



Town and Country Planning Act 1962

1962 CHAPTER 38 10 and 11 Eliz 2

PART X

STATUTORY UNDERTAKERS

General provisions

166 Extension or modification of functions of statutory undertakers

- (1) The powers conferred by this section shall be exercisable where, on a representation made by statutory undertakers, it appears to the Minister and the appropriate Minister to be expedient that the powers and duties of those undertakers should be extended or modified, in order—
- (a) to secure the provision of services which would not otherwise be provided, or satisfactorily provided, for any purpose in connection with which a local authority or Minister may be authorised under Part V of this Act to acquire land, or
 - (b) to facilitate an adjustment of the carrying on of the undertaking necessitated by any of the acts and events mentioned in the next following subsection.
- (2) The said acts and events are—
- (a) the acquisition under Part V of this Act of any land in which an interest was held, or which was used, for the purpose of the carrying on of the undertaking of the statutory undertakers in question ;
 - (b) the extinguishment of a right or the imposition of any requirement by virtue of section one hundred and sixty-four of this Act;
 - (c) a decision on an application made by the statutory undertakers for planning permission to develop any such land as is mentioned in paragraph (a) of this subsection;
 - (d) the revocation or modification of planning permission granted on any such application;
 - (e) the making of an order under section twenty-eight of this Act in relation to any such land.

Status: This is the original version (as it was originally enacted).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

- (3) The powers conferred by this section shall also be exercisable where, on a representation made by a local authority or Minister, it appears to the Minister and the appropriate Minister to be expedient that the powers and duties of statutory undertakers should be extended or modified, in order to secure the provision of new services, or the extension of existing services, for any purpose in connection with which the local authority or Minister making the representation may be authorised under Part V of this Act to acquire land.
- (4) Where the powers conferred by this section are exercisable, the Minister and the appropriate Minister may, if they think fit, by order provide for such extension or modification of the powers and duties of the statutory undertakers as appears to them to be requisite in order to secure the services in question, as mentioned in paragraph (a) of subsection (1) of this section or in the last preceding subsection, or to secure the adjustment in question, as mentioned in paragraph (b) of subsection (1) of this section, as the case may be.
- (5) Without prejudice to the generality of the last preceding subsection, an order under this section may make provision—
- (a) for empowering the statutory undertakers to acquire (whether compulsorily or by agreement) any land specified in the order, and to erect or construct any buildings or works so specified;
 - (b) for applying, in relation to the acquisition of any such land or the construction of any such works, enactments relating to the acquisition of land and the construction of works;
 - (c) where it has been represented that the making of the order is expedient for the purposes mentioned in paragraph (a) of subsection (1) of this section, or in subsection (3) of this section, for giving effect to such financial arrangements between the local authority or Minister and the statutory undertakers as they may agree, or as, in default of agreement, may be determined to be equitable in such manner and by such tribunal as may be specified in the order;
 - (d) for such incidental and supplemental matters as appear to the Minister and the appropriate Minister to be expedient for the purposes of the order.