SCHEDULES.

FIRST SCHEDULE

Section 1.

PROVISIONS AS TO ORDERS UNDER S. I.

- Where the Minister proposes to make an order under section one of this Act, he shall prepare a draft of the order, describing the area to be designated as the site of the proposed new town by reference to a map, either with or without descriptive matter (which, in the case of any discrepancy with the map, shall prevail except in so far as may be otherwise provided by the draft order) together with such statement as the Minister considers necessary for indicating the size and general character of the proposed new town.
- Before making the order the Minister shall publish in the London Gazette, in one or more newspapers circulating in the locality in which the proposed new town will be situated, and in such other newspapers, if any, as he considers appropriate in the circumstances, a notice—
 - (a) describing the area to be designated as the site of the proposed new town;
 - (b) stating that the draft of an order under section one of this Act lias been prepared by the Minister in relation thereto and is about to be considered by him;
 - (c) naming a place within the said area where a copy of the draft Order (including any map or descriptive matter annexed thereto) and of the statement required by the foregoing paragraph, may be seen at all reasonable hours; and
 - (d) specifying the time (not being less than twenty-eight days from the publication of the notice in the Gazette) within which, and the manner in which, objections to the proposed order may be made,

and shall, not later than the date on which the notice is published in the Gazette, serve a like notice on the council of the county and of the county district in which the land, or any part of the land, to which the order relates is situated, and on any other local authority who appear to him to be concerned with the order.

- If any objection is duly made to the proposed order and is not withdrawn, the Minister shall, before making the order, cause a public local inquiry to be held with respect thereto, and shall consider the report of the person by whom the inquiry was held.
- Subject to the provisions of the last foregoing paragraph the Minister may make the order either in terms of the draft or subject to such modifications as he thinks fit:
 - Provided that, except with the consent of all persons interested, the Minister shall not make the order subject to a modification including in the area designated as the site of the proposed new town any land not so designated in the draft order.
- As soon as may be after an order has been made as aforesaid, the Minister shall publish in the London Gazette, in one or more newspapers circulating in the locality in which the proposed new town will be situated, and in such other newspapers, if any as he considers appropriate in the circumstances, a notice stating that the order

has been made and naming a place within the area designated by the order as the site of the proposed new town where a copy of the order may be seen at all reasonable hours, and shall serve a like notice—

- (a) on any local authority on whom notice of the proposed order was served under paragraph 2 of this Schedule; and
- (b) on any other person who has duly made an objection to the proposed order and, at the time of making it or thereafter, has sent to the Minister a request in writing to serve him with the notice required by this paragraph, specifying an address for service.

SECOND SCHEDULE

Section 2.

CONSTITUTION OF DEVELOPMENT CORPORATIONS.

Appointment of members and tenure of office.

The members of a development corporation (in this Schedule referred to as " the corporation ") shall be appointed by the Minister after consultation with such local authorities as appear to him to be concerned with the development of the new town, and in appointing members of the corporation the Minister shall have regard to the desirability of securing the services of one or more persons resident in or having special knowledge of the locality in which the new town will be situated.

The Minister shall appoint two of the members to be respectively chairman and deputy chairman of the corporation.

- Subject to the following provisions of this Schedule, a member of the corporation, and the chairman and deputy chairman of the Corporation shall hold and vacate office as such in accordance with the terms of the instrument by which they are respectively appointed.
- If the chairman or deputy chairman of the corporation ceases to be a member of the corporation, he shall also cease to be chairman or deputy chairman, as the case may be.
- Any member of the corporation may, by notice in writing addressed to the Minister, resign his membership, and the chairman 6r deputy chairman may, by the like notice, resign his office as such.
- 5 If the Minister is satisfied that a member of the corporation—
 - (a) has become bankrupt or made an arrangement with his creditors;
 - (b) is incapacitated by physical or mental illness; or
 - (c) has been absent from meetings of the corporation for a period longer than three consecutive months without the permission of the corporation; or
 - (d) is otherwise unable or unfit to discharge the functions of a member, or is unsuitable to continue as a member,

the Minister may remove him from his office as a member of the corporation.

A member of the corporation who ceases to be a member or ceases to be chairman or deputy chairman shall be eligible for reappointment.

