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**Changes to legislation:** Town and Country Planning Act 1990, SCHEDULE 13 is up to date with all changes known to be in force on or before 21 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

## SCHEDULES

### SCHEDULE 13 **E+W**

Section 149.

#### BLIGHTED LAND

*Land allocated for public authority functions in development plans etc.*

- 1 Land indicated in a structure plan in force for the district in which it is situated either—
- (a) as land which may be required for the purposes—
    - (i) of the functions of a government department, local authority [<sup>F1</sup>National Park authority] or statutory undertakers, <sup>F2</sup>. . . , or
    - (ii) of the establishment or running by a public telecommunications operator of a telecommunication system, or
  - (b) as land which may be included in an action area.

#### *Notes*

- (1) In this paragraph the reference to a structure plan in force includes a reference to—
    - [<sup>F3</sup>(a) proposals for the alteration or replacement of a structure plan which have been made available for inspection under section 33(2);
    - (b) any proposed modifications to those proposals which have been published in accordance with regulations under section 53.]
  - (2) Note (1) shall cease to apply when the copies of the proposals made available for inspection have been withdrawn under section [<sup>F4</sup>34].
  - (3) Note (1) shall also cease to apply when—
    - (a) the relevant proposals become operative (whether in their original form or with modifications), or
    - (b) the Secretary of State decides to reject the proposals and notice of the decision has been given by advertisement.
  - (4) In Note (1) references to anything done under any provision include reference to anything done under that provision as it applies by virtue of section 51.
  - (5) This paragraph does not apply to land situated in a district for which a local plan is [<sup>F5</sup>in operation], where that plan—
    - (a) allocates any land in the district for the purposes of such functions as are mentioned in this paragraph; or
    - (b) defines any land in the district as the site of proposed development for the purposes of any such functions.
- [<sup>F6</sup>(5A) In Note (5) the reference to a local plan in operation includes a reference to a minerals local plan, a waste local plan, which in either case is in operation, and to a local plan

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continued in operation by virtue of paragraph 44 of Schedule 4 to the<sup>M1</sup> Planning and Compensation Act 1991.]

- (6) This paragraph does not apply to land within paragraph 5 or 6.
- (7) In the application of this paragraph to Greater London the reference to a structure plan shall be construed as a reference to the Greater London Development Plan [<sup>F7</sup> and Notes (1) to (4) shall be omitted].

#### Textual Amendments

- F1** Words in Sch. 13 para. 1(a)(i) inserted (23.11.1995) by 1995 c. 25, s. 78, **Sch. 10 para. 32(16)** (with ss. 7(6), 115, 117, Sch. 8 para. 7); S.I. 1995/2950, **art. 2(1)**
- F2** Words in Sch. 13 para. 1(a)(i) repealed (31.10.1994) by 1994 c. 21, s. 67, Sch. 9 para. 39(4), **Sch. 11 Pt. II** (with s. 40(7), Sch. 10 para. 12); S.I. 1994/2552, **art. 2**
- F3** Sch. 13 para. 1 Note (1) paras. (a)(b) substituted (25.11.1991 for certain purposes and otherwise 10.2.1992) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), s. 27, **Sch. 4 Pt. II para. 37(1)**(with s. 84(5)); S.I. 1991/2728, **art. 2**; S.I. 1991/2905, **art. 4**
- F4** Word in Sch. 13 para. 1 Note (2) substituted (25.11.1991 for certain purposes and otherwise 10.2.1992) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), s. 27, **Sch. 4 Pt II para. 37(2)**(with s. 84(5)); S.I. 1991/2728, **art. 2**; S.I. 1991/2905, **art. 4**
- F5** Words in Sch. 13 para. 1 Note (5) substituted (25.11.1991 for certain purposes and otherwise 10.2.1992) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), s. 27, **Sch. 4 Pt II para. 37(3)**(with s. 84(5)); S.I. 1991/2728, **art. 2**; S.I. 1991/2905, **art. 4**
- F6** Sch. 13 para. 1 Note (5A) inserted (25.11.1991 for certain purposes and otherwise 10.2.1992) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), s. 27, **Sch. 4 Pt. II para. 37(4)**(with s. 84(5)); S.I. 1991/2728, **art. 2**; S.I. 1991/2905, **art. 4**
- F7** Words in Sch. 13 para. 1 Note (7) substituted (25.11.1991 for certain purposes and otherwise 10.2.1992) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), s. 27, **Sch. 4 Pt II para. 37(5)**(with s. 84(5)); S.I. 1991/2728, **art. 2**; S.I. 1991/2905, **art. 4**

