# SCHEDULES

## FIRST SCHEDULE

Sections 1, 6.

### MODIFICATION OF PROVISIONS OF PRINCIPAL ACT AS TO DEVELOPMENT VALUE

*Modification in certain cases where land acquired by public authority*

1 (1) The three next following paragraphs shall have effect where an interest in land was compulsorily acquired by a public authority possessing compulsory purchase powers in pursuance of a notice to treat served on or after the date of the passing of the principal Act and before the first day of July, nineteen hundred and forty-eight, and the compensation paid did not exceed the amount provided for by section fifty-five of the principal Act (which provided for compensation on the basis of the existing use value of the land).

(2) The said paragraphs shall also have effect where an interest in land was purchased by such an authority in pursuance of a contract made on or after the date of the passing of the principal Act and before the said first day of July, at a price which did not exceed the amount of the compensation which would have been payable in accordance with the said section fifty-five if the transaction had been a compulsory acquisition.

(3) In those paragraphs the expression " the relevant land " means the land an interest in which was acquired or purchased as mentioned in either of the preceding sub-paragraphs, and the expression " the relevant interest" means the interest which was so acquired or purchased.

2 Where any works for the erection or alteration of a building had been begun but not completed on the relevant land before the day on which the notice to treat was served or the contract made, as the case may be, subsection (3) of section seventy-eight of the principal Act (which provides that the development value of land containing unfinished buildings shall be calculated as if the buildings were completed) shall not apply for the purpose of determining the development value of the relevant interest.

3 Where after the notice to treat was served or the contract made, as the case may be, the Minister issued in respect of the relevant land or any part thereof a certificate under section eighty of the principal Act (which, as respects land certified as ripe for development before the said first day of July, provides that the prospective value of the development for which the land was ripe shall be disregarded), the development value of the relevant interest shall be determined as if the certificate had not been issued.

4 Where the acquisition or purchase was not completed until after the said first day of July, but before that day the acquiring authority had carried out on the relevant land works for the erection or alteration of a building; or had on the relevant land constructed roads or provided sewers or other services, the provisions of subsection (2) of section ninety-one of the principal Act (which makes special provision as to compulsory acquisitions initiated and completed between the passing of that Act and the first day of July, nineteen hundred and forty-eight),

and those provisions as applied by subsection (4) of that section (which relates to acquisitions by agreement by public authorities), shall apply as if they extended to acquisitions completed after the said first day of July in pursuance of a notice to treat served, or a contract made, after the passing of the principal Act but before that day:

Provided that where the acquiring authority had carried out on the relevant land any such operations as aforesaid before the service of the notice to treat, or the making of the contract, as the case may be, those provisions shall so apply as if, in paragraph (a) of the said subsection (2), the reference to the state of the land as it was immediately before the date of the notice to treat were a reference to the state of the land immediately before those operations were begun.

5 Subsection (3) of section ninety-one of the principal Act (which requires development values to be adjusted where an interest in land is compulsorily acquired), and that subsection as applied by subsection (4) of that section, shall not apply to any acquisition of an interest in land in pursuance of a notice to treat served, or a contract made, after the commencement of this Act.

*Requisitioned land*

6 Where land was requisitioned land on the first day of July, nineteen hundred and forty-eight, and during the period of requisition a value payment under the War Damage Act, 1943, became payable in respect of that land, section eighty-nine of the principal Act (which provides for calculating the development value of an interest in requisitioned land by reference to the state of the land immediately before the beginning of the period of requisition) shall apply for determining the development value of any interest in that land, with the modification that regard shall be had, not to the actual state of the land immediately before the beginning of the period of requisition, but to what that state would have been at the beginning of that period if the war damage had occurred immediately before the beginning thereof.

7 Where in the case of any requisitioned land the period of requisition ended before the said first day of July but on or after the date of the coming into operation of section ten of the Requisitioned Land and War Works Act, 1948 (which provides for restricting compensation for damage to the land to an amount calculated by reference to the existing use value of the land at the time when it was requisitioned), the development value of any interest in that land shall be determined as if the land had continued to be requisitioned land on the said first day of July and section eighty-nine of the principal Act had applied to it accordingly.

