



# 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

##### *Miscellaneous and supplementary provisions*

#### **168 Meaning of “owner-occupier” and “resident owner-occupier”.**

- (1) Subject to the following provisions of this section, in this Chapter “owner-occupier”, in relation to a hereditament, means—
  - (a) a person who occupies the whole or a substantial part of the hereditament in right of an owner’s interest in it, and has so occupied the hereditament or that part of it during the whole of the period of six months ending with the date of service; or
  - (b) if the whole or a substantial part of the hereditament was unoccupied for a period of not more than 12 months ending with that date, a person who so occupied the hereditament or, as the case may be, that part of it during the whole of a period of six months ending immediately before the period when it was not occupied.
- (2) Subject to the following provisions of this section, in this Chapter “owner-occupier”, in relation to an agricultural unit, means a person who—
  - (a) occupies the whole of that unit and has occupied it during the whole of the period of six months ending with the date of service; or
  - (b) occupied the whole of that unit during the whole of a period of six months ending not more than 12 months before the date of service,

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**Status:** Point in time view as at 06/04/2009.

**Changes to legislation:** *Town and Country Planning Act 1990, Section 168 is up to date with all changes known to be in force on or before 20 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)*

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and, at all times material for the purposes of paragraph (a) or, as the case may be, paragraph (b) has been entitled to an owner's interest in the whole or part of that unit.

- (3) In this Chapter “resident owner-occupier”, in relation to a hereditament, means—
- (a) an individual who occupies the whole or a substantial part of the hereditament as a private dwelling in right of an owner's interest in it, and has so occupied the hereditament or, as the case may be, that part during the whole of the period of six months ending with the date of service; or
  - (b) if the whole or a substantial part of the hereditament was unoccupied for a period of not more than 12 months ending with that date, an individual who so occupied the hereditament or, as the case may be, that part during the whole of a period of six months ending immediately before the period when it was not occupied.
- (4) In this section—
- “owner's interest”, in relation to a hereditament or agricultural unit, means a freehold interest in it or a tenancy of it granted or extended for a term of years certain not less than three years of which remain unexpired on the date of service; and
  - “date of service”, in relation to a hereditament or agricultural unit, means the date of service of a notice in respect of it under section 150.

**Status:**

Point in time view as at 06/04/2009.

**Changes to legislation:**

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