#### Modifications etc. (not altering text)

- C1** Sch. 13 para. 1 applied (with modifications) (1.4.1996) by 1994 c. 19, s. 20(3), **Sch. 5 PT. III para. 21(1)** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1995/3198, **art. 4**, **Sch. 2**

#### Marginal Citations

- M1** 1991 c. 34.

VALID FROM 28/09/2004

[<sup>F8</sup>1A Land which is identified for the purposes of relevant public functions by a development plan document for the area in which the land is situated.

#### Notes

- (1) Relevant public functions are—
- (a) the functions of a government department, local authority, National Park authority or statutory undertakers;
  - (b) the establishment or running by a public telecommunications operator of a telecommunication system.
- (2) For the purposes of this paragraph a development plan document is—

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- (a) a development plan document which is adopted or approved for the purposes of Part 2 of the Planning and Compulsory Purchase Act 2004 (in this paragraph, the 2004 Act);
  - (b) a revision of such a document in pursuance of section 26 of the 2004 Act which is adopted or approved for the purposes of Part 2 of the 2004 Act;
  - (c) a development plan document which has been submitted to the Secretary of State for independent examination under section 20(1) of the 2004 Act;
  - (d) a revision of a development plan document in pursuance of section 26 of the 2004 Act if the document has been submitted to the Secretary of State for independent examination under section 20(1) of that Act.
- (3) But Note (2)(c) and (d) does not apply if the document is withdrawn under section 22 of the 2004 Act at any time after it has been submitted for independent examination.
- (4) In Note (2)(c) and (d) the submission of a development plan document to the Secretary of State for independent examination is to be taken to include the holding of an independent examination by the Secretary of State under section 21 or section 27 of the 2004 Act.]

#### Textual Amendments

- F8** Sch. 13 para. 1A inserted (28.9.2004 for E. and 15.10.2005 for W.) by [Planning and Compulsory Purchase Act 2004 \(c. 5\)](#), ss. 118, 120, 121, [Sch. 6 para. 18\(3\)](#) (with s. 111); S.I. 2004/2202, [art. 2](#) (subject to transitional provisions and savings in [art. 4](#)); S.I. 2005/2847, [art. 2](#) (with transitional provisions and savings in [art. 3](#))

VALID FROM 05/10/2005

**[<sup>F9</sup>1B** Land in Wales which is identified for the purposes of relevant public functions by a local development plan for the area in which the land is situated.

#### Notes

- (1) Relevant public functions are—
- (a) the functions of the National Assembly for Wales, a government department, local authority, National Park authority or statutory undertakers;
  - (b) the establishment or running by a public telecommunications operator of a telecommunications system.
- (2) For the purposes of this paragraph a local development plan is—
- (a) a local development plan which is adopted or approved for the purposes of Part 6 of the Planning and Compulsory Act 2004 (in this paragraph, the 2004 Act);
  - (b) a revision of a local development plan in pursuance of section 70 of the 2004 Act which is adopted or approved for purposes of Part 6 of the 2004 Act;
  - (c) a local development plan which has been submitted to the National Assembly for independent examination under section 64(1) of the 2004 Act;

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- (d) a revision of a local development plan in pursuance of section 70 of the 2004 Act if the plan has been submitted to the National Assembly for independent examination under section 64(1) of that Act.
- (3) But Note (2)(c) and (d) does not apply if the plan is withdrawn under section 66 of the 2004 Act at any time after it has been submitted for independent examination.
- (4) In Note (2)(c) and (d) the submission of a local development plan to the National Assembly for independent examination is to be taken to include the holding of an independent examination by the National Assembly under section 65 or section 71 of the 2004 Act.]