*Compensation for abortive expenditure*

8 Where the development value of an interest in land, determined apart from this paragraph, would be wholly or partly attributable to the carrying out of work which was subsequently rendered abortive—

(a) by an order made before the commencement of this Act whereby permission to develop land was revoked or modified ; or

(b) by a planning decision made before the commencement of this Act whereby permission to complete buildings or works was refused, or was granted subject to conditions,

and compensation has become payable under subsection (1) of section twenty-two of the principal Act, or, as the case may be, under subsection (1) of section

seventy-nine of that Act, in respect of expenditure incurred before the first day of July, nineteen hundred and forty-eight, being expenditure so incurred wholly or partly in the carrying out of that work, then, in determining that development value, there shall be deducted an amount equal to so much of the compensation as was attributable to that work.

*Other modifications*

9 In determining the development value of an interest in land—

(a) no account shall be taken of any enforcement notice taking effect after the commencement of this Act by virtue of section seventy-five of the principal Act (which relates to development contravening planning control under previous enactments);

(b) account shall be taken of any enforcement notice taking effect by virtue of that section before the commencement of this Act, notwithstanding that the notice took effect after that development value would apart from this paragraph have been deemed to be finally determined.

10 Where, in determining the development value of an interest in land before the commencement of this Act, Rule (3) of the Rules set out in section two of the Acquisition of Land (Assessment of Compensation) Act, 1919, was disregarded, notwithstanding the provisions of subsection (1) of section sixty-two of the principal Act (which required that Rule, together with other rules, to be applied in determining development values), the said subsection (1) shall apply, and be deemed always to have applied, in relation to the determination of the development value of that interest, as if the reference in that subsection to the said Rule (3) had been omitted.

11 Where a determination made before the commencement of this Act under Part VI of the principal Act related—

(a) to the fee simple of a parcel of land and to a leasehold interest in the same or a different parcel of land ; or

(b) to two or more leasehold interests, whether in the same or in different parcels of land,

the development values of those interests shall be re-determined separately as if that determination had not been made.

12 Where a claim was made for a payment under the scheme referred to in subsection (2) of section one of this Act, but payment in respect of the interest to which the claim related would have been excluded by section eighty-five of the principal Act by virtue of a direction given under subsection (5) of the said section eighty-five, the Minister, on application made to him at any time within six months after the commencement of this Act, may direct that the provisions of the principal Act and of this Act shall have effect in relation to that claim as if the direction under subsection (5) of the said section eighty-five had not been given.

## SECOND SCHEDULE

Sections 2, 49, 52.

### CLAIMS PLEDGED TO CENTRAL LAND BOARD AS SECURITY FOR DEVELOPMENT CHARGES

1 (1) In this Schedule, and in the other provisions of this Act, references to the pledging of a claim holding to the Central Land Board are references to any transaction whereby—

(a) the holder of the claim holding mortgaged it to the Board as security, or part of the security, for one or more development charges determined, or thereafter to be determined, by the Board; or

(b) the holder and the Board agreed that a development charge determined by the Board should be set off against any payment which might thereafter become payable to the holder by reference to that holding; or

(c) the Board refrained from determining a development charge, which would otherwise have fallen to be determined by them, in consideration of a mortgage of the holding (with or without other claim holdings).

(2) All pledges of claim holdings to the Central Land Board made by the same person, whether or not made at the same time, Other than any pledge to which sub-paragraph (1) of paragraph 2 of this Schedule applies, shall for the purposes of this Schedule be treated collectively as a single pledge made at the time when the last of those pledges was made.

(3) Where a development charge covered by a pledge to the Central Land Board was determined in respect of land which constitutes the whole or part of the area of a claim holding not comprised in the pledge, being a holding of which the holder is the person who would, apart from the pledge, be liable to pay the unpaid balance of the development charge, then, for the purposes of this Schedule, that claim holding shall be deemed to be comprised in the pledge.

