



Town and Country Planning Act 1971

1971 CHAPTER 78

PART IX

PROVISIONS ENABLING OWNER TO REQUIRE PURCHASE OF HIS INTEREST

Interests of owner-occupiers affected by planning proposals

196 Effect of valid blight notice

- (1) Where a blight notice has been served, and either—
 - (a) no counter-notice objecting to that notice is served in accordance with these provisions; or
 - (b) where such a counter-notice has been served, the objection is withdrawn, or, on a reference to the Lands Tribunal, is not upheld by the Tribunal,the appropriate authority shall be deemed to be authorised to acquire compulsorily under the appropriate enactment the interest of the claimant in the hereditament, or (in the case of an agricultural unit) the interest of the claimant in so far as it subsists in the affected area, and to have served a notice to treat in respect thereof on the date mentioned in subsection (2) of this section.
- (2) The said date—
 - (a) in a case where, on a reference to the Lands Tribunal, the Tribunal determines not to uphold the objection, is the date specified in directions given by the Tribunal in accordance with section 195(6) of this Act;
 - (b) in any other case, is the date on which the period of two months beginning with the date of service of the blight notice comes to an end.
- (3) Where the appropriate authority have served a counter-notice objecting to a blight notice on the grounds mentioned in section 194(2)(c) of this Act, then if either—
 - (a) the claimant, without referring that objection to the Lands Tribunal, and before the time for so referring it has expired, gives notice to the appropriate authority that he accepts the proposal of the authority to acquire the part of the

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hereditament or affected area specified in the counter-notice, and withdraws his claim as to the remainder of that hereditament or area ; or

- (b) on a reference to the Lands Tribunal, the Tribunal makes a declaration in accordance with section 195(5) of this Act in respect of that part of the hereditament or affected area,

the appropriate authority shall be deemed to be authorised to acquire compulsorily under the appropriate enactment the interest of the claimant in so far as it subsists in the part of the hereditament or affected area specified in the counter-notice (but not in so far as it subsists in any other part of that hereditament or area) and to have served a notice to treat in respect thereof on the date mentioned in subsection (4) of this section.

(4) The said date—

- (a) in a case falling within paragraph (a) of subsection (3) of this section, is the date on which notice is given in accordance with that paragraph; and
- (b) in a case falling within paragraph (b) of that subsection, is the date specified in directions given by the Lands Tribunal in accordance with section 195(6) of this Act.