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SCHEDULES

THIRD SCHEDULE

ORDERS EXCLUDING BUILDINGS FROM A CLEARANCE AREA

PART I

PROCEDURE FOR MAKING ORDERS

- 1 An order under section twenty-four of this Act (hereafter in this Schedule referred to as the principal section) shall be in the prescribed form and shall describe by reference to a map—
 - (a) the clearance area to which it relates,
 - (b) the area affected by the clearance order to which it relates, and
 - (c) the houses and other buildings to be excluded by the order under the principal section from the clearance area.
- 2 (1) As soon as practicable after making the order, the local authority shall—
 - (a) publish in a newspaper circulating within their district a notice in the prescribed form stating the fact of such an order having been made and describing the houses and other buildings to be excluded by the order from the clearance area and naming a place where a copy of the order and of the map referred to therein may be seen at all reasonable hours, and
 - (b) serve on every owner and occupier of any house or other building to be excluded by the order from the clearance area a notice in the prescribed form.(2) A notice under paragraph (b) of the foregoing sub-paragraph shall—
 - (a) set out the effect of the order,
 - (b) state that the order is about to be submitted to the Minister for confirmation, and specify the time within which and the manner in which objections to the order can be made, and
 - (c) draw attention to the provisions of Part II of this Schedule which come into effect on the making of the order.(3) After the required notices have been given the local authority shall submit the order to the Minister for confirmation.
- 3 (1) If no objection is duly made by any of the persons on whom notices are required to be served, or if all objections so made are withdrawn, then, subject to the provisions of this paragraph, the Minister may, if he thinks fit, confirm the order with or without modification.
 - (2) If any objection duly made by any such person is not withdrawn, the Minister shall, before confirming the order, either cause a public local inquiry to be held or afford to any person by whom an objection has been duly made as aforesaid and not withdrawn an opportunity of appearing before and being heard by a person appointed for the purpose, and, after considering any objection not withdrawn and the report of the

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person who held the inquiry or of the person appointed as aforesaid, may, subject to the provisions of this paragraph, confirm the order with or without modification.

- (3) An order as confirmed under this paragraph shall not exclude from the clearance area any building which would not have been excluded if the order had been confirmed without modification, except that the Minister may under this paragraph modify an order so as to exclude a house or other building—
- (a) which was properly included in the clearance area only on the ground that by reason of its bad arrangement in relation to other buildings, or the narrowness or bad arrangement of the streets, it is dangerous or injurious to the health of the inhabitants of the area, and
 - (b) which has not been included in a clearance order or compulsory purchase order under Part III of the principal Act,
- if every owner of the building, and the occupier of every part of the building, have given their consent in writing.
- (4) The order shall come into force when it is confirmed.
- (5) As soon as the order is confirmed the local authority—
- (a) shall publish in a newspaper circulating in their district a notice in the prescribed form stating that the order has been confirmed and naming a place where a copy of the order as confirmed and of the map referred to therein may be seen at all reasonable hours, and
 - (b) shall serve a like notice on every person having an interest in every house or other building comprised in the order, whether as freeholder, lessee, mortgagee or otherwise.