



# Town and Country Planning Act 1962

1962 CHAPTER 38 10 and 11 Eliz 2

## PART VI

### COMPENSATION FOR PLANNING DECISIONS RESTRICTING NEW DEVELOPMENT

#### *Claims for, and payment of, compensation*

#### **108 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 Minister 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 Minister, and to furnish the Minister with—
  - (a) any evidence or other information provided by the claimant in accordance with regulations made under this section, and

---

*Status: This is the original version (as it was originally enacted).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

---

- (b) such other information (if any) as may be required by or under regulations made under this section, being information appearing to the Minister 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 Minister under the last preceding subsection—
- (a) if it appears to the Minister 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 one hundred and one or section one hundred and two of this Act, the Minister 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 Minister 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.