

SCHEDULES

SEVENTH SCHEDULE

Section 71.

ENACTMENTS AMENDED

The Town and Country Planning Act, 1947

(10 & 11 Geo. 6. c. 51)

- 1 In section twenty, in subsection (4), at the end there shall be added the words " if Part III of the Town and Country Planning Act, 1954, had not been passed ".
- 2 In section ninety-five, in subsection (3), for the words " either of the two last foregoing sections " there shall be substituted the words " section ninety-three of this Act ".
- 3 The following subsection shall be substituted for subsection (2) of section one hundred and twelve:—
 - “(2) For the purposes of paragraph 3 of the said Third Schedule—
 - (a) the erection on land within the curtilage of any such building as is mentioned in that paragraph of an additional building to be used in connection with the original building shall be treated as the enlargement of the original building ; and
 - (b) where any two or more buildings comprised in the same curtilage are used as one unit for the purposes of any institution or undertaking, the reference in the said paragraph 3 to the cubic content of the original building shall be construed as a reference to the aggregate cubic content of those buildings.”
- 4 In the Third Schedule—
 - (a) in paragraph 1, after the words " such building)" there shall be inserted the words " and of any other building in existence at a material date, being a building erected after the appointed day ";
 - (b) in paragraphs 2, 4 and 8, for the words " on the appointed day" there shall in each case be substituted the words " at a material date ";
 - (c) in paragraph 6, for the words " on the appointed day " there shall be substituted, in the first place where those words occur, the words " at a material date " and, in the second place where those words occur, the words " on and at all times since the appointed day " ;
 - (d) in paragraph 7, for the words " on the appointed day" in the first place where they occur there shall be substituted the words " at a material date ", and after the said words in the second place where they occur there shall be inserted the words " or on the day thereafter when the buildings began to be so used ";
 - (e) after paragraph 8 there shall be added the following—

Status: This is the original version (as it was originally enacted).

- “9 In this Schedule, the expression " at a material date " means at either of the following dates, that is to say—
- (a) the appointed day ; or
 - (b) the date by reference to which this Schedule falls to be applied in the particular case in question:

Provided that sub-paragraph (b) of this paragraph shall not apply in relation to any building, works or use of land in respect of which, whether before or after the date mentioned in that sub-paragraph, an enforcement notice served before that date has become or becomes effective.

- 10 Where, after the appointed day, any buildings or works have been erected or constructed, or any use of land has been instituted, and any condition imposed under Part III of this Act limiting the period for which those buildings or works may be retained or that use may be continued is of effect in relation thereto, this Schedule shall not operate except as respects the period specified in that condition.”

The National Parks and Access to the Countryside Act, 1949

(12, 13 & 14 Geo. 6, c. 97)

- 5 In section ninety-seven, in subsection (5), for the words " section ninety-four," there shall be substituted the words " section ninety-three. "

The Mineral Workings Act, 1951

(14 & 15 Geo. 6, c. 60)

- 6 In section three, in subsection (2) for the words " one penny and one-eighth" there shall be substituted the words " twopence farthing " and at the end of the subsection there shall be added the following:—

“Provided that as respects—

- (a) ironstone which immediately before the fifteenth day of February, nineteen hundred and fifty-one, was subject to a full restoring lease ; and
- (b) ironstone in respect of which an order under section seven of this Act was in force immediately before the commencement of section fifty-six of the Town and Country Planning Act, 1954 ; and
- (c) ironstone specified in an order in force under subsection (1) of the said section fifty-six,

the rate of the contributions so payable shall be one penny and one-eighth for each ton so weighed.

- (2A) Where, under subsection (2) of this section, contributions at the rate of twopence, farthing per ton are payable by a lessee under a mining lease or by the person granted a right to work minerals by an order under Part I of the Mines (Working Facilities and Support) Act, 1923, a sum, computed in accordance with the provisions of the Third Schedule to this Act, may,

Status: This is the original version (as it was originally enacted).

notwithstanding anything in the lease or order, be deducted in accordance with the provisions of that Schedule from payments by the lessee under the lease or by that person under the order, or may be otherwise recovered in accordance with those provisions by the lessee or by that person:

Provided that this subsection shall not apply to any mining lease made after the fifteenth day of February and before the first day of August, nineteen hundred and fifty-one, which contained a provision expressly excluding the operation of paragraph (b) of subsection (2) of section six of this Act.”

7 In the Third Schedule—

- (a) in paragraph 1, for the words " the rate required under section six of this Act" there shall be substituted the words " the rate of twopence farthing per ton ";
- (b) in paragraphs 3 and 4, for the words " the first day of July, nineteen hundred and fifty-one " there shall be substituted the words " the date of the commencement of section fifty-six of the Town and Country Planning Act, 1954 ";
- (c) in paragraph 7 for the words " paragraph (b) of subsection (2) of section six " there shall be substituted the words " subsection (2A) of section three ", and for the words " the said paragraph (b)" there shall be substituted the words " the said subsection (2A) " ; and
- (d) after paragraph 7 there shall be added the following—

“8 This Schedule shall apply with any necessary adaptations in relation to an order under Part I of the Mines (Working Facilities and Support) Act, 1923, as if that order were a lease and the person granted thereby a right to work minerals were the lessee under that lease”.

The Town and Country Planning Act, 1953

(1 & 2 Eliz. 2. c. 16)

8 In section two, in paragraph (b) of the proviso to subsection (1), for the words " pending the coming into operation of such an Act" there shall be substituted the words " subject to the provisions of the Town and Country Planning Act, 1954. "