
STATUTORY INSTRUMENTS

1948 No. 1520

THE TOWN AND COUNTRY PLANNING (ENFORCEMENT OF RESTRICTION OF RIBBON DEVELOPMENT ACTS) REGULATIONS 1948

3. For the purpose of applying the provisions of subsections (1) to (7) of Section 75 of the Act to works on land carried out or uses of land begun at any time before the appointed day in contravention of any restriction in force under Section 1 or Section 2 of the Restriction of Ribbon Development Act, 1935, subsections (1) and (2) of Section 75 of the Act shall be adapted and modified so as to have effect as follows:—**(1)**

“(1) Where any works on land existing at the appointed day were carried out or any use to which land is put on that day was begun in contravention of previous planning control **or any building law** then, subject to the provisions of this section, the provisions of Part III of this Act with respect to enforcement notices shall apply in relation thereto as they apply in relation to development carried out after the appointed day without the grant of permission in that behalf under the said Part III:

Provided that an enforcement notice shall not be served by virtue of the provisions of this section in respect of any works or use (not being works or a use carried out or begun during the war period as defined by the Building Restrictions (War-Time Contraventions) Act, 1946) at any time after three years from the appointed day.

In this section the expression “building law” means any restriction in force before the appointed day by virtue of section 1 or section 2 of the Restriction of Ribbon Development Act, 1935.

(2) Where any such works as aforesaid were carried out, or any such use as aforesaid was begun, during the war period as defined by the Building Restrictions (War-Time Contraventions) Act, 1946, then—

- (a) if by virtue of the provisions of that Act, **or of that Act as amended by any regulations made by the Minister under subsection (8) of this section**, or of any determination effected thereunder (whether before or after the appointed day), the works or use are deemed to comply with planning control within the meaning of that Act **or with any building law**, the provisions of this section shall not apply, or, as the case may be, shall cease to apply to those works or that use; and
- (b) if it has been determined under that Act **or under that Act amended as aforesaid** (whether before or after the appointed day) that the works or use shall not be deemed to comply with planning control within the meaning of that Act **or with any building law**, subsection (3) of section 23 of this Act shall have effect, in relation to any enforcement notice served in respect of the works or use, by virtue of the provisions of this section, as if the proviso to that subsection were omitted.”

and subsections (3) to (7) of the said Section 75 shall have effect accordingly.

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