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SCHEDULES

THIRD SCHEDULE

COMPULSORY PURCHASE OF LAND UNDER PART III

PART III

RULES AS TO THE ASSESSMENT OF COMPENSATION WHERE LAND PURCHASED OTHERWISE THAN AT SITE VALUE

- 1 If the tribunal by whom the compensation is to be assessed are satisfied with respect to any premises that the rental thereof was enhanced by reason of their being used for illegal purposes, or being overcrowded within the meaning of Part IV of this Act, the compensation shall, so far as it is based on rental, be based on the rental which would have been obtainable if the premises were occupied for legal purposes, and were not so overcrowded.
- 2 If the tribunal are satisfied that any premises are in a state of defective sanitation, or are not in reasonably good repair, the compensation shall be the estimated value of the premises if put into a sanitary condition, or reasonably good repair, less the estimated expense of putting them into such condition or repair.
- 3 The local authority may tender evidence as to the matters aforesaid, notwithstanding that they have not taken any steps with a view to remedying the defects or evils disclosed by the evidence, but before tendering evidence as to sanitation or repair, the authority shall furnish to the tribunal and to the claimant a statement in writing of the respects in which the premises are alleged to be so defective.
- 4 The tribunal shall have regard to and make an allowance in respect of any increased value which, in their opinion, will be given to other premises of the same owner—
 - (a) where the premises for which compensation is to be assessed are purchased under section fifty-seven of this Act, by the proposed re-development of the area in accordance with the re-development plan ; or
 - (b) in any other case by the demolition by the local authority of any buildings.
- 5 In assessing compensation for premises purchased under section fifty-seven of this Act, the tribunal may take into account and embody in their award any undertaking given by the local authority with respect to the time within which, and the manner in which, the re-development or any part thereof is to be carried out, and the terms of any undertaking so embodied in the award shall be binding on and enforceable against the authority.
- 6 The tribunal shall embody in their award a statement showing separately whether compensation has been reduced by reference to the use of the premises for illegal purposes, to overcrowding, to the considerations mentioned in paragraph 2 of this Part of this Schedule and to the considerations mentioned in paragraph 4 thereof, and the amount, if any, by which compensation has been reduced by reference to each of those matters.