(4) In this Schedule references to the determination of a development charge in respect of any land are references to a determination of the Central Land Board that the charge was payable in respect of the carrying out of operations in, on, over or under that land, or in respect of the use of that land.

(5) For the purposes of this Schedule the amount of a development charge—

(a) in a case where the Central Land Board determined that amount as a single capital payment, shall be taken to have been the amount of that payment;

(b) in a case where the Board determined that amount otherwise than as a single capital payment, shall be taken to have been the amount of the single capital payment which would have been payable if the Board had determined the amount as such a payment;

and references in this Schedule to the unpaid balance of a development charge are references to the amount of the charge, if no sum was actually paid to the Board on account of the charge, or, if any sum was so paid, are references to the amount of the charge reduced by the amount or aggregate amount of the sum or sums so paid, other than any sum paid by way of interest.

(6) In relation to the pledging of a claim holding to the Central Land Board, references in this Schedule to a development charge covered by the pledge are references to a development charge the payment of which was secured, or partly secured, by the pledge, or, as the case may be, which was agreed to be set off against any payment which might become payable by reference to the holding.

(7) References in this Schedule to a mortgage of a claim holding do not include a mortgage which has been discharged.

2 (1) Where a claim holding was pledged to the Central Land Board in accordance with the special arrangements relating to owners of single house plots, the claim holding shall, subject to the next following sub-paragraph, be deemed to have been extinguished as from the time when it was pledged to the Board.

(2) Where a claim holding (in this sub-paragraph referred to as " the original holding ") was pledged as mentioned in the preceding sub-paragraph, but was so pledged by reference to a plot of land which did not extend to the whole of the area of the original holding, the preceding sub-paragraph shall not apply, but there shall be deemed to have been substituted for the original holding, as from the time of the pledge, a claim holding with an area consisting of so much of the area of the original holding as was not comprised in that plot of land, and with a value equal to that fraction of the value of the original holding which then attached to so much of the area of the original holding as was not comprised in that plot.

3 Without prejudice to the last preceding paragraph, where a pledge to the Central Land Board comprised one or more claim holdings, and the unpaid balance of the development charge covered by the pledge, or (if more than one) the aggregate of the unpaid balances of the development charges so covered, was equal to or greater than the value of the claim holding, or the aggregate value of the claim holdings, as the case may be, the holding or holdings shall be deemed to have been extinguished as from the time of the pledge.

4 Where a pledge to the Central Land Board comprised only a single claim holding with an area of which every part either consisted of, or formed part of, the land in respect of which some development charge covered by the pledge was determined, and the last preceding paragraph does not apply, the unpaid balance of the development charge covered by the pledge, or, if more than one, the aggregate of the unpaid balances of all the development charges covered by the pledge, shall be deducted from the value of the holding, and the value of that holding shall be deemed to have been reduced accordingly as from the time of the pledge.

5 (1) The provisions of this paragraph shall have effect in the case of a pledge of one or more claim holdings to the Central Land Board to which neither of the two last preceding paragraphs applies.

(2) Any claim holding comprised in the pledge with an area of which every part either consisted of, or formed part of, the land in respect of which some development charge covered by the pledge was determined shall be allocated to the development charge in question or, if more than one, to those development charges collectively.

(3) Any claim holding comprised in the pledge with an area part of which did, and part of which did not, consist of, or form part of, such land as aforesaid shall be treated as if, at the time of the pledge, the claim holding (in this sub-paragraph referred to as " the parent holding ") had been divided into two separate claim holdings, that is to say—

(a) a claim holding with an area consisting of so much of the area of the parent holding as consisted of, or formed part of, such land as aforesaid and with a value equal to that fraction of the value of the parent holding which then attached to that part of the area of the parent holding ; and

(b) a claim holding with an area consisting of the residue of the area of the parent holding and with a value equal to that fraction of the value of the parent holding which then attached to the residue of the area of the parent holding,

and the claim holding referred to in head (a) of this sub-paragraph shall be allocated to the development charge in question, or, if more than one, to those development charges collectively.

