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## SCHEDULES

### SEVENTH SCHEDULE

Section 97.

#### COMPULSORY PURCHASE OF LAND UNDER PART V

- 1 (1) The Acquisition of Land (Authorisation Procedure) Act, 1946, shall apply to a compulsory purchase of land under Part V of this Act as if this Act had been in force immediately before the commencement of that Act, but that Act and the enactments applied by that Act shall have effect subject to the provisions of this Act.
- (2) In the case of a compulsory purchase of land under Part V of this Act section one hundred and thirty-three of the Lands Clauses Consolidation Act, 1845 (which relates to promoters making good deficiencies in rates), shall not apply.
- (3) Any compensation payable in pursuance of a compulsory purchase under Part V of this Act by a local authority in respect of any lands, estate or interest of another local authority which would, but for this sub-paragraph, be paid into court in manner provided by the Lands Clauses Acts, may, if the Minister consents, instead of being paid into court, be paid and applied as the Minister may determine.
- A decision of the Minister under this sub-paragraph shall be final and conclusive.
- 2 (1) In the case of a compulsory purchase under Part V of this Act compensation shall be assessed subject to observance of the rules set out in this paragraph.
- (2) If the tribunal by whom the compensation is to be assessed are satisfied with respect to any premises that the rental thereof was enhanced by reason of their being used for illegal purposes, or being overcrowded within the meaning of Part IV of this Act, the compensation in respect of the land shall, so far as it is based on rental, be based on the rental which would have been obtainable if the premises were occupied for legal purposes and were not so overcrowded.
- (3) If the tribunal are satisfied that any premises are in a state of defective sanitation, or are not in reasonably good repair, the compensation shall be the estimated value of the premises if put into a sanitary condition, or reasonably good repair, less the estimated expense of putting them into such condition or repair.
- (4) The local authority may tender evidence as to the matters aforesaid, notwithstanding that they have not taken any steps with a view to remedying the defects or evils disclosed by the evidence, but before tendering evidence as to sanitation or repair, the authority shall furnish to the tribunal and to the claimant a statement in writing of the respects in which the premises are alleged to be so defective.
- (5) The tribunal shall have regard to and make an allowance in respect of any increased value which, in their opinion, will be given to other premises of the same owner by the demolition by the local authority of any buildings.
- (6) The tribunal shall embody in their award a statement showing separately whether compensation has been reduced by reference to the use of the premises for illegal purposes, to overcrowding and to the considerations mentioned in sub-paragraph (3)

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of this paragraph, and the amount, if any, by which compensation has been reduced by reference to each of those matters.