



Town and Country Planning Act 1962

1962 CHAPTER 38 10 and 11 Eliz 2

PART V

ACQUISITION AND APPROPRIATION OF LAND AND PROVISIONS RELATED THERETO

Acquisition and appropriation of land

69 Compulsory acquisition of building comprised in building preservation order

- (1) Where a building preservation order is in force in respect of a building, and it appears to the Minister that reasonable steps are not being taken for properly preserving the building, the Minister may authorise the council of the county or county borough or county district in which the building is situated to acquire compulsorily under this section the building and any land comprising or contiguous or adjacent to it which appears to the Minister to be required for preserving the building or its amenities, or for affording access to it, or for its proper control or management.
- (2) Where a building preservation order is in force in respect of a building, and it appears to the Minister of Works that reasonable steps are not being taken for properly preserving the building, that Minister may be authorised under this section to acquire compulsorily the building and any land comprising or contiguous or adjacent to it which appears to him to be required as mentioned in the preceding subsection.
- (3) The Acquisition of Land (Authorisation Procedure) Act, 1946, shall apply to the compulsory acquisition of land under this section, and accordingly shall have effect—
 - (a) as if this section had been in force immediately before the commencement of that Act, and
 - (b) as if references therein to the Minister of Transport and to the enactments specified in paragraph (b) of subsection (1) of section one of that Act included respectively references to the Minister of Works and to the provisions of this section.
- (4) Any person having an interest in a building which it is proposed to acquire compulsorily under this section may, within twenty-eight days after the service of the

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notice required to be served under paragraph 3 of the First Schedule to the Acquisition of Land (Authorisation Procedure) Act, 1946, apply to a magistrates' court acting for the petty sessions area within which the building to which the notice relates is situated for an order staying further proceedings on the compulsory purchase order ; and, if the court is satisfied that reasonable steps are being taken for properly preserving the building, the court shall make an order accordingly.

- (5) Any person aggrieved by the decision of a magistrates' court on an application under the last preceding subsection may appeal against that decision to a court of quarter sessions.
- (6) Where a building is acquired under the provisions of subsection (1) of this section, the council of the county or county borough or county district by whom the building is acquired shall observe the provisions of the building preservation order relating to that building.