



# Town and Country Planning Act 1954

## 1954 CHAPTER 72

### PART IV

#### COMPENSATION FOR REVOCATION OR MODIFICATION OF PLANNING PERMISSION

#### **41 Recovery, on subsequent development, of compensation under s. 22 of principal Act**

- (1) Subsections (1) to (8) of section twenty-nine of this Act shall have effect in relation to notices registered under the provisions of section twenty-eight of this Act as applied by the preceding provisions of this Part of this Act as they have effect in relation to notices registered under the said section twenty-eight:

Provided that, in a case where the compensation to which this Part of this Act applies specified in such a notice became payable in respect of an order modifying planning permission, the said section twenty-nine shall not apply to development in accordance with that permission as modified by the order.

- (2) Subject to the next following subsection, any sum recovered by the Minister under the said section twenty-nine as applied by the preceding subsection shall be paid to the local planning authority who paid the compensation for depreciation to which that sum relates.
- (3) In paying any such sum to the local planning authority, the Minister shall deduct therefrom—
- (a) the amount of any contribution paid by him under the last preceding section in respect of the compensation to which the sum relates;
  - (b) the amount of any grant paid by him under Part IX of the principal Act in respect of that compensation:

Provided that, if the sum recovered by the Minister is an instalment of the total sum recoverable, or is recovered by reference to development of part of the land in respect of which the compensation was payable, any deduction to be made under paragraph (a) or paragraph (b) of this subsection shall be a deduction of such amount as the Minister may determine to be the proper proportion of the amount referred to in that paragraph.