(4) Paragraph 3 or 4 of this Schedule shall then apply in relation to each claim holding, if any, allocated in accordance with the two last preceding sub-paragraphs to any development charge, or to any development charges collectively, as if the pledge had

comprised only that claim holding and had covered only that development charge or those development charges.

(5) If after the application of the preceding provisions of this paragraph there remains outstanding any claim holding not allocated in accordance with those provisions, or any claim holding so allocated which has been reduced in value but not extinguished, an amount equal to the aggregate of—

(a) the unpaid balance of any development charge covered by the pledge to which no claim holding was allocated as aforesaid ; and

(b) the amount, if any, by which the value of any claim holding allocated as aforesaid which is deemed to have been extinguished falls short of the unpaid balance of the development charge, or the aggregate of the unpaid balances of the development charges, to which it was so allocated,

shall be deducted from the value of the claim holding so remaining outstanding, or, if more than one, shall be deducted rateably from the respective values of those claim holdings, and the value of any such holding shall be deemed to have been reduced accordingly as from the time of the pledge.

## THIRD SCHEDULE

Section 2.

### PAYMENTS UNDER SECTION FIFTY-NINE OF PRINCIPAL ACT

1 (1) This Schedule applies to payments which have become payable, or become payable after the commencement of this Act, by virtue of the scheme made under section fifty-nine of the principal Act.

(2) In relation to such a payment, the expression " the payment area" in this Schedule means the land in respect of which the payment became or becomes payable, and references to the amount of the payment shall be construed as references to the principal amount thereof, excluding any interest payable thereon under subsection (3) of section sixty-five of the principal Act.

(3) In this Schedule the expression " the date of the scheme" means the date of the coming into operation of the scheme made under the said section fifty-nine.

2 The provisions of this Schedule shall have effect where a payment to which this Schedule applies has become, or becomes, payable in respect of an interest in land and a claim holding related, or would apart from this Schedule have related, to the like interest in the whole or part of that land with or without any other land.

3 If the payment area is identical with the area of the claim holding, then—

(a) if the amount of the payment is equal to the value of the claim holding, the claim holding shall be deemed to have been extinguished as from the date of the scheme ;

(b) if the amount of the payment is less than the value of the claim holding, the value of the claim holding shall be deemed to have been reduced, as from the date of the scheme, by the amount of the payment.

4 (1) If the payment area forms part of the area of the claim holding, the holding (in this paragraph referred to as " the parent holding ") shall be treated, as from the date of the scheme, as having been divided into two claim holdings, that is to say—

(a) a claim holding with an area consisting of that part of the area of the parent holding which constituted the payment area, and with a value equal to that

fraction of the value of the parent holding which attached to that part of the area of the parent holding ; and

(b) a claim holding with an area consisting of the residue of the area of the parent holding, and with a value equal to that fraction of the value of the parent holding which attached to the residue of the area of the parent holding.

(2) Where the preceding sub-paragraph applies, the last preceding paragraph shall have effect in relation to the claim holding referred to in head (a) of the preceding sub-paragraph as if it were the parent holding.

5 If the payment area includes the area of the claim holding together with other land, paragraph 3 of this Schedule shall apply as if—

(a) the payment area had been identical with the area of the claim holding ; but

(b) the amount of the payment had been so much of the actual amount thereof as might reasonably be expected to have been attributed to the area of the claim holding if, under the scheme made under section fifty-nine of the principal Act, the authority determining the amount of the payment had been required (in accordance with the same principles as applied to the determination of that amount) to apportion it as between the area of the claim holding and the rest of the payment area.

6 If the payment area includes part of the area of the claim holding together with other land not comprised in the area of the claim holding—

(a) paragraph 4 of this Schedule shall apply as if the part of the payment area comprised in the area of the claim holding had 'been the whole of the payment area; and

(b) the last preceding paragraph shall apply as if the part of the area of the claim holding comprised in the payment area had been the whole of the area of the claim holding.

## FOURTH SCHEDULE

Sections 18, 65.

### CALCULATION OF VALUE OF PREVIOUS DEVELOPMENT OF LAND

1 Where under any provision of this Act the value of any development of land initiated before a time referred to in that provision has to be ascertained with reference to that time, the value of the development shall be calculated in accordance with the provisions of this Schedule.

