



Town and Country Planning Act 1971

1971 CHAPTER 78

PART VI

ACQUISITION AND APPROPRIATION OF LAND AND RELATED PROVISIONS

Powers exercisable in relation to land held for planning purposes, and other related powers

122 Appropriation of land held for planning purposes

- (1) Where any land has been acquired or appropriated by a local authority for planning purposes and is for the time being held by the authority for the purposes for which it was so acquired or appropriated, the authority (subject to the following provisions of this section) may appropriate the land for any purpose for which they are or may be authorised in any capacity to acquire land by virtue of or under any enactment not contained in this Part of this Act.
- (2) The consent of the Secretary of State shall be requisite to any appropriation under this section—
 - (a) by an authority which is not an authority to whom Part II of the Act of 1959 applies; or
 - (b) of land which, immediately before the appropriation, is land which consists or forms part of a common, or formerly consisted or formed part of a common, and is held or managed by a local authority in accordance with a local Act,and any such consent may be given either in respect of a particular appropriation or in respect of appropriations of any class, and may be given either subject to or free from any conditions or limitations.
- (3) For the purposes of subsection (2) of section 23 of the Act of 1959 (consent of Ministers to appropriations in certain cases) the power of appropriation conferred by subsection (1) of this section shall (except in respect of any exercise thereof in circumstances falling within subsection (2) of this section) be deemed to be a power in relation to which subsection (1) of that section has effect.
- (4) In relation to any appropriation under this section—

*Status: This is the original version (as it was originally enacted).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

- (a) subsection (2) of section 163 of the Local Government Act 1933 (which relates to the operation of section 68 of the Lands Clauses Consolidation Act 1845 and section 10 of the Compulsory Purchase Act 1965); and
 - (b) subsections (5) and (6) of section 121 of this Act,
- shall have effect as they have effect in relation to appropriations under those sections respectively.
- (5) In relation to any such land as is mentioned in subsection (1) of this section, this section shall have effect to the exclusion of the provisions of section 163(1) of the Local Government Act 1933.