



Town and Country Planning Act 1932

1932 CHAPTER 48

Compensation and Betterment.

22 Making of claims for compensation or betterment.

- (1) A claim under this Act for compensation or in respect of an increase in the value of any property shall be made by serving upon the authority, council or person from whom the amount alleged to be payable is claimed, a notice in writing stating the grounds of the claim and the amount claimed.
- (2) Subject to the provisions of this Act, a claim under this Act for compensation may be made within twelve months after the date on which the provision giving rise to the claim came into operation or within such longer period as may be specified in the scheme, or, if the claim is a claim for compensation in respect of action taken by a responsible authority under section thirteen of this Act, or in respect of the coming into operation of an order under section seventeen of this Act, or in respect of expenditure rendered abortive by the variation or revocation of a scheme, within twelve months after the date on which the action was completed, or the order came into operation, or the variation or revocation of the scheme became operative.
- (3) Where it is alleged that land which, at or within two years before the material date, formed the site of a building has been injuriously affected by a provision fixing, in relation to any street or proposed street, a line beyond which no building in that street or proposed street may project, then, subject to any agreement to the contrary, the period within which a claim for compensation may be made in respect of that land shall be a period of twelve months after the date on which a new building is erected on the site in conformity with the line so fixed:

Provided that, if in the case of any such land a claimant alleges in his claim, and proves to the satisfaction of the arbitrator, that it is not reasonably practicable to erect any new building on that land in conformity with the line so fixed, and, where the building is standing at the date on which the scheme comes into operation, has before commencing to demolish the building given notice to the responsible authority in accordance with the provisions of the next succeeding subsection, a claim made by him at any time within a period of twelve months after the date on which the building

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is demolished or the date on which the scheme comes into operation, whichever last occurs, shall be deemed to be validly made and shall be entertained by the arbitrator.

- (4) A person who intends to claim compensation in respect of any such land as is mentioned in the proviso to the last preceding subsection shall, if the building is standing at the date on which the scheme comes into operation, not less than three months before he commences to demolish the building, give notice in writing of his intention to the responsible authority, and that authority may, at any time before the expiration of two months from the receipt by them of the notice, require him to sell to them the site and the buildings thereon, and thereupon the provisions of this Act with respect to the compulsory acquisition of land by a responsible authority shall apply in relation to that site and any buildings thereon as they apply in relation to land required by such an authority for the purposes of a scheme.
- (5) Where it is alleged that property has been injuriously affected by the execution of any work, the period within which a claim in respect of that injurious affection may be made shall be a period of twelve months after the completion of the work.