2 The said value shall be calculated by reference to prices current at the time in question—

(a) as if the development had not been initiated but the land had remained in the state in which it was immediately before the development was initiated ; and

(b) on the assumption that (apart from the principal Act) the development could at that time lawfully be carried out,

and shall be taken to be the difference between the value which in those circumstances the land would have had at that time if permission for that development had been granted unconditionally immediately before that time and the value which in those circumstances the land would have had at that time if permission for that development had been applied for and refused immediately before that time, and it could be assumed that permission for that development,

and any other new development of that land, would be refused on any subsequent application:

Provided that, if the development involved the clearing of any land, the reference in sub-paragraph (a) of this paragraph to the state of the land immediately before the development shall be construed as a reference to the state of the land immediately after the clearing thereof but before the carrying out of any other operations.

3 If the development was initiated in pursuance of planning permission granted subject to conditions, the last preceding paragraph shall apply as if the reference to the granting of permission unconditionally were a reference to the granting of permission subject to the like conditions.

4 If the permission referred to in the last preceding paragraph was granted subject to conditions which consisted of, or included, a requirement expressed by reference to a specified period, the reference in that paragraph to the like conditions shall be construed, in relation to the condition imposing that requirement, as a reference to a condition imposing the like requirement in respect of a period of like duration beginning at the time in question.

5 In the application of the preceding provisions of this Schedule to development initiated, but not completed, before the time in question, references to permission for that development shall be construed as references to permission for so much of that development as had been carried out before that time.

## FIFTH SCHEDULE

Section 31.

### APPORTIONMENT OF UNEXPENDED BALANCE OF ESTABLISHED DEVELOPMENT VALUE

*Determination of relevant area*

1 (1) Where, in the case of a compulsory acquisition to which Part III of this Act applies, any area of the relevant land which, immediately before the service of the notice to treat, has an unexpended balance of established development value does not satisfy the conditions set out in the next following sub-paragraph, that area shall be treated as divided into as many separate areas as may be requisite to ensure that each of those separate areas satisfies those conditions.

(2) The conditions referred to in the preceding sub-paragraph are—

(a) that all the interests (other than excepted (interests) subsisting in the area in question subsist in the whole thereof; and

(b) that any rentcharge charged on the area in question is charged on the whole thereof.

(3) Any area of the relevant land which has an unexpended balance of established development value and which complies with the conditions set out in the last preceding sub-paragraph is in this Schedule referred to in relation to the interests subsisting therein as " the relevant area ", and the subsequent provisions of this Schedule shall have effect separately in relation to each relevant area.

*Preliminary calculations*

2 There shall be calculated the amount referable to the relevant area of the rent which might reasonably be expected to be reserved if the relevant land were to be let on terms prohibiting the carrying out of any new development but permitting the carrying out of any other development; and the amount so calculated is in this Schedule referred to as " the existing use rent".

3 (1) If—

(a) in the case of an interest in fee simple which is subject to a rentcharge; or

(b) in the case of a tenancy,

so much of the rent reserved under the rentcharge or tenancy as is referable to the relevant area exceeds the existing use rent, there shall be calculated the capital value of the right to receive for the period of the remainder of the term of the rentcharge or tenancy an annual payment equal to the excess ; and any amount so calculated in the case of any interest is in this Schedule referred to as " the rental liability " of that interest.

(2) Where the interest in fee simple is subject to more than one rentcharge, then, for the purposes of the preceding sub-paragraph, as respects any period included in the term of two or more of those rentcharges, those two or more rentcharges shall be treated as a single rentcharge charged on the relevant area for the duration of that period with a rent reserved thereunder of an amount equal to the aggregate of so much of their respective rents as is referable to the relevant area.