**Textual Amendments**

**F9** Sch. 13 para. 1B inserted (5.10.2005) by [Planning and Compulsory Purchase Act 2004 \(Commencement No. 4 and Consequential, Transitional and Savings Provisions\) \(Wales\) Order 2005 \(S.I. 2005/2722\)](#), [art. 3\(3\)](#) (with [art. 7](#))

- 2 Land which—
- (a) is allocated for the purposes of any such functions as are mentioned in paragraph 1(a)(i) or (ii) by a local plan [<sup>F10</sup>in operation] for the district, or
  - (b) is land defined in such a plan as the site of proposed development for the purposes of any such functions.

*Notes*

[<sup>F11</sup>(1) In this paragraph the reference to a local plan in operation includes a reference to a minerals local plan, a waste local plan, which in either case is in operation, and to a local plan continued in operation by virtue of paragraph 44 of Schedule 4 to the <sup>M2</sup>Planning and Compensation Act 1991, and also includes—

- (a) proposals for the making or alteration and replacement of any such plan where copies of the proposals have been made available for inspection under section 40(2) or by virtue of paragraph 43 of Schedule 4 to the <sup>M3</sup>Planning and Compensation Act 1991; and
- (b) any proposed modifications to those proposals which have been published in accordance with regulations under section 53.]

(2) . . . . .

(3) Note (1) shall <sup>F12</sup>. . . cease to apply when—

- (a) the relevant plan or proposals become operative (whether in their original form or with modifications), or
- (b) the Secretary of State decides to reject, or the local planning authority decide to abandon, the plan or proposals and notice of the decision has been given by advertisement.

(4) In Note (1) references to anything done under any provision include references to anything done under that provision as it applies by virtue of section 51.

<sup>F13</sup>(5) . . . . .

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### Textual Amendments

- F10** Words in **Sch. 13 para. 2** substituted (25.11.1991 for certain purposes and otherwise 10.2.1992) by **Planning and Compensation Act 1991 (c. 34, SIF 123:1)**, s. 27, **Sch. 4 para. 37(6)**(with s. 84(5)); **S.I. 1991/2728, art. 2; S.I. 1991/2905, art. 4**
- F11** **Sch. 13 para. 2** Note (1) substituted (25.11.1991 for certain purposes and otherwise 10.2.1992) by **Planning and Compensation Act 1991 (c. 34, SIF 123:1)**, ss. 27, 84(2)-(4), **Sch. 4 Pt. II para. 37(7)**(with s. 84(5)); **S.I. 1991/2728, art. 2; S.I. 1991/2905, art. 4**
- F12** Word in **Sch. 13 para. 2** Note (3) repealed (25.11.1991 for certain purposes and otherwise 10.2.1992) by **Planning and Compensation Act 1991 (c. 34, SIF 123:1)**, ss. 27, 84(2)-(4)(6), **Sch. 4 para. 37(9)**, **Sch. 19 Pt. I**(with s. 84(5)); **S.I. 1991/2728, art. 2; S.I. 1991/2905, art. 4, Sch. 3**
- F13** **Sch. 13 para. 2** Notes (2), (5) repealed (25.11.1991 for certain purposes and otherwise 10.2.1992) by **Planning and Compensation Act 1991 (c. 34, SIF 123:1)**, ss. 27, 84(6), **Sch. 4 para. 37(8)**, **Sch. 19 Pt. I** (with s. 84(5)); **S.I. 1991/2728, art. 2; S.I. 1991/2905, art. 4, Sch. 3**

### Modifications etc. (not altering text)

- C2** **Sch. 13 para. 2** applied (with modifications) (1.4.1996) by 1994 c. 19, s. 20(3), **Sch. 5 Pt. III para. 22** (with ss. 54(5)(7), 55(5), **Sch. 17 paras. 22(1), 23(2)**); **S.I. 1995/3198, art. 4, Sch. 2**

### Marginal Citations

- M2** 1991 c. 34.  
**M3** 1991 c. 34.

3 Land indicated in a unitary development plan in force [<sup>F14</sup>where the land] is situated—

- (a) as land which may be required for the purpose of any such functions as are mentioned in paragraph 1(a)(i) or (ii), or
- (b) as land which may be included in an action area.

