



Towns Improvement Clauses Act 1847

1847 CHAPTER 34 10 and 11 Vict

Lands

And with respect to taking lands, and the compensation to be made by the commissioners for damage done by them on execution of the powers of this and the special Act, be it enacted as follows:

19 The taking of lands to be subject to the provisions of this Act and the Lands Clauses Consolidation Act 1845.

Where by this or the special Act the commissioners shall be empowered to take or use for the purposes thereof any lands otherwise than with the consent of the owners and occupiers thereof, they shall, in exercising the powers so given, be subject to the provisions and restrictions contained in this Act and in the ^{M1}Lands Clauses Consolidation Act 1845; and the commissioners shall make to the owners and occupiers of and all other parties interested in any such lands taken or used for the purposes of this or the special Act full compensation for the value of the lands so taken or used, and for all damage sustained by such owners, occupiers, and other parties, by reason of the exercise, as regards such lands, of the powers vested in the commissioners by this or the special Act, or any Act incorporated therewith; and, except where otherwise provided by this or the special Act, the amount of such compensation shall be determined in the manner provided by the said Lands Clauses Consolidation Act for determining questions of compensation with regard to lands purchased or taken under the provisions thereof; and all the provisions of the last-mentioned Act shall be applicable to determine the amount of any such compensation, and to enforce the payment or other satisfaction thereof.

Marginal Citations

M1 1845 c. 18.

Changes to legislation: There are currently no known outstanding effects for the Towns Improvement Clauses Act 1847, Cross Heading: Lands. (See end of Document for details)

20 Errors and omissions in plans, &c. may be corrected by justices, who shall certify the same. Certificate to be deposited.

If any omission, mis-statement, or wrong description shall have been made of any lands, or of the owners, lessees, or occupiers of any lands, mentioned in any schedule to the special Act, the commissioners, after giving ten days notice to the owners, lessees, and occupiers of the lands affected by such proposed correction, may apply to two justices for the correction thereof; and if it appear to such justices that such omission, mis-statement, or wrong description arose from mistake, they shall certify the same accordingly, and they shall in such certificate state the particulars of any such omission, mis-statement, or wrong description; and such certificate, with the other documents to which it relates, shall be deposited with [^{F1}the chief clerk], and such certificate shall be kept by such clerk of the peace with the other documents to which it relates, and thereupon such schedule shall be deemed to be corrected according to such certificate; and the commissioners may take any lands in accordance with such certificate, as if such omission, mis-statement, or wrong description had not been made.

Textual Amendments

- F1** Words in s. 20 substituted (N.I.) (31.10.2016) by [Justice Act \(Northern Ireland\) 2015 \(c. 9\), s. 106\(2\), Sch. 1 para. 15\(2\)](#) (with [Sch. 8 para. 1](#)); [S.R. 2016/387, art. 2\(k\)](#) (with [art. 3](#))

Modifications etc. (not altering text)

- C1** References to clerk of the peace of the county to be construed as references to proper officer of the county council: [Courts Act 1971 \(c. 23\), Sch. 8 para. 1](#) and [Local Government Act 1972 \(c. 70\), Sch. 29 Pt. I para. 4\(1\)\(b\)](#)

21 Commissioners to make compensation for damage done. If parties cannot agree as to compensation, the same to be determined in manner provided by 7 & 8 Vict. c. 18.

The commissioners shall make good all damage to any buildings or land by reason of altering the level of any street, or otherwise carrying into execution any of the powers of this or the special Act, or of any Act incorporated therewith, and shall pay to the owners, lessees, and occupiers of any such buildings or lands respectively such amount of compensation for such injury as shall be agreed upon between such owners, lessees, and occupiers, and the commissioners; and if such owners, lessees, and occupiers and the commissioners cannot agree as to the amount of such compensation, and the proportions thereof to be paid to such owners, lessees, and occupiers respectively, then the amount of such compensation, and also the proportions which the persons claiming the same are entitled to, shall be determined in the manner provided by the ^{M2}Lands Clauses Consolidation Act 1845 for determining questions of compensation with regard to land purchased or taken under the provisions thereof; and all the provisions of the last-mentioned Act shall be applicable to determine the amount of any such compensation, and to enforce payment or other satisfaction thereof.

Marginal Citations

- M2** [1845 c. 18.](#)

Changes to legislation:

There are currently no known outstanding effects for the Towns Improvement Clauses Act 1847,
Cross Heading: Lands.