



# Town and Country Planning Act 1932

## 1932 CHAPTER 48

### *Procedure with respect to Schemes.*

#### **7 Notices in relation to the making of, or under, schemes.**

- (1) Where a resolution to prepare or adopt a scheme has taken effect, the local authority or joint committee who passed the resolution, shall within the period specified in the next succeeding subsection—
- (a) publish a notice of the resolution in the London Gazette and at least once during each of two successive weeks, with an interval between each publication of at least six clear days, in a local newspaper; and
  - (b) serve in the prescribed manner a like notice, in the case of every hereditament in the area to which the resolution applies, on the person shown as the occupier thereof in the latest assessment to income tax under Schedule A of the Income Tax Act, 1918, as amended by any subsequent enactment, and also upon the person so shown as the owner thereof.

In this subsection the expression " latest assessment, " in relation to any hereditament, means the last assessment to tax in respect of that hereditament allowed by the commissioners for the general purposes of the income tax before the date on which the resolution takes effect.

- (2) A notice required by the last preceding subsection to be published and served in the manner therein mentioned shall be published in the London Gazette and once at least in a local newspaper within fourteen days, and be served within six months, after the date when the resolution takes effect, and shall contain—
- (a) a concise statement of the effect of the resolution, together with information as to the place and times at which a map defining the area to which the resolution applies may be inspected; and
  - (b) a statement as to the right of persons concerned to have their names and addresses registered for the purpose of the service of subsequent notices; and
  - (c) in the case of a notice to be served on any person, a direction to the recipient to transmit it forthwith to the person, if any, to whom he pays rent for the property.

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- (3) A local authority or joint committee who are required under the foregoing provisions of this section to serve notices of a resolution may require the surveyor of taxes for the area to which the resolution applies to furnish to them, on payment at a rate not exceeding five shillings for every hundred entries numbered separately, a list of the names and addresses of the owners and occupiers within the said area as shown in assessments to income tax under Schedule A of the Income Tax Act, 1918, as amended by any subsequent enactment, being the assessments last allowed by the Commissioners for the general purposes of the income tax before such date as may be specified in the requisition.
- (4) For facilitating the service of subsequent notices, the local authority or joint committee by whom the resolution to prepare or adopt a scheme was passed shall compile a register of names and addresses in accordance with the provisions hereafter in this section contained.
- (5) Until the coming into operation of the scheme it shall be the duty of the authority by whom the register was compiled to keep and maintain the register, and after the coming into operation of the scheme it shall be kept and maintained by such authority as may be provided in the scheme, and the scheme may provide for different portions of the register being kept and maintained by different authorities and for all authorities concerned having reasonable access to any part of the register, and shall contain such provisions with respect to the keeping and maintenance of the register as appear to be necessary, including provisions for securing that information as to the custody of the register, or the different portions thereof, is given to persons concerned.
- (6) Any person who is, or claims to be, an owner of any property in the area to which the resolution applies, and any association representing owners of property within the district of the local authority or the districts of the local authorities represented on the joint committee by whom the resolution was passed, and any local association representing business or industry, may from time to time by notice in writing, specifying in the case of an owner the property of which he claims to be the owner, require the local authority or committee who for the time being have charge of the register, or of the appropriate portion thereof, to register his or their name and address free of charge, in the case of an owner, in respect of the property specified in the notice and, in the case of an association, in respect of the district of the local authority or the districts of the local authorities represented on the joint committee by whom the resolution was passed.

An authority or committee shall comply with any notice given to them under this subsection, and shall inform the person or association concerned that his or their name and address have been duly registered.

- (7) Where by virtue of this Act or any regulation made thereunder a public notice is required to be given of any thing done or proposed to be done, or of any action taken or proposed to be taken, by a local authority, joint committee, or responsible authority, or the Minister, under the resolution, or under or by virtue of any scheme made in pursuance thereof, a copy of the notice shall be served on every person whose name and address appear in the register in respect of any property which will be affected, and on every association whose name and address appear in the register, and, if any subsequent resolution for the preparation or adoption of a scheme is passed by the local authority or joint committee who passed the original resolution, or by any authority represented on that committee and is approved by the Minister notice of the resolution shall be given to every association whose name and address appear in the register:

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Provided that—

- (a) at any time after the expiration of three years from the time when a request for registration or re-registration was last made by any person or association, the authority having charge of the register or of the relevant portion thereof may, by notice in writing, require that person or association to state within a period of one month whether he or they desire that his or their name and address shall be registered afresh, and unless within the said period a request for re-registration is duly made, the said authority may remove the name of that person or association from the register; and
  - (b) the authority may at any time, with the consent of any person or association, remove the name of that person or association from the register.
- (8) The provisions of this section—
- (a) shall not apply in relation to the service of any notice relating to the compulsory acquisition of land under this Act; and
  - (b) shall apply in relation to the service of notices in connection with a resolution to prepare or adopt a supplementary scheme under this Act or a scheme varying an existing scheme to such extent only, and subject to such modifications, if any, as may be prescribed.