#### Notes

- (1) In this paragraph the reference to a unitary development plan includes references to—
  - (a) a unitary development plan of which copies have been made available for inspection under section [<sup>F15</sup>13(2)];
  - (b) proposals for the alteration or replacement of a unitary development plan of which copies have been made available for inspection under that provision as applied by section 21(2) [<sup>F16</sup>. . .];
  - (c) modifications proposed to be made by the local planning authority or the Secretary of State to any such plan or proposals as are mentioned in paragraph (a) or (b), being modifications of which notice has been given in accordance with regulations under Chapter I of Part II.
- (2) Note (1) shall cease to apply when the copies of the plan or proposals made available for inspection have been withdrawn under section [<sup>F17</sup>. . . 14(2)] (but section 14(4) shall not invalidate any blight notice served by virtue of Note (1) before the withdrawal of copies of the plan or proposals).
- (3) Note (1) shall also cease to apply when—
  - (a) the relevant plan or proposals become operative (whether in their original form or with modifications), or

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- (b) the Secretary of State decides to reject, or the local planning authority decide to withdraw, the plan or proposals and notice of the decision has been given by advertisement.

- (4) In Note (1) references to anything done under any provision include references to anything done under that provision as it applies by virtue of section 25(2).

#### Textual Amendments

- F14** Words in **Sch. 13 para. 3** substituted (1.4.1996) by 1994 c. 19, s. 20(4), **Sch. 6 Pt. II para. 24(16)** (with ss. 54(5)(7), 55(5), **Sch. 17 paras. 22(1), 23(2)**); S.I. 1996/396, art. 3, **Sch. 1**
- F15** Words in **Sch. 13 para. 3 Note (1)(a)** substituted (25.11.1991 for certain purposes and otherwise 10.2.1992) by **Planning and Compensation Act 1991 (c. 34, SIF 123:1), s. 27, Sch. 4 Pt. II para. 37(10)(a)**(with s. 84(5)); S.I. 1991/2728, **art. 2**; S.I. 1991/2905, **art. 4**
- F16** Words in **Sch. 13 para. 3 Note (1)(b)** repealed (25.11.1991 for certain purposes and otherwise 10.2.1992) by **Planning and Compensation Act 1991 (c. 34, SIF 123:1), ss. 27, 84(6), Sch. 4 Pt. II para. 37(10)(b), Sch. 19 Pt. I**(with s. 84(5)); S.I. 1991/2728, **art. 2**; S.I. 1991/2905, art. 4, **Sch. 3**
- F17** Words in **Sch. 13 para. 3 Note (2)** repealed (25.11.1991 for certain purposes and otherwise 10.2.1992) by **Planning and Compensation Act 1991 (c. 34, SIF 123:1), ss. 27, 84(6), Sch. 4 Pt. II para. 37(11), Sch. 19 Pt. I**(with s. 84(5)); S.I. 1991/2728, **art. 2**; S.I. 1991/2905, art. 4, **Sch. 3**

- 4 Land which by a unitary development plan is allocated for the purposes, or defined as the site, of proposed development for any such functions as are mentioned in paragraph 1(a)(i) or (ii).

#### Notes

- (1) In this paragraph the reference to a unitary development plan includes references to—
  - (a) a unitary development plan of which copies have been made available for inspection under section <sup>F18</sup>13(2);
  - (b) proposals for the alteration or replacement of a unitary development plan of which copies have been made available for inspection under that provision as applied by section 21(2) <sup>F19</sup>. . . ;
  - (c) modifications proposed to be made by the local planning authority or the Secretary of State to any such plan or proposals as are mentioned in paragraph (a) or (b), being modifications of which notice has been given in accordance with regulations under Chapter I of Part II.
- (2) Note (1) shall cease to apply when the copies of the plan or proposals made available for inspection have been withdrawn under section <sup>F20</sup>. . . 14(2) (but section 14(4) shall not invalidate any blight notice served by virtue of Note (1) before the withdrawal of copies of the plan or proposals).
- (3) Note (1) shall also cease to apply when—
  - (a) the relevant plan or proposals become operative (whether in their original form or with modifications), or
  - (b) the Secretary of State decides to reject, or the local planning authority decide to withdraw, the plan or proposals and notice of the decision has been given by advertisement.
- (4) In Note (1) references to anything done under any provision include references to anything done under that provision as it applies by virtue of section 25(2).