4 In the case of any interest in reversion—

(a) there shall be calculated the capital value as at the time immediately before the service of the notice to treat of the right to receive a sum equal to the unexpended balance of established development value of the relevant area at that time, but payable at the expiration of the tenancy upon the termination of which the interest in question is immediately expectant; and the amount so calculated in the case of any interest is in this Schedule referred to as " the reversionary development value " of that interest;

(b) if so much of the rent reserved under the tenancy aforesaid as is referable to the relevant area exceeds the existing use rent, there shall also be calculated the capital value as at the time aforesaid of the right to receive for the period of the remainder of the term of that tenancy an annual payment equal to the excess; and any amount so determined in the case of any interest is in this Schedule referred to as " the rental increment" of that interest.

*Apportionment of unexpended balance between interests*

5 Where two or more interests other than excepted interests subsist in the relevant area, the portion of the unexpended balance of established development value of the relevant area attributable to each respectively of those interests shall be taken to be the following, that is to say—

(a) in the case of the interest in fee simple, an amount equal to the reversionary development value of that interest less the amount, if any, by which any rental liability of that interest exceeds any rental increment thereof;

(b) in the case of a tenancy in reversion, an amount equal to the reversionary development value of that tenancy less the aggregate of—

(i) the reversionary development value of the interest in reversion immediately expectant upon the termination of that tenancy ; and

(ii) the amount, if any, by which any rental liability of that tenancy exceeds any rental increment thereof ;

(c) in the case of a tenancy other than a tenancy in reversion, the remainder, if any, of the said balance after the deduction of the aggregate of—

(i) the reversionary development value of the interest in reversion immediately expectant upon the termination of that tenancy ; and

(ii) any rental liability of that tenancy.

*Interpretation*

6 In this Schedule—

(a) the expression " tenancy" does not include an excepted interest;

(b) any reference to an interest or tenancy in reversion does not include an interest or tenancy in reversion immediately expectant upon the termination of an excepted interest.

## SIXTH SCHEDULE

Sections 34, 67.

SPECIAL CLASSES OF LAND FOR WHICH PLANNING PERMISSION IS TO BE TAKEN INTO ACCOUNT ON COMPULSORY ACQUISITION

1 Land which, on the date of service of the notice to treat, is land to which section eighty-two of the principal Act applies.

2 Land acquired by a local authority under Part I of the Town and Country Planning Act, 1944, or under Part IV of the principal Act, for the purposes of the development or re-development of any area as a whole, and land appropriated by a local authority for those purposes, where the relevant interest is the interest of that authority in that land.

3 Land acquired by a development corporation under the New Towns Act, 1946, where the relevant interest is the interest of that corporation in that land.

4 Land which, on the date of service of the notice to treat, is operational land of statutory undertakers, where the relevant interest is the interest of those undertakers in that land.

5 Land which, on the date of service of the notice to treat, is land of the National Coal Board of a class specified in regulations made under section ninety of the principal Act, where the relevant interest is the interest of the National Coal Board in that land.

6 Land to which section eighty-five of the principal Act applies on the date of service of the notice to treat and applied on the first day of July, nineteen hundred and forty-eight.

7 Land which would have been such land as is referred to in any of the preceding paragraphs if the notice to treat had been served on the date of the granting of the planning permission in question.

8 Land to which, by virtue of a direction of the Minister under subsection (5) of section eighty-five of the principal Act, any of the provisions of that section applied on the date of the granting of the planning permission in question.

## SEVENTH SCHEDULE

Section 71.

### ENACTMENTS AMENDED

### *The Town and Country Planning Act, 1947*

### *(10 & 11 Geo. 6. c. 51)*

1 In section twenty, in subsection (4), at the end there shall be added the words " if Part III of the Town and Country Planning Act, 1954, had not been passed ".

2 In section ninety-five, in subsection (3), for the words " either of the two last foregoing sections " there shall be substituted the words " section ninety-three of this Act ".

3 The following subsection shall be substituted for subsection (2) of section one hundred and twelve:—

"(2) For the purposes of paragraph 3 of the said Third Schedule—

(a) the erection on land within the curtilage of any such building as is mentioned in that paragraph of an additional building to be used in connection with the original building shall be treated as the enlargement of the original building ; and

(b) where any two or more buildings comprised in the same curtilage are used as one unit for the purposes of any institution or undertaking, the reference in the said paragraph 3 to the cubic content of the original building shall be construed as a reference to the aggregate cubic content of those buildings."