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Remuneration.

The corporation shall pay to their members, in respect of their office as such, such remuneration and such reasonable allowances in respect of expenses properly incurred in the performance of their duties as may be determined by the Minister with the consent of the Treasury, and shall pay to the chairman and deputy chairman, in respect of their office as such, such additional remuneration as may be so determined.

Meetings and proceedings.

- The quorum of the corporation and the arrangements relating to their meetings shall, subject to any directions given by the Minister, be such as the corporation may determine.
- 9 The validity of any proceeding of the corporation shall not be affected by any vacancy among their members or by any defect in the appointment of any of their members.

Instruments, etc.

- The fixing of the seal of the corporation shall be authenticated by the signature of the chairman or of some other member authorised either generally or specially by the corporation to act for that purpose.
- Any contract or instrument which, if made or executed by a person not being a body corporate, would not be required to blunder seal may be made or executed on behalf of the corporation by any person generally or specially authorised by them to act for that purpose.
- Any document purporting to be a document duly executed under the seal of the corporation shall be received in evidence and shall, unless the contrary is proved, be deemed to be so executed.

THIRD SCHEDULE

Section 3.

ENACTMENTS WHICH MAY BE SUSPENDED UNDER SECTION THREE.

Any enactment contained in a local Act.

Any order, bye-law or regulation, under whatever authority made.

The Public Health (Buildings in Streets) Act, 1888.

Sections thirty-three and thirty-four of the Public Health Act, 1925.

Section five of the Roads Improvement Act, 1925.

Section one or section two of the Restriction of Ribbon Development Act, 1935.

Section one hundred and seven of the Public Health Act, 1936.

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FOURTH SCHEDULE

Section 23.

MODIFICATIONS OF PROVISIONS OF THE TOWN AND COUNTRY PLANNING ACT, 1944, AS APPLIED BY THIS ACT.

General Modifications.

- For references to an order under section one of that Act, and to land as to which such an order is in force or land designated by such an order, there shall be substituted respectively references to an order under section one of this Act, and to land within the area designated by such an order as the site of a new town.
- For references to a compulsory purchase order under that Act, or under Part I of that Act, or under any enactment contained in that Part, and to the compulsory purchase or acquisition of land thereunder, there shall be substituted respectively references to a compulsory purchase order under this Act, or under any enactment contained in or incorporated with this Act, and to the compulsory purchase or acquisition of land thereunder.
- For references to land or buildings acquired for the purposes of Part I of that Act there shall be substituted references to land or buildings acquired for the purposes of this Act.
- For references to the purchase or acquisition of land by a Minister, and to land acquired by a Minister, there shall be substituted respectively references to the purchase or acquisition of land by the Minister of Transport, and to land acquired by that Minister.
- For references to a local planning authority (except the reference to paragraph (a) of subsection (2) of section twenty-three) there shall be substituted references to a development corporation.
- References to land appropriated for the purposes of Part I of that Act and to the appropriation of land for those purposes shall be omitted.

Additional Modifications of particular sections.

Section. Modifications. Section three In subsection (1) for paragraphs (a) and (b) there shall be substituted the following paragraphs: outside the area designated under the New Towns Act 1946 as the site of a new town for the purpose of securing the development of land in that area in accordance with proposals approved by the Minister under that Act; or for the purpose of providing proper means of access to such an area,".

