



# Town and Country Planning Act 1959

## 1959 CHAPTER 53

### PART I

#### COMPENSATION FOR COMPULSORY ACQUISITION OF LAND

#### 14 Long-standing notices to treat

- (1) This section applies to every notice to treat served before the sixth day of August, nineteen hundred and forty-seven, by a public authority possessing compulsory purchase powers, being a notice in respect of which the following conditions are fulfilled, that is to say,—
- (a) that the acquisition of the interest in land to which the notice relates has not before the commencement of this Act been completed by the vesting of that interest in the acquiring authority;
  - (b) that the acquiring authority have not before the commencement of this Act exercised any right of entering upon and taking possession of land in pursuance of that notice;
  - (c) that compensation in respect of the acquisition of that interest has not before the commencement of this Act been paid to and accepted by the person entitled to the interest, or any other person competent to give an effective discharge for such compensation;
  - (d) that the amount of the compensation payable in respect of the acquisition of that interest has not before the commencement of this Act been determined by the Lands Tribunal or by an official arbitrator appointed under the Act of 1919, or determined under section fifty-eight of the Lands Clauses Consolidation Act, 1845 ; and
  - (e) that the notice has not been withdrawn before the commencement of this Act.
- (2) If a public authority possessing compulsory purchase powers intend to proceed with the compulsory acquisition of an interest in land, in pursuance of a notice to treat to which this section applies, they shall, before the end of the period of six months beginning with the commencement of this Act, serve on the person for the time being entitled to that interest a notice in the prescribed form (in this Act referred to as a "notice of intention to proceed ") stating that fact; and if, at the end of that period, no

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*Status: This is the original version (as it was originally enacted).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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notice of intention to proceed has been served in accordance with this subsection in respect of an interest to which such a notice to treat relates, the notice to treat shall thereupon cease to have effect in so far as it relates to that interest.

- (3) The form prescribed under the last preceding subsection shall include such explanation of the provisions of this and the next following section as appears to the Minister to be requisite for informing recipients of notices of intention to proceed of their rights and obligations under those provisions.
- (4) Where a notice of intention to proceed has been served, in respect of the compulsory acquisition of an interest in land, and, at the end of the period of one year beginning with the date of service of that notice, the compensation payable in respect of the acquisition of that interest has not been agreed, and no proceedings have been begun for the determination of any question relating to that compensation, the notice to treat, with respect to which the notice of intention to proceed was served, shall cease to have effect in so far as it relates to that interest:

Provided that this subsection shall not apply if, before the end of the said period of one year, the acquiring authority have exercised a right of entering upon and taking possession of land in pursuance of the notice to treat.

- (5) The authority by whom a notice to treat to which this section applies has been served shall not be entitled after the commencement of this Act to exercise any rights or powers in pursuance of that notice, unless they have served a notice of intention to proceed in accordance with this section.
- (6) Nothing in this section shall affect any question as to the validity of a notice to treat apart from the provisions of this section.
- (7) In the application of this section to Scotland—
- (a) for any reference to the sixth day of August, nineteen hundred and forty-seven there shall be substituted a reference to the thirteenth day of August, nineteen hundred and forty-seven;
  - (b) for any reference to an official arbitrator there shall be substituted a reference to an official arbiter; and
  - (c) for any reference to section fifty-eight of the Lands Clauses Consolidation Act, 1845, there shall be substituted a reference to section fifty-six of the Lands Clauses Consolidation (Scotland) Act, 1845.