



Town and Country Planning Act 1932

1932 CHAPTER 48

Supplemental Provisions with respect to Schemes.

27 Limitation of street work charges.

- (1) Where provision is made in a scheme for the construction, widening, or improvement of any road or street, and for charging the cost, or any part of the cost, thereof upon the owners of adjoining land or other persons deriving benefit therefrom, the scheme shall secure that the cost so charged shall not exceed the amount which would at the date of the commencement of the works have been the cost of the execution of street works in the course of the construction, widening, or improvement if it had been carried out so as to comply with any enactments, byelaws, or regulations in operation in the area and, as respects matters for which no provision is made in any such enactments, byelaws, or regulations, so as to comply with such specification as the highway authority for the area would at the date of the commencement of the works have required as a condition of declaring the street to be a highway repairable by the inhabitants at large.
- (2) In this section the expression " street works " means the sewerage, levelling, paving, metalling, flagging, channelling and making good a road or street or part of a road or street and providing proper means of lighting therefor, and the expressions " construction " and " improvement " in relation to any road or street include the planting, laying out, maintenance and protection of trees, shrubs, and grass margins, in and beside the road or street.

28 Power to contribute towards expenses of owners in connection with the proposal of schemes.

It shall be lawful for a local authority or joint committee to contribute towards the expenses incurred by owners of land in or in connection with the proposal of a scheme which is adopted by the local authority or joint committee or in co-operating with them in the preparation of a scheme.

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29 Power of county council to assist in preparation of schemes.

It shall be lawful for the council of any county to incur expenditure in assisting the councils of county districts within the county and joint committees representing any such councils in connection with the preparation of schemes.

30 Contributions by local authorities towards expenses of, or in connection with, schemes.

- (1) It shall be lawful for any local authority within the meaning of the Local Loans Act, 1875, to contribute towards the expenses incurred by any authority in or in connection with matters preliminary to the preparation of a scheme, or in or in connection with the preparation or carrying into execution of a scheme, whether made under this Act or under any Act repealed by this Act.
- (2) Any contribution which an authority, not being a local authority for the purposes of this Act or a county council, agree to make under this section shall be paid as part of the general expenses of the authority, and if the authority have power to borrow money for the purposes of their functions, the payment of the contribution shall be a purpose for which they may borrow in the like manner and subject to the like conditions.

31 Contributions by statutory undertakers towards expenses of, or in connection with, schemes.

It shall be lawful for any statutory undertakers to pay to any authority the whole or any part of any expenses incurred by that authority in, or in connection with, the preparation or carrying into execution of a scheme, whether made under this Act or under any Act repealed by this Act.

32 Application of betterment as capital.

All sums received by a responsible authority by way of betterment, or as proceeds of sale of any land purchased under the powers conferred by this Act, shall be applied in such manner as in the case of the London County Council the Treasury, and in other cases the Minister, may approve towards the discharge of any debt of the authority or otherwise for any purpose for which capital money may be applied.

33 Power of public departments to make agreements in connection with schemes.

- (1) For the purpose of co-operating with any local authority or joint committee who are preparing a scheme, or with any responsible authority who are carrying into effect a scheme, whether made under this Act or under any Act repealed by this Act, any public department may, subject to the approval of the Treasury, enter into agreements for securing that any land which is under their control, or which is in their occupation or vested in them for public purposes or for the public service, shall, so far as may be provided by any such agreement, be laid out and used in conformity with the general objects of the scheme, and any agreement so made may contain such consequential and incidental provisions, including provisions of a financial character, as appear to be necessary or desirable having regard to the contents or proposed contents of the scheme :

Provided that the department concerned in making an agreement under this section, and the Treasury in considering whether their approval shall or shall not be given to

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the agreement, shall have regard to the purposes for which the land in question was acquired, or is held, by the department.

- (2) Section twelve of the Crown Lands Act, 1927 (which relates to the power of the Commissioners of Crown Lands to make agreements in connection with town planning schemes), shall cease to have effect.

34 Power of authorities and owners to enter into agreements restricting use of land.

- (1) Where any person is willing to agree with any such authority as is mentioned in subsection (2) of this section that his land, or any part thereof, shall, so far as his interest in the land enables him to bind it, be made subject, either permanently or for a specified period, to conditions restricting the planning, development, or use thereof in any manner in which those matters might be dealt with by or under a scheme, the authority may, if they think fit, enter into an agreement with him to that effect, and shall have power to enforce the agreement against persons deriving title under him in the like manner and to the like extent as if the authority were possessed of, or interested in, adjacent land and as if the agreement had been entered into for the benefit of that adjacent land.
- (2) Agreements may be entered into under this section by a local authority, a county council, or a responsible authority, not being a local authority or a county council.
- (3) This section shall come into force upon the passing of this Act.