applied by this Act. Document Generated: 2023-05-24

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Section.	Modifications.
	In subsection (3) for the words " submitted with an application for " there shall be substituted the words " prepared for the purposes of ".
Section thirteen	In subsection (1) for the words " The preceding provisions, of this Act " there shall be substituted the words " The provisions of the Now Towns Act, 1946 "; and after the words " contained in " there shall be inserted the wo.ds " or incorporated with ".
	In paragraph (b) of subsection (4) for the words "the Minister having jurisdiction by virtue of the enactment in question to authorise a compulsory purchase thereunder "there shall be substituted the words "the Minister of Transport".
	In subsection (5) for the words " subsection (1) of section two or under section four of this Act " there shall be substituted the words " section four of the New Towns Act, 1946 ", and in paragraph (a) of the subsection the words " application for the " shall be omitted.
Section fourteen	Subsections (2), (7), (8) and (9) shall be omitted.
	In subsection (5), paragraph (b) and the words " and in a case falling within paragraph (b) thereof in accordance with the provisions of section ten of this Act " shall be omitted.
Section sixteen	In subsection (1), the words " or order " shall be omitted; for the words " twenty-eight days " there shall be substituted the words " six weeks "; and for the words " this Act " in the fourth and all subsequent places where those words occur, there shall be substituted the words " the New Towns Act, 1946, or this Act ".
	In subsection (4) for the words " this Act " there shall be substituted the words " the New Towns Act, 1946, or this Act ".
Section seventeen	In subsection (2) the words " the authority on whose application an order under section one of this Act is made, and of " shall be omitted.
Section eighteen	In subsections (1) and (2) for the words " this Part of this Act " there shall be substituted

Section.

Modifications.

the words " the New Towns Act, 1946, and this Part of this Act. "

In subsection (4) for the words " this Part of this Act " in the second place where those words occur, there shall be substituted the words " the New Towns Act, 1946, and this Part of this Act ", and for the words " this Part of this Act (together, in the case of the purchase under section four or subsection (4) of section nine of this Act, with the relevant enactment mentioned in section four of this Act) " there shall be substituted the words " that Act and this Part of this Act ".

In subsection (1) for the words " this Part of this Act " in the second place where those words occur, there shall be substituted the words " that Act ".

In subsection (2), in paragraph (a) the words "except where that authority applied for the making of the order "shall be omitted.

In subsection (3) for the words " a Minister " there shall be substituted the words " the Minister of Transport ".

In subsections (5) and (9) for the words " a Minister ", wherever those words occur, there shall be substituted the words " the Minister of Transport ".

In subsection (1), in paragraph (a), for the words " any purpose in connection with which a local planning authority may be authorised under this Part of this Act to acquire land " there shall be substituted the words " the purposes of a new town under the New Towns Act, 1946 "; and in paragraph (b) the words from " or necessitated ", in the second place where those words occur, to the end of the paragraph shall be omitted.

In subsection (5), for the words " any purpose in connection with which the authority may be authorised under this Part of this Act to acquire land " there shall be substituted the words " the purposes of a new town under the New Towns Act, 1946

In subsection (1), after the word " accommodation," in the first place where that word occurs, there shall be inserted

Section twenty-two

Section twenty-three

Section twenty-four

Section twenty-five

Section twenty-six

Section thirty

First Schedule

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Section. Modifications. the words " suitable to the reasonable requirements of those persons; " and at the end of the subsection there shall be added the following paragraph:— "Where the land so acquired is land within the area designated under the said Act as the site of a new town, the references in this subsection to residential accommodation shall be construed as references to such accommodation in that area " In subsection (3), for the words "acquiring or appropriating authority" there shall be substituted the words " corporation or highway authority ". In subsection (5) for the words " a Minister " there shall be substituted the words " the Minister of Transport ". In subsection (2) for the words " section Section fifty seven of this Act " there shall be substituted the words " section three of the New Towns Act, 1946 ". Section fifty-one In subsection (1) for the words "this Act", in the first place where those words occur, there shall be substituted the words " the New Towns Act. 1946 ". Section fifty-two In subsection (2) for the words "this Act " there shall be substituted the words " the New Towns Act, 1946, or this Act ". Section fifty-four For the words "this Act ", in both places where 'those words occur, there shall be substituted the words "the New Towns Act, 1946, or this Act "; and for the words " the authority" wherever those words occur there shall be substituted the words "the Minister, corporation or authority ". The definitions of " clearing", and " Section sixty-five loan charges" shall not apply; and in the definition of "purchasing authority" for the words " a Minister purchasing under this Act " there shall be substituted the words " a development corporation purchasing under section four of the New Towns Act, 1946, and the Minister of Transport purchasing

under section three of this Act ".

