



# Town and Country Planning Act 1971

## 1971 CHAPTER 78

### PART IX

#### PROVISIONS ENABLING OWNER TO REQUIRE PURCHASE OF HIS INTEREST

##### *Interests affected by planning decisions or orders*

#### **182 Procedure on reference of purchase notice to Secretary of State**

- (1) Where a copy of a purchase notice is transmitted to the Secretary of State under section 181(3) of this Act, the Secretary of State shall consider whether to confirm the notice or to take other action under section 183 of this Act in respect thereof.
- (2) Before confirming a purchase notice or taking any other action under section 183 of this Act in respect thereof, the Secretary of State shall give notice of his proposed action—
  - (a) to the person by whom the purchase notice was served;
  - (b) to the council on whom the purchase notice was served ;
  - (c) to the local planning authority for the area in which the land is situated ; and
  - (d) if the Secretary of State proposes to substitute any other local authority or statutory undertakers for the council on whom the purchase notice was served, to that other local authority or those statutory undertakers.
- (3) If, within such period as may be specified in a notice under subsection (2) of this section, being a period of not less than twenty-eight days from the service of that notice, any of the persons, authorities or statutory undertakers on whom that notice is served so requires, the Secretary of State, before confirming the purchase notice or taking any other action under section 183 of this Act in respect thereof, shall afford to those persons, authorities and undertakers an opportunity of appearing before, and being heard by, a person appointed by the Secretary of State for the purpose.
- (4) Where the Secretary of State has given notice under sub section (2) of this section of his proposed action, and any of the persons, authorities and statutory undertakers concerned have appeared before and been heard by a person appointed by the Secretary

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of State for the purpose, and it then appears to the Secretary of State to be expedient to take action under section 183 of this Act otherwise than in accordance with the notice given by him, the Secretary of State may take that action accordingly