



# Town and Country Planning Act 1968

## 1968 CHAPTER 72

### PART IV

#### ACQUISITION AND DISPOSAL OF LAND

##### *Planning blight*

#### **37 Miscellaneous amendments of Part VIII of principal Act.**

- (1) Section 143 of the principal Act (exclusion of compensation for severance and disturbance) shall cease to have effect.
- (2) The power to make an order under section 138(3)(a) of the principal Act (limit of annual value of hereditament an interest in which qualifies for protection under sections 139 to 151 of that Act) shall be exercisable by statutory instrument, and any such instrument shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (3) For a person to be treated under section 149(1) or (3) of the principal Act (definitions for purposes of blight notice provisions) as owneroccupier or resident owner-occupier of a hereditament, his occupation thereof at a relevant time or during a relevant period, if not occupation of the whole of the hereditament, must be or, as the case may be, have been occupation of a substantial part of it.
- (4) In subsections (1)(b), (2)(b) and (3)(b) of the said section 149, the period of six months ending not more than six months before the date of service shall in each case be replaced by a period of six months ending not more than twelve months before that date.
- (5) If any question arises which authority is the appropriate authority for the purposes of sections 139 to 151 of the principal Act or section 34 of this Act—
  - (a) section 140(1) of that Act (objection to blight notice) shall have effect as if the reference to the date of service of that notice were a reference to that date or the date on which that question is determined, whichever is the later and

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- (b) subsections (1)(b), (2)(b) and (3)(b) of section 149 of that Act shall apply with the substitution for the reference to twelve months before the date of service of a reference to that period extended by so long as it takes to obtain a determination of the question.