



# Town and Country Planning Act 1971

## 1971 CHAPTER 78

### PART VI

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

*Powers exercisable in relation to land held for planning purposes, and other related powers*

#### **124 Development of land held for planning purposes**

- (1) The functions of a local authority shall include power for the authority, notwithstanding any limitation imposed by law on the capacity of the authority by virtue of its constitution, to erect, construct or carry out any building or work on any land to which this section applies, not being a building or work for the erection, construction or carrying out of which, whether by that local authority or by any other person, statutory power exists by virtue of, or could be conferred under, an alternative enactment.
- (2) This section applies to any land which has been acquired or appropriated by a local authority for planning purposes and is for the time being held by the authority for the purposes for which it was so acquired or appropriated.
- (3) The consent of the Secretary of State shall be requisite to any exercise by a local authority of the power conferred on them by subsection (1) of this section; and any such consent may be given either in respect of a particular operation or in respect of operations of any class, and either subject to or free from any conditions or limitations.
- (4) Where a local authority propose to carry out any operation which they would have power to carry out by virtue only of subsection (1) of this section, they shall notify the Secretary of State of their proposal, and the Secretary of State may direct such advertisement by the authority as appears to him to be requisite for the purposes of subsection (3) of this section.
- (5) The functions of a local authority shall include power for the authority, notwithstanding any such limitation as is mentioned in subsection (1) of this section,

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*Status: This is the original version (as it was originally enacted).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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to repair, maintain and insure any buildings or works on land to which this section applies, and generally to deal therewith in a proper course of management.

- (6) A local authority may, with the consent of the Secretary of State, enter into arrangements with an authorised association for the carrying out by the association of any operation which, apart from the arrangements, the local authority would have power under this section to carry out, on such terms (including terms as to the making of payments or loans by the authority to the association) as may be specified in the arrangements:

Provided that nothing in this section shall be construed as authorising such an association to carry out any operation which they would not have power to carry out apart from this subsection.

- (7) Nothing in this section shall be construed as authorising any act or omission on the part of a local authority which is actionable at the suit of any person on any grounds other than such a limitation as is mentioned in subsection (1) of this section.
- (8) In this section " alternative enactment" means any enactment which is not contained in this Part of this Act, in section 2 or 14 of the Local Employment Act 1960, in section 2, 5 or 6 of the Local Authorities (Land) Act 1963, or in section 20 or 21(4) of the Industrial Development Act 1966; and " authorised association " means any society, company or body of persons approved by the Secretary of State whose objects include the promotion, formation or management of garden cities, garden suburbs or garden villages, and the erection, improvement or management of buildings for the working classes and others, and which does not trade for profit or whose constitution forbids the issue of any share or loan capital with interest or dividend exceeding the rate for the time being fixed by the Treasury.