

Status: This is the original version (as it was originally made).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

SCHEDULE 2

TOWN AND COUNTRY PLANNING ACT 1990

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Personal Representative's Blight Notice

To¹

At²

I/We of³

HEREBY GIVE YOU NOTICE under section 161 (2) [and by virtue of section 158]⁴ of the Town and Country Planning Act 1990 ("the Act") as follows:-

- 1. I am/We are the personal representative(s) of a person ("the deceased") who at the time of his/her death was entitled to the interest described in Schedule 1⁵ to this Notice in the property described in Schedule 2⁶ to this Notice.
- 2. One or more individuals are, to the exclusion of any body corporate, beneficially entitled to the deceased's interest in that property.
- 3. The whole/Part⁷ of that property was blighted land within paragraph(s)⁸ of Schedule 13 to the Act on the date of death of the deceased.
- 4. The deceased's interest in that property qualifies for protection under Chapter II in Part VI of the Act because on the date of death of the deceased

[EITHER]

the property was [part of]⁹ a hereditament whose annual value did not exceed the amount prescribed for the purposes of section 149(3)(a) of the Act and he/she was an owner-occupier of that hereditament.

[OR]

the property was [part of]⁹ a hereditament and he/she was a resident owner-occupier of that hereditament.

[OR]

the property was [part of]⁹ an agricultural unit and he/she was an owner-occupier of that unit.

5. (1) [EITHER] I/We have made reasonable endeavours to sell his/her interest in that property, and details of those attempts are set out in [Schedule 3 to/the letter accompanying]¹⁰ this Notice. [OR] The powers of compulsory acquisition relevant for the purposes of paragraph 21/22 of Schedule 13 to the Act remain exercisable¹¹.

(2) In consequence of the fact that [part of]¹² the hereditament/agricultural unit was, or was likely to be, comprised in blighted land, I/we have been unable to sell the deceased's interest except at a price substantially lower than that for which it might reasonably have been expected to sell if no part of the hereditament/unit were, or were likely to be, comprised in blighted land.

6¹³. The [part of the]⁹ agricultural unit in which the deceased's interest subsists contains land which is not blighted land as well as land which is, and the land which is not blighted land is not reasonably capable of being farmed, either by itself or with other relevant land, as a separate agricultural unit.

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7. I/We therefore require you to purchase the deceased's interest in
[EITHER]
the property described in Schedule 2 to this Notice¹⁴.
[OR]
so much of the property described in Schedule 2 to this Notice as is blighted land¹⁵.

SCHEDULE 1

The Interest to which this Blight Notice Relates

SCHEDULE 2

The Property to which this Blight Notice Relates

SCHEDULE 3

Details of Attempts to Sell the Interest to which the Blight Notice Relates

Dated

Signed

.....

[Solicitor/Surveyor/Land Agent, of

on behalf of]¹⁶

NOTES

1. Insert name of the appropriate authority.
2. Insert address of the appropriate authority.
3. Give full name(s) and address(es) of claimant(s).
4. Delete unless this notice relates to an agricultural unit and a claim and requirement under section 158(2) of the Act are to be included.
5. Schedule 1 should contain a description of the interest of the deceased, a list of any mortgages to which that interest is subject with the names and addresses of the mortgagees, and a list of any other incumbrances affecting the interest.
6. The boundaries of the property should normally be clearly marked on a plan annexed to the Blight Notice.
7. Use "Part" instead of "The whole" if only some of the land was blighted land.
8. Insert relevant paragraph number(s).
9. Delete unless the interest is in only part of the hereditament or unit.
10. Delete as appropriate.
11. The second alternative may be used only if paragraph 3 of this notice refers to paragraph 21 or 22 of Schedule 13 to the Act.
12. Delete unless only part of the property was blighted land.
13. Use this paragraph (and the reference to section 158 at the top of the notice – see Note 4 above) only to make a claim under section 158(2).
14. Use if the property is a hereditament, or is an agricultural unit and paragraph 6 has been included.
15. Use if the property is an agricultural unit but paragraph 5 has been deleted.
16. If this notice is signed by an agent, insert here full name and address of agent or firm, and name(s) of claimant(s).