



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

110 Determination of claims

- (1) Provision shall be made by regulations under this section—
 - (a) for requiring claims for compensation under this Part of this Act to be determined by the Minister in such manner as may be prescribed by the regulations;
 - (b) for regulating the practice and procedure to be followed in connection with the determination of such claims ;
 - (c) for requiring the Minister, on determining any such claim, to give notice of his findings to the claimant, and to every other person (if any) who has made a claim for compensation under this Part of this Act in respect of the same planning decision, and, if his findings include an apportionment, to give particulars of the apportionment to any other person entitled to an interest in land appearing to the Minister to be an interest substantially affected by the apportionment.
- (2) Subject to the next following subsection, provision shall be made by regulations under this section—
 - (a) for enabling the claimant or any other person to whom notice of the Minister's findings has been given in accordance with the preceding subsection, if he wishes to dispute the findings, and any other person to whom particulars of an apportionment included in those findings have been so given, or who establishes that he is entitled to an interest in land which is substantially affected by such an apportionment, if he wishes to dispute the apportionment, to require the findings, or, as the case may be, the apportionment, to be referred to the Lands Tribunal;

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- (b) for enabling the claimant and every other person to whom notice of any findings or apportionment has been given as mentioned in the preceding paragraph to be heard by the Tribunal on any reference under this section of those findings or of that apportionment, as the case may be; and
 - (c) for requiring the Tribunal, on any such reference, either to confirm or to vary the Minister's findings or the apportionment, as the case may be, and to notify the parties of the decision of the Tribunal.
- (3) Where on a reference to the Lands Tribunal under this section it is shown that an apportionment relates wholly or partly to the same matters as a previous apportionment, and is consistent with that previous apportionment in so far as it relates to those matters, the Tribunal shall not vary the apportionment in such a way as to be inconsistent with the previous apportionment in so far as it relates to those matters.