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#### Textual Amendments

- F18** Words in [Sch. 13 para. 4 Note \(1\)\(a\)](#) substituted (25.11.1991 for certain purposes and otherwise 10.2.1992) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 27, [Sch. 4 Pt. II para. 37\(12\)\(a\)](#) (with s. 84(5)); S.I. 1991/2728, [art. 2](#); S.I. 1991/2905, [art.4](#)
- F19** Words in [Sch. 13 para. 4 Note \(1\)\(b\)](#) repealed (25.11.1991 for certain purposes and otherwise 10.2.1992) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), ss. 27, 84(6), [Sch. 4 Pt. II para. 37\(12\)\(b\)](#), Sch. 19 Pt.I (with s. 84(5)); S.I. 1991/2728, [art. 2](#); S.I. 1991/2905, [art.4](#), [Sch. 3](#)
- F20** Words in [Sch. 13 para. 4 Note \(2\)](#) repealed (25.11.1991 for certain purposes and otherwise 10.2.1992) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), ss. 27, 84(6), Sch. 4 Pt. II para. 37(13), [Sch. 19 Pt.I](#) (with s. 84(5)); S.I. 1991/2728, [art. 2](#); S.I. 1991/2905, [art.4](#), [Sch. 3](#)

- 5 Land indicated in a plan (other than a development plan) approved by a resolution passed by a local planning authority for the purpose of the exercise of their powers under Part III as land which may be required for the purposes of any [<sup>F21</sup>such functions as are mentioned in paragraph 1(a)(i) or (ii).]

#### Textual Amendments

- F21** Words in [Sch. 13 para. 5](#) substituted (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 32, [Sch. 7 para.56](#) (with s. 84(5)); S.I. 1991/2067, [art.3](#) (subject to art. 4)

- 6 Land in respect of which a local planning authority—
- have resolved to take action to safeguard it for development for the purposes of any such functions as are mentioned in paragraph 5, or
  - have been directed by the Secretary of State to restrict the grant of planning permission in order to safeguard it for such development.

#### *New towns and urban development areas*

- 7 Land within an area described as the site of a proposed new town in the draft of an order in respect of which a notice has been published under paragraph 2 of Schedule 1 to the <sup>M4</sup>New Towns Act 1981.

#### *Note*

Land shall cease to be within this paragraph when—

- the order comes into operation (whether in the form of the draft or with modifications), or
- the Secretary of State decides not to make the order.

#### Marginal Citations

- M4** 1981 c. 64

- 8 Land within an area designated as the site of a proposed new town by an order which has come into operation under section 1 of the New Towns Act 1981.
- 9 Land which is—

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- (a) within an area intended to be designated as an urban development area by an order which has been made under section 134 of the <sup>M5</sup>Local Government, Planning and Land Act 1980 but has not come into effect; or
- (b) within an area which has been so designated by an order under that section which has come into effect.

**Marginal Citations**

**M5** 1980 c. 65.

*Clearance and renewal areas*

- 10 Land within an area declared to be a clearance area by a resolution under section 289 of the <sup>M6</sup>Housing Act 1985.

**Marginal Citations**

**M6** 1985 c. 68.

- 11 Land which—
- (a) is surrounded by or adjoining an area declared to be a clearance area by a resolution under section 289 of the <sup>M7</sup>Housing Act 1985, and
  - (b) is land which a local authority have determined to purchase under section 290 of that Act.

**Marginal Citations**

**M7** 1985 c. 68.

- 12 Land indicated by information published in pursuance of section 92 of the <sup>M8</sup>Local Government and Housing Act 1989 as land which a local authority propose to acquire in exercise of their powers under Part VII of that Act (renewal areas).

