



Town and Country Planning Act 1962

1962 CHAPTER 38 10 and 11 Eliz 2

PART VIII

PROVISIONS ENABLING OWNER TO REQUIRE PURCHASE OF HIS INTEREST

Interests affected by planning decisions or orders

133 Effect of Minister's action in relation to purchase notice

- (1) Where the Minister confirms a purchase notice, the council on whom the purchase notice was served (or, if under subsection (4) of the last preceding section the Minister modified the purchase notice by substituting another local authority or statutory undertakers for that council, that other local authority or those statutory undertakers) shall be deemed to be authorised to acquire the interest of the owner compulsorily in accordance with the provisions of Part V of this Act, and to have served a notice to treat in respect thereof on such date as the Minister may direct.
- (2) If, before the end of the relevant period, the Minister has neither confirmed the purchase notice nor taken any such action in respect thereof as is mentioned in subsection (2) or subsection (3) of the last preceding section, and has not notified the owner by whom the notice was served that he does not propose to confirm the notice, the notice shall be deemed to be confirmed at the end of that period, and the council on whom the notice was served shall be deemed to be authorised to acquire the interest of the owner compulsorily in accordance with the provisions of Part V of this Act, and to have served a notice to treat in respect thereof at the end of that period.
- (3) For the purposes of the last preceding subsection the relevant period is whichever of the following periods first expires, that is to say—
 - (a) the period of nine months beginning with the date of service of the purchase notice, and
 - (b) the period of six months beginning with the date on which a copy of the purchase notice was transmitted to the Minister.

*Status: This is the original version (as it was originally enacted).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

- (4) Where the Minister has notified the owner by whom a purchase notice has been served of a decision on his part to confirm, or not to confirm, the notice (including any decision not to confirm the notice in respect of part of the land to which it relates, and including any decision to grant any permission, or give any direction, in lieu of confirming the notice, either wholly or in part) and that decision of the Minister is quashed under the provisions of Part XI of this Act, the purchase notice shall be treated as cancelled, but the owner may serve a further purchase notice in its place.
- (5) For the purposes of any regulations made under this Act as to the time within which a purchase notice may be served, the service of a purchase notice under the last preceding subsection shall not be treated as out of time if the notice is served within the period which would be applicable in accordance with those regulations if the planning decision, in consequence of which the notice is served, had been made on the date on which the decision of the Minister was quashed as mentioned in the last preceding subsection.