4 In the Third Schedule—

(a) in paragraph 1, after the words " such building)" there shall be inserted the words " and of any other building in existence at a material date, being a building erected after the appointed day ";

(b) in paragraphs 2, 4 and 8, for the words " on the appointed day" there shall in each case be substituted the words " at a material date ";

(c) in paragraph 6, for the words " on the appointed day " there shall be substituted, in the first place where those words occur, the words " at a material date " and, in the second place where those words occur, the words " on and at all times since the appointed day " ;

(d) in paragraph 7, for the words " on the appointed day" in the first place where they occur there shall be substituted the words " at a material date ", and after the said words in the second place where they occur there shall be inserted the words " or on the day thereafter when the buildings began to be so used ";.

(e) after paragraph 8 there shall be added the following—

"9 In this Schedule, the expression " at a material date " means at either of the following dates, that is to say—

(a) the appointed day ; or

(b) the date by reference to which this Schedule falls to be applied in the particular case in question:

Provided that sub-paragraph (b) of this paragraph shall not apply in relation to any building, works or use of land in respect of which, whether before or after the date mentioned in that sub-paragraph, an enforcement notice served before that date has become or becomes effective.

10 Where, after the appointed day, any buildings or works have been erected or constructed, or any use of land has been instituted, and any condition imposed under Part III of this Act limiting the period for which those buildings or works may be retained or that use may be continued is of effect in relation thereto, this Schedule shall not operate except as respects the period specified in that condition."

### *The National Parks and Access to the Countryside Act, 1949*

### *(12, 13 & 14 Geo. 6, c. 97)*

5 In section ninety-seven, in subsection (5), for the words " section ninety-four," there shall be substituted the words " section ninety-three. "

### *The Mineral Workings Act, 1951*

### *(14 & 15 Geo. 6. c. 60)*

6 In section three, in subsection (2) for the words " one penny and one-eighth" there shall be substituted the words " twopence farthing " and at the end of the subsection there shall be added the following:—

"Provided that as respects—

(a) ironstone which immediately before the fifteenth day of February, nineteen hundred and fifty-one, was subject to a full restoring lease ; and

(b) ironstone in respect of which an order under section seven of this Act was in force immediately before the commencement of section fifty-six of the Town and Country Planning Act, 1954 ; and

(c) ironstone specified in an order in force under subsection (1) of the said section fifty-six,

the rate of the contributions so payable shall be one penny and one-eighth for each ton so weighed.

(2A) Where, under subsection (2) of this section, contributions at the rate of twopence, farthing per ton are payable by a lessee under a mining lease or by the person granted a right to work minerals by an order under Part I of the Mines (Working Facilities and Support) Act, 1923, a sum, computed in accordance with the provisions of the Third Schedule to this Act, may, notwithstanding anything in the lease or order, be deducted in accordance with the provisions of that Schedule from payments by the lessee under the lease or by that person under the order, or may be otherwise recovered in accordance with those provisions by the lessee or by that person:

Provided that this subsection shall not apply to any mining lease made after the fifteenth day of February and before the first day of August, nineteen hundred and fifty-one, which contained a provision expressly excluding the operation of paragraph (b) of subsection (2) of section six of this Act."

7 In the Third Schedule—

(a) in paragraph 1, for the words " the rate required under section six of this Act" there shall be substituted the words " the rate of twopence farthing per ton ";

(b) in paragraphs 3 and 4, for the words " the first day of July, nineteen hundred and fifty-one " there shall be substituted the words " the date of the commencement of section fifty-six of the Town and Country Planning Act, 1954 ";

(c) in paragraph 7 for the words " paragraph (b) of subsection (2) of section six " there shall be substituted the words " subsection (2A) of section three ", and for the words " the said paragraph (b)" there shall be substituted the words " the said subsection (2A) " ; and

(d) after paragraph 7 there shall be added the following—

"8 This Schedule shall apply with any necessary adaptations in relation to an order under Part I of the Mines (Working Facilities and Support) Act, 1923, as if that order were a lease and the person granted thereby a right to work minerals were the lessee under that lease".

