



Town and Country Planning Act 1971

1971 CHAPTER 78

PART IX

PROVISIONS ENABLING OWNER TO REQUIRE PURCHASE OF HIS INTEREST

Interests of owner-occupiers affected by planning proposals

199 Effect on powers of compulsory acquisition of counter-notice disclaiming intention to acquire

- (1) The provisions of subsection (2) of this section shall have effect where the grounds of objection specified in a counter-notice served under section 194 of this Act consist of or include the grounds mentioned in paragraph (b) or (d) of subsection (2) of that section, and either—
 - (a) the objection on the grounds mentioned in that paragraph is referred to and upheld by the Lands Tribunal; or
 - (b) the time for referring that objection to the Lands Tribunal expires without its having been so referred.
- (2) If a compulsory purchase order has been made under the appropriate enactment in respect of land which consists of or includes the whole or part of the hereditament or agricultural unit to which the counter-notice relates, or if the land in question falls within section 192(1)(i) of this Act, any power conferred by that order, or by special enactment, as the case may be, for the compulsory acquisition of the interest of the claimant in the hereditament or agricultural unit or any part thereof shall cease to have effect.
- (3) The provisions of subsection (4) of this section shall have effect where the grounds of objection specified in a counter-notice under section 194 of this Act consist of or include the grounds mentioned in paragraph (c) of subsection (2) of that section, and either—
 - (a) the objection on the grounds mentioned in that paragraph is referred to and upheld by the Lands Tribunal; or

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(b) the time for referring that objection to the Lands Tribunal expires without its having been so referred;

and in subsection (4) of this section any reference to " the part of the hereditament or affected area not required" is a reference to the whole of that hereditament or area except the part specified in the counter-notice as being the part which the appropriate authority propose to acquire as mentioned in the counter-notice.

(4) If a compulsory purchase order has been made under the appropriate enactment in respect of land which consists of or includes any of the part of the hereditament or affected area not required, or if the land in question falls within section 192(1)(i) of this Act, any power conferred by that order, or by the special enactment, as the case may be, for the compulsory acquisition of the interest of the claimant in any land comprised in the part of the hereditament or affected area not required shall cease to have effect.