**Marginal Citations**

**M8** 1989 c. 42.

*Highways*

- 13 Land indicated in a development plan (otherwise than by being dealt with in a manner mentioned in paragraphs 1, 2, 3 and 4) as—
- (a) land on which a highway is proposed to be constructed, or
  - (b) land to be included in a highway as proposed to be improved or altered.
- 14 Land on or adjacent to the line of a highway proposed to be constructed, improved or altered, as indicated in an order or scheme which has come into operation under Part II of the <sup>M9</sup>Highways Act 1980 (or under the corresponding provisions of Part II of the <sup>M10</sup>Highways Act 1959 or section 1 of the <sup>M11</sup>Highways Act 1971), being



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land in relation to which a power of compulsory acquisition conferred by any of the provisions of Part XII of that Act of 1980 (including a power compulsorily to acquire any right by virtue of section 250) may become exercisable, as being land required for purposes of construction, improvement or alteration as indicated in the order or scheme.

#### Notes

- (1) In this paragraph the reference to an order or scheme which has come into operation includes a reference to an order or scheme which has been submitted for confirmation to, or been prepared in draft by, the Minister of Transport or the Secretary of State under Part II of that Act of 1980 and in respect of which a notice has been published under paragraph 1, 2 or 10 of Schedule 1 to that Act.
- (2) Note (1) shall cease to apply when—
  - (a) the relevant order or scheme comes into operation (whether in its original form or with modifications), or
  - (b) the Secretary of State decides not to confirm or make the order or scheme.
- (3) In this paragraph the reference to land required for purposes of construction, improvement or alteration as indicated in an order or scheme includes a reference to land required for the purposes of section 246(1) of the Highways Act 1980.

#### Marginal Citations

- M9** 1980 c. 66.  
**M10** 1959 c. 25.  
**M11** 1971 c. 41.

- 15 Land shown on plans approved by a resolution of a local highway authority as land comprised in the site of a highway as proposed to be constructed, improved or altered by that authority.
- [<sup>F22</sup>16 Land comprised in the site of a highway as proposed to be constructed, improved or altered by the Secretary of State if he has given written notice of the proposal, together with maps or plans sufficient to identify the land in question, to the local planning authority.]

#### Textual Amendments

- F22** Sch. 13 para. 16 substituted (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 70, [Sch. 15 Pt. 1 para. 14\(1\)](#); S.I. 1991/2067, [art.3](#) (subject to [art. 4](#))

- 17 Land shown on plans approved by a resolution of a local highway authority as land proposed to be acquired by them for the purposes of section 246(1) of the <sup>M12</sup>Highways Act 1980.

#### Marginal Citations

- M12** 1980 c. 66

- 18 Land shown in a written notice given by the Secretary of State to the local planning authority as land proposed to be acquired by him for the purposes of section 246(1)

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of the Highways Act 1980 in connection with a [<sup>F23</sup>highway] which he proposes to provide.

#### Textual Amendments

**F23** Words in Sch. 13 para. 18 substituted (25.9.1991) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), s. 70, Sch. 15 Pt. I para. 14(2)(with s. 84(5)); S.I. 1991/2067, art.3 (subject to art. 4)

#### *New streets*

19 Land which—

(a) either—

(i) is within the outer lines prescribed by an order under section 188 of the Highways Act 1980 (orders prescribing minimum width of new streets) or section 159 of the <sup>M13</sup>Highways Act 1959 (which is the predecessor of that section); or

(ii) has a frontage to a highway declared to be a new street by an order under section 30 of the <sup>M14</sup>Public Health Act 1925 and lies within the minimum width of the street prescribed by any byelaws or local Act applicable by virtue of the order; and

(b) is, or is part of—

(i) a dwelling erected before, or under construction on, the date on which the order is made; or

(ii) the curtilage of any such dwelling.

#### *Note*

This paragraph does not include any land in which the appropriate authority have previously acquired an interest either in pursuance of a blight notice served by virtue of this paragraph or by agreement in circumstances such that they could have been required to acquire it in pursuance of such a notice.

#### Marginal Citations

**M13** 1959 c. 25.

**M14** 1925 c. 71.

#### *General improvement areas*

20 Land indicated by information published in pursuance of section 257 of the <sup>M15</sup>Housing Act 1985 as land which a local authority propose to acquire in the exercise of their powers under the provisions of Part VIII of that Act relating to general improvement areas.

