the Ministry to dispose of any land gratuitously, or at either a price or rent other than the best obtainable, or on terms other than the best obtainable, except with the approval of the Ministry of Finance.
- (3) Section 5 of the Stormont Regulation and Government Property Act (Northern Ireland) 1933 (which contains provisions with respect to the disposal of land by government departments) shall not apply to the disposal of any land under this section.

<b>F6</b>	1981 NI 13
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*S. 6 rep. by 1972 NI 17*

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