



Town and Country Planning Act 1971

1971 CHAPTER 78

PART VII

COMPENSATION FOR PLANNING DECISIONS RESTRICTING NEW DEVELOPMENT

Claims for, and payment of, compensation

154 General provisions as to claims for compensation

- (1) Compensation under this Part of this Act shall not be payable unless a claim for it is duly made in accordance with the provisions of this section.
- (2) A claim for compensation under this Part of this Act shall not have effect unless it is made before the end of the period of six months beginning with the date of the planning decision to which it relates:

Provided that the Secretary of State may in any particular case (either before, on or after the date on which the time for claiming would otherwise have expired) allow an extended, or further extended, period for making such a claim.

- (3) Regulations made under this section may—
 - (a) require claims for compensation under this Part of this Act to be made in a form prescribed by the regulations;
 - (b) require a claimant to provide such evidence in support of the claim, and such information as to the interest of the claimant in the land to which the claim relates, and as to the interests of other persons therein which are known to the claimant, as may be so prescribed.
- (4) Any claim for such compensation in respect of a planning decision shall be sent to the local planning authority; and it shall be the duty of that authority, as soon as may be after receipt of a claim, to transmit the claim to the Secretary of State, and to furnish the Secretary of State with—
 - (a) any evidence or other information provided by the claimant in accordance with regulations made under this section; and

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- (b) such other information (if any) as may be required by or under regulations made under this section, being information appearing to the Secretary of State to be relevant to the exercise of his powers under the provisions of Part III of this Act relating to the review of planning decisions where compensation is claimed.
- (5) Where a claim is transmitted to the Secretary of State under subsection (4) of this section—
 - (a) if it appears to the Secretary of State that the development to which the planning decision related was not new development, or that at the time of the planning decision no part of the land to which the claim relates had an unexpended balance of established development value, or that compensation is excluded by section 147 or 148 of this Act, the Secretary of State shall notify the claimant accordingly, stating on which of those grounds it appears to him that compensation is not payable, and inviting the claimant to withdraw the claim;
 - (b) unless the claim is withdrawn, the Secretary of State shall give notice of the claim to every other person (if any) appearing to him to have an interest in the land to which the planning decision related.