



Town and Country Planning Act 1968

1968 CHAPTER 72

PART V

BUILDINGS OF ARCHITECTURAL OR HISTORIC INTEREST

Other measures open to local planning authority and the Minister

51 Repairs notice as preliminary to compulsory acquisition.

- (1) Neither a council nor the Minister shall start the compulsory purchase of a building under section 50 above unless at least two months previously they have served on the owner of the building, and not withdrawn, a notice under this section (referred to in this section as a "repairs notice")—
 - (a) specifying the works which they consider reasonably necessary for the proper preservation of the building; and
 - (b) explaining the effect of sections 50 to 53 of this Act.
- (2) Where a council or the Minister have served a repairs notice, the demolition of the building thereafter shall not prevent them from being authorised under section 50 above to acquire compulsorily the site of the building, if the Minister is satisfied that he would have confirmed or, as the case may be, would have made a compulsory purchase order in respect of the building had it not been demolished.
- (3) A council or the Minister may at any time withdraw a repairs notice served by them; and if they do so, they shall forthwith give notice of the withdrawal to the person who was served with the notice.
- (4) A person on whom there has been served a repairs notice shall not in any case be entitled to serve a purchase notice under section 129 of the principal Act or section 42 of this Act until the expiration of three months beginning with the date of the service of the repairs notice; and if during the said period of three months the council or the Minister start the compulsory acquisition of the building in the exercise of their powers under section 50 above, the person shall not be so entitled unless and until the compulsory acquisition is discontinued.

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (5) For the purposes of this section a compulsory acquisition—
- (a) is started when the council or the Minister, as the case may be, serve the notice required by paragraph 3(1)(b) of Schedule 1 to the Act of 1946 ; and
 - (b) is discontinued, in the case of acquisition by a council, when they withdraw the compulsory purchase order or the Minister decides not to confirm it and, in the case of acquisition by the Minister, when he decides not to make the compulsory purchase order.