*The Town and Country Planning Act, 1953*

*(1 & 2 Eliz. 2. c. 16)*

8 In section two, in paragraph (b) of the proviso to subsection (1), for the words " pending the coming into operation of such an Act" there shall be substituted the words " subject to the provisions of the Town and Country Planning Act, 1954. "

## EIGHTH SCHEDULE

Section 71.

### ENACTMENTS REPEALED

| Session and Chapter | Short title | Extent of repeal |
|---|---|---|
| 10 & 11 Geo. 6. c. 51. | The Town and Country Planning Act, 1947. | In section twenty-two, the proviso to subsection (1), subsection (5), and in subsection (6) the words from " or a" to " section twenty of this Act" and the words from " or as " to " said section twenty"; subsections (3) and (4) of section eighty-three; section ninety-four; in section ninety- |

| Session and Chapter | Short title | Extent of repeal |
|---|---|---|
| | | five, subsection (1), and the words " or section ninety-four " in subsection (2); and subsection (4) of section one hundred and nineteen. |
| 14 & 15 Geo. 6. c. 60. | The Mineral Workings Act, 1951. | Sections five to seven; sections twenty-nine and thirty; subsection (1) of section thirty-one; in section thirty-nine, the words " section seven " in subsection (1), and in subsection (2) the words from " an order " to " or containing"; and the Second Schedule. |
| 1 & 2 Eliz. 2. c. 16. | The Town and Country Planning Act, 1953. | In section two, in the proviso to subsection (1), paragraph (a), and in paragraph (b) the word " but" and sub-paragraph (ii); and in section three, paragraph (a) of subsection (1) and subsections (5) and (7). |

TABLE OF STATUTES REFERRED TO IN THIS ACT

| Short Title | Session and Chapter |
|---|---|
| Lands Clauses Consolidation Act, 1845 | 8 & 9 Vict. c. 18. |
| Licensing (Consolidation) Act, 1910 | 10 Edw. 7. & 1 Geo, 5. c. 24. |
| Acquisition of Land (Assessment of Compensation) Act, 1919 | 9 & 10 Geo. 5. c. 57. |
| Mines (Working Facilities and Support) Act, 1923 | 13 & 14 Geo. 5. c. 20. |
| Settled Land Act, 1925 | 15 & 16 Geo. 5. c. 18. |
| Law of Property Act, 1925 | 15 & 16 Geo. 5. c. 20. |
| Land Charges Act, 1925 | 15 & 16 Geo. 5. c. 22. |
| Universities and College Estates Act, 1925 | 15 & 16 Geo. 5. c. 24. |
| Town and Country Planning Act, 1932 | 22 & 23 Geo. 5. c. 48. |
| Restriction of Ribbon Development Act, 1935 | 25 & 26 Geo. 5. c. 47. |
| Compensation (Defence) Act, 1939 | 2 & 3 Geo. 6. c. 75. |
| National Loans Act, 1939 | 2 & 3 Geo. 6. c. 117. |

| Short Title | Session and Chapter |
|---|---|
| War Damage Act, 1943 | 6 & 7 Geo. 6. c. 21. |
| Town and Country Planning Act, 1944 | 7 & 8 Geo. 6. c. 47. |
| New Towns Act, 1946 | 9 & 10 Geo. 6. c. 68. |
| Transport Act, 1947 | 10 & 11 Geo. 6. c. 49. |
| Town and Country Planning Act, 1947 | 10 & 11 Geo. 6. c. 51. |
| Requisitioned Land and War Works Act, 1948 | 11 & 12 Geo. 6. c. 17.. |
| Companies Act, 1948 | 11 & 12 Geo. 6. c. 38. |
| National Parks and Access to the Countryside Act, 1949 | 12, 13 & 14 Geo. 6. c. 97. |
| Mineral Workings Act, 1951 | 14 & 15 Geo. 6. c. 60. |
| Town and Country Planning Act, 1953 | 1 & 2 Eliz. 2. c. 16. |