



Town and Country Planning Act 1990

1990 CHAPTER 8

PART IV

COMPENSATION FOR EFFECTS OF CERTAIN ORDERS, NOTICES, ETC.

Compensation for revocation of planning permission, etc.

110 Registration of compensation for depreciation.

- (1) Where compensation becomes payable under section 107 which includes compensation for depreciation of an amount exceeding £20, the local planning authority shall give notice to the Secretary of State that such compensation has become payable, specifying the amount of the compensation for depreciation and any apportionment of it under section 109.
- (2) Where the Secretary of State is given such notice he shall cause notice of that fact to be deposited—
 - (a) with the council of the district [^{F1}, Welsh county, county borough] or London borough in which the land is situated, and
 - (b) if that council is not the local planning authority, with the local planning authority.
- (3) Notices deposited under this section must specify—
 - (a) the order, or in a case falling within section 108 the relevant planning decision, and the land to which the claim for compensation relates; and
 - (b) the amount of compensation and any apportionment of it under section 109.
- (4) Notices deposited under this section shall be local land charges, and for the purposes of the ^{M1}Local Land Charges Act 1975 the council with whom any such notice is deposited shall be treated as the originating authority as respects the charge constituted by it.

Status: Point in time view as at 09/05/2013.

Changes to legislation: *Town and Country Planning Act 1990, Section 110 is up to date with all changes known to be in force on or before 15 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

- (5) In relation to compensation specified in a notice registered under this section, references in this Part to so much of the compensation as is attributable to a part of the land to which the notice relates shall be construed as follows—
- (a) if the notice does not include an apportionment under section 109, the amount of the compensation shall be treated as distributed rateably according to area over the land to which the notice relates;
 - (b) if the notice includes such an apportionment—
 - (i) the compensation shall be treated as distributed in accordance with that apportionment as between the different parts of the land by reference to which the apportionment is made; and
 - (ii) so much of the compensation as, in accordance with the apportionment, is attributed to a part of the land shall be treated as distributed rateably according to area over that part.

Textual Amendments

- F1** Words in s. 110(2) inserted (1.4.1996) by 1994 c. 19, s. 20(4), **Sch. 6 Pt. II para. 24(2)** (with ss. 54(5) (7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1996/396, art. 3, **Sch. 1**

Modifications etc. (not altering text)

- C1** S. 110 applied (with modifications) (1.10.2011) by **The Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011** (S.I. 2011/2055), regs. 1, **64**

Marginal Citations

- M1** 1975 c. 76.

Status:

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