



Town and Country Planning Act 1962

1962 CHAPTER 38 10 and 11 Eliz 2

PART X

STATUTORY UNDERTAKERS

General provisions

168 Relief of statutory undertakers from obligations rendered impracticable

- (1) Where, on a representation made by statutory undertakers, the appropriate Minister is satisfied that the fulfilment of any obligation incurred by those undertakers in connection with the carrying on of their undertaking has been rendered impracticable by an act or event to which this subsection applies, the appropriate Minister may, if he thinks fit, by order direct that the statutory undertakers shall be relieved of the fulfillment of that obligation, either absolutely or to such extent as may be specified in the order.
- (2) The preceding subsection applies to the following acts and events, that is to say—
 - (a) the compulsory 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, and
 - (b) the acts and events specified in paragraphs (b) to (e) of subsection (2) of section one hundred and sixty-six of this Act.
- (3) As soon as may be after making a representation to the appropriate Minister under subsection (1) of this section, the statutory undertakers shall, as may be directed by the appropriate Minister, either publish (in such form and manner as may be so directed) a notice giving such particulars as may be so directed of the matters to which the representation relates, and specifying the time within which, and the manner in which, objections to the making of an order on the representation may be made, or serve such a notice on such persons, or persons of such classes, as may be so directed, or both publish and serve such notices.

Status: This is the original version (as it was originally enacted).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

- (4) If any objection to the making of an order under this section is duly made and is not withdrawn before the order is made, the order shall be subject to special parliamentary procedure.
- (5) The provisions of subsection (1) of section eleven of this Act shall have effect, subject to any necessary modifications, in relation to an order made under this section as they have effect in relation to a development plan approved by the Minister under Part II of this Act, as if in those provisions any reference to the local planning authority were a reference to the appropriate Minister.
- (6) Subject to the next following subsection, and to the provisions of Part XI of this Act, an order under this section shall become operative on the date on which the notice required by the provisions applied by the last preceding subsection is first published.
- (7) Where in accordance with subsection (4) of this section the order is subject to special parliamentary procedure, the last preceding subsection shall not apply.