



# Town and Country Planning Act 1990

## 1990 CHAPTER 8

### PART VI

#### RIGHTS OF OWNERS ETC. TO REQUIRE PURCHASE OF INTERESTS

### CHAPTER II

#### INTERESTS AFFECTED BY PLANNING PROPOSALS: BLIGHT

#### *Blight notices*

#### **154 Effect of valid blight notice.**

- (1) Subsection (2) applies where a blight notice has been served and either—
  - (a) no counter-notice objecting to that notice is served in accordance with this Chapter; or
  - (b) where such a counter-notice has been served, the objection is withdrawn or, on a reference to the [<sup>F1</sup>Upper Tribunal], is not upheld by the Tribunal.
- (2) Where this subsection applies, the appropriate authority shall be deemed—
  - (a) to be authorised to acquire compulsorily under the appropriate enactment the interest of the claimant in the hereditament, or in the case of an agricultural unit the interest of the claimant in so far as it subsists in the affected area, and
  - (b) to have served a notice to treat in respect of it on the date mentioned in subsection (3).
- (3) The date referred to in subsection (2)—
  - (a) in a case where, on a reference to the [<sup>F1</sup>Upper Tribunal], the Tribunal determines not to uphold the objection, is the date specified in directions given by the Tribunal in accordance with section 153(7);
  - (b) in any other case, is the date on which the period of two months beginning with the date of service of the blight notice comes to an end.

*Status: Point in time view as at 13/07/2022.*

*Changes to legislation: Town and Country Planning Act 1990, Section 154 is up to date with all changes known to be in force on or before 14 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)*

- (4) Subsection (5) applies where the appropriate authority have served a counter-notice objecting to a blight notice on the grounds mentioned in section 151(4)(c) and either—
- (a) the claimant, without referring that objection to the [F1Upper Tribunal], and before the time for so referring it has expired—
    - (i) gives notice to the appropriate authority that he accepts the proposal of the authority to acquire the part of the hereditament or affected area specified in the counter-notice, and
    - (ii) withdraws his claim as to the remainder of that hereditament or area;
 

or
  - (b) on a reference to the [F1Upper Tribunal], the Tribunal makes a declaration in accordance with section 153(6) in respect of that part of the hereditament or affected area.
- (5) Where this subsection applies, the appropriate authority shall be deemed—
- (a) to be authorised to acquire compulsorily under the appropriate enactment the interest of the claimant in so far as it subsists in the part of the hereditament or affected area specified in the counter-notice (but not in so far as it subsists in any other part of that hereditament or area), and
  - (b) to have served a notice to treat in respect of it on the date mentioned in subsection (6).
- (6) The date referred to in subsection (5)—
- (a) in a case falling within paragraph (a) of subsection (4), is the date on which notice is given in accordance with that paragraph; and
  - (b) in a case falling within paragraph (b) of that subsection, is the date specified in directions given by the [F1Upper Tribunal] in accordance with section 153(7).

#### **Textual Amendments**

- F1** Words in s. 154(1)(b)(3)(a)(4)(a)(b)(6)(b) substituted (1.6.2009) by [The Transfer of Tribunal Functions \(Lands Tribunal and Miscellaneous Amendments\) Order 2009 \(S.I. 2009/1307\)](#), art. 5(1)(2), **Sch. 1 para. 199**

**Status:**

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