



# Town and Country Planning Act 1971

## 1971 CHAPTER 78

### PART VI

#### ACQUISITION AND APPROPRIATION OF LAND AND RELATED PROVISIONS

##### *Supplementary provisions*

#### **132 Modification of incorporated enactments for purposes of Part VI**

- (1) Where it is proposed that land should be acquired compulsorily under section 112 or 113 of this Act, and a compulsory purchase order relating to that land is submitted to the confirming authority in accordance with Part I of Schedule 1 to the Acquisition of Land (Authorisation Procedure) Act 1946, or, as the case may be, is made in draft by the Secretary of State for the Environment in accordance with Part II of that Schedule, the confirming authority or that Secretary of State, as the case may be, may disregard for the purposes of that Schedule any objection to the order or draft which, in the opinion of that authority or Secretary of State, amounts in substance to an objection to the provisions of the development plan defining the proposed use of that or any other land.
- (2) Where a compulsory purchase order authorising the acquisition of any land under section 112 of this Act is submitted to the Secretary of State in accordance with Part I of Schedule 1 to the said Act of 1946, then if the Secretary of State—
  - (a) is satisfied that the order ought to be confirmed so far as it relates to part of the land comprised therein; but
  - (b) has not for the time being determined whether it ought to be confirmed so far as it relates to any other such land,

he may confirm the order so far as it relates to the land mentioned in paragraph (a) of this subsection, and give directions postponing consideration of the order, so far as it relates to any other land specified in the directions, until such time as may be so specified.

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*Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

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- (3) Where the Secretary of State gives directions under subsection (2) of this section, the notices required by paragraph 6 of Schedule 1 to the said Act of 1946 to be published and served shall include a statement of the effect of the directions.
- (4) In construing the Compulsory Purchase Act 1965 in relation to any of the provisions of this Part of this Act—
  - (a) references to the execution of the works shall be construed as including references to any erection, construction or carrying out of buildings or works authorised by section 127 of this Act;
  - (b) in relation to the erection, construction or carrying out of any buildings or works so authorised, references in section 10 of the said Act of 1965 to the acquiring authority shall be construed as references to the person by whom the buildings or works in question are erected, constructed or carried out; and
  - (c) references to the execution of the works shall be construed as including also references to any erection, construction or carrying out of buildings or works on behalf of a Minister or statutory undertakers on land acquired by that Minister or those undertakers, where the buildings or works are erected, constructed or carried out for the purposes for which the land was acquired.

### **133 Interpretation of Part VI**

- (1) In this Part of this Act any reference to the acquisition of land for planning purposes is a reference to the acquisition thereof under section 112 or 119 of this Act or section 68 or 71 of the Act of 1962 and any reference to the appropriation of land for planning purposes is a reference to the appropriation thereof for purposes for which land can be or could have been acquired under those sections.
- (2) In relation to a local authority or body corporate, nothing in sections 127 to 129 of this Act shall be construed as authorising any act or omission on their part in contravention of any limitation imposed by law on their capacity by virtue of the constitution of the authority or body.
- (3) Any power conferred by section 128 or 129 of this Act to use land in a manner therein mentioned shall be construed as a power so to use the land, whether it involves the erection, construction or carrying out of any building or work, or the maintenance of any building or work, or not.