



Town and Country Planning Act 1962

1962 CHAPTER 38 10 and 11 Eliz 2

PART IV

ENFORCEMENT OF PLANNING CONTROL

Enforcement where planning permission required

49 Supplementary provisions as to enforcement notices

- (1) Any expenses incurred by the owner or occupier of any land for the purpose of complying with an enforcement notice served in respect of any development, and any sums paid by the owner of any land under the last preceding section in respect of expenses incurred by the local planning authority in taking steps required to be taken by such a notice, shall be deemed to be incurred or paid for the use and at the request of the person by whom the development was carried out.
- (2) Regulations made under this Act may provide that, in relation to any steps required to be taken by an enforcement notice, all or any of the enactments specified in the next following subsection shall apply, subject to such adaptations and modifications as may be specified in the regulations, including, in the case of the enactment specified in paragraph (b) of that subsection, adaptations and modifications for the purpose of affording to the owner of land to which an enforcement notice relates the right, as against all other persons interested in the land, to comply with the requirements of the enforcement notice.
- (3) The said enactments are the following provisions of the Public Health Act, 1936, that is to say—
 - (a) section two hundred and seventy-six (which empowers local authorities to sell materials removed in executing works under that Act, subject to accounting for the proceeds of sale);
 - (b) section two hundred and eighty-nine (which confers power to require the occupier of any premises to permit works to be executed by the owner of the premises);

Status: This is the original version (as it was originally enacted).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

- (c) section two hundred and ninety-two (which confers power on local authorities to include a sum in respect of establishment charges in their expenses in executing works); and
 - (d) section two hundred and ninety-four (which limits the liability of persons holding premises as agents or trustees in respect of the expenses recoverable under that Act).
- (4) Any regulations made in accordance with subsection (2) of this section may provide for the charging on the land of any expenses recoverable by a local authority under the last preceding section.