#### Marginal Citations

**M15** 1985 c. 68.

*Status: Point in time view as at 01/04/1996. This version of this schedule contains provisions that are not valid for this point in time.*

**Changes to legislation:** Town and Country Planning Act 1990, SCHEDULE 13 is up to date with all changes known to be in force on or before 21 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

### Compulsory purchase

- 21 Land authorised by a special enactment to be compulsorily acquired, or land falling within the limits of deviation within which powers of compulsory acquisition conferred by a special enactment are exercisable.
- 22 Land in respect of which—
- (a) a compulsory purchase order is in force; or
  - (b) there is in force a compulsory purchase order providing for the acquisition of a right or rights over that land;
- and the appropriate authority have power to serve, but have not served, notice to treat in respect of the land or, as the case may be, the right or rights.

#### Notes

- (1) This paragraph applies also to land in respect of which—
- (a) a compulsory purchase order has been submitted for confirmation to, or been prepared in draft by, a Minister, and
  - (b) a notice has been published under paragraph 3(1)(a) of Schedule 1 to the <sup>M16</sup>Acquisition of Land Act 1981 or under any corresponding enactment applicable to it.
- (2) Note (1) shall cease to apply when—
- (a) the relevant compulsory purchase order comes into force (whether in its original form or with modifications); or
  - (b) the Minister concerned decides not to confirm or make the order.

#### Marginal Citations

**M16** 1981 c. 67.

- [<sup>F24</sup>23 Land—
- (a) the compulsory acquisition of which is authorised by an order under section 1 or 3 of the Transport and Works Act 1992, or
  - (b) which falls within the limits of deviation within which powers of compulsory acquisition conferred by such an order are exercisable, or
  - (c) which is the subject of a proposal, contained in an application made in accordance with rules under section 6 of that Act or in a draft order prepared under section 7(3) of that Act, that it should be such land.]

#### Textual Amendments

**F24** Sch. 13 para. 23 added (1.1.1993) by Transport and Works Act 1992 (c. 42), s. 16(2); S.I. 1992/2784, art. 2(a), Sch. 1

VALID FROM 06/04/2009

- [<sup>F25</sup>24 Land falls within this paragraph if—
- (a) the compulsory acquisition of the land is authorised by an order granting development consent, or

*Status: Point in time view as at 01/04/1996. This version of this schedule contains provisions that are not valid for this point in time.*

**Changes to legislation:** Town and Country Planning Act 1990, SCHEDULE 13 is up to date with all changes known to be in force on or before 21 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (b) the land falls within the limits of deviation within which powers of compulsory acquisition conferred by an order granting development consent are exercisable, or
- (c) an application for an order granting development consent seeks authority to compulsorily acquire the land.]

#### Textual Amendments

**F25** Sch. 13 para. 24 inserted (6.4.2009 for certain purposes and otherwise 1.3.2010) by Planning Act 2008 (c. 29), ss. 175(2), 241 (with s. 226); S.I. 2009/400, art. 3; S.I. 2010/101, art. 4 (with art. 6)

VALID FROM 06/04/2009

*[<sup>F26</sup>Land identified in national policy statements*

#### Textual Amendments

**F26** Sch. 13 para. 25 and cross-heading inserted (6.4.2009 for certain purposes and otherwise 1.3.2010) by Planning Act 2008 (c. 29), ss. 175(2), 241 (with s. 226); S.I. 2009/400, art. 3; S.I. 2010/101, art. 4 (with art. 6)

25 Land falls within this paragraph if the land is in a location identified in a national policy statement as suitable (or potentially suitable) for a specified description of development.

#### Note

Land ceases to fall within this paragraph when the national policy statement—

- (a) ceases to have effect, or
- (b) ceases to identify the land as suitable or potentially suitable for that description of development.]

**Status:**

Point in time view as at 01/04/1996. This version of this schedule contains provisions that are not valid for this point in time.

**Changes to legislation:**

Town and Country Planning Act 1990, SCHEDULE 13 is up to date with all changes known to be in force on or before 21 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.