



Town and Country Planning Act 1962

1962 CHAPTER 38 10 and 11 Eliz 2

PART XIII

APPLICATION OF ACT TO SPECIAL CASES

Other special cases

205 Ecclesiastical property

- (1) Without prejudice to the provisions of the Acquisition of Land (Authorisation Procedure) Act, 1946, with respect to notices served under that Act, where under any of the provisions of this Act specified in paragraph 1 of the Eighth Schedule thereto a notice is required to be served on an owner of land, and the land is ecclesiastical property, a like notice shall be served on the Church Commissioners.
- (2) Where the fee simple of any ecclesiastical property is in abeyance—
 - (a) if the property is situated elsewhere than in Wales or Monmouthshire, then for the purposes of the provisions of this Act specified in paragraph 3 of the Eighth Schedule thereto the fee simple shall be treated as being vested in the Church Commissioners ;
 - (b) in any case, the fee simple shall, for the purposes of a compulsory acquisition of the property under Part V of this Act, be treated as being vested in the Church Commissioners, and any notice to treat shall be served, or be deemed to have been served, accordingly.
- (3) Any compensation payable under Part VII of this Act in respect of land which is ecclesiastical property shall be paid to the Church Commissioners, to be applied for the purposes for which the proceeds of a sale by agreement of the land would be applicable under any enactment or Measure authorising, or disposing of the proceeds of, such a sale.
- (4) Any sum which under any of the provisions of this Act specified in paragraph 2 of the Eighth Schedule thereto is payable in relation to land which is, or on the appointed day was, ecclesiastical property, and apart from this subsection would be payable to an

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incumbent, shall be paid to the Church Commissioners, to be applied for the purposes mentioned in the last preceding subsection ; and where any sum is recoverable under section one hundred and thirteen, section one hundred and twenty-two or section two hundred and eight of this Act in respect of any such land, the Church Commissioners may apply any money or securities held by them in the payment of that sum.

- (5) In this section “ecclesiastical property ” means land belonging to an ecclesiastical benefice, or being or forming part of a church subject to the jurisdiction of a bishop of any diocese or the site of such a church, or being or forming part of a burial ground subject to such jurisdiction.