In paragraph 1, in sub-paragraph (1), the words " an application for an order under

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Modifications.

section one of this Act " shall be omitted; for the word " thereof " ., in both places where that word occurs, there shall be substituted the words " of this Act "; and for the words "a Minister" there shall be substituted the words " the Minister of Transport "; and in sub-paragraph (2) after the word " subparagraph" there shall be inserted the words " or by any enactment incorporated therewith

In paragraph 2, in sub-paragraph (3) (a), after the word "advertisement" there shall be inserted the words "and by affixing a copy thereof, addressed to 'the owners and any occupiers of the land '(describing it), to some conspicuous object or objects on the land "

In paragraph 6, for the words " land as to which an application for an order under section one of this Act is pending " there shall be substituted the words " land in an area proposed to be designated as the site of a new town by an order a draft of which has been published in accordance with the First Schedule to the New Towns Act, 1946 "; and for the word " application ", in the second place where that word occurs, there shall be substituted the word " order ".

In Part II for the words " a Minister ", in both places where those words occur, and the words "the Minister making the order" and the words " the Minister having jurisdiction to make the order " there shall be substituted the words " the Minister of Transport "; and paragraph 10 shall be omitted.

In Part II for the words " a Minister ", in both places where those words occur, and for the words " the Minister having, in conjunction with the appropriate Minister, jurisdiction to make the order " and the words " the Minister having jurisdiction as aforesaid " there shall be substituted the words " the Minister of Transport ".

In paragraph 1, sub-paragraph (c) shall be omitted.

In paragraph 2, in sub-paragraph (4), after the word " right " there shall be inserted the word " or "; and the words " refusal of

Second Schedule

Third Schedule

Fourth Schedule

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Modifications.

Fifth Schedule

permission, grant of permission subject to conditions, or revocation or modification of permission " shall be omitted.

For the words "Part I of this Act ", wherever those words occur, there shall be substituted the words "the New Towns Act, 1946, and Part I of this Act ".

In paragraph 1, in sub-paragraph (1) (a) the words "together, in the case of a purchase authorised by virtue of such an order as is mentioned in section four of this Act, with the relevant enactment mentioned in that section" shall be omitted; and in sub-paragraph (1) (d) for the words "a Minister there shall be substituted the words "the Minister of Transport", and for the words "Part I of this Act "there shall be substituted the words "section three of this Act".

In paragraph 9, in sub-paragraph (1) (b) for the words "a Minister "there shall be substituted the words "the Minister of Transport "and for the words "four or nine thereof" there shall be substituted the words "of this Act ".

In paragraph 10, for the words "section eleven of this Act," there shall be substituted the words "subsection (4) of section six of the New Towns Act, 1946."

In paragraph 8, for the words "Part I of this Act "there shall be substituted the words" the New Towns Act, 1946, and Part I of this Act'.

In paragraph 12 for the words " a Minister ", in both places where those words occur, there shall be substituted the words " the Minister of Transport ".

Sixth Schedule

1

FIFTH SCHEDULE

Section 25.

MODIFICATIONS OF PROVISIONS OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT, 1945, AS APPLIED BY THIS ACT.

General Modifications.

For references to an order under section one of that Act, and to land as to which such an order is in force or land designated by such an order, there shall be substituted

respectively references to an order under section one of this Act, and to land within the area designated by such an order as the site of a new town.

- For references to a compulsory purchase order under that Act, or under Part I of that Act, or under any enactment contained in that Part, and to the compulsory purchase or acquisition of land thereunder, there shall be substituted respectively references to a compulsory purchase order under this Act, or under any enactment contained in or incorporated with this Act, and to the compulsory purchase or acquisition of land thereunder.
- For references to land or buildings acquired for the purposes of Part I of that Act there shall be substituted references to land or buildings acquired for the purposes of this Act.
- For references to the purchase or acquisition of land by a Minister and to land acquired by a Minister there shall be substituted respectively references to the purchase or acquisition of land by the Minister of Transport, and to land acquired by that Minister.
- For references to a local planning authority (except the reference to paragraph (a) of subsection (2) of section twenty-two) there shall be substituted references to a development corporation.
- References to land appropriated for the purposes of Part I of that Act and to the appropriation of land for those purposes shall be omitted.

Additional Modifications of particular sections.

Section.	Modifications.
Section. Section.	In subsection (1) for paragraphs (a) and (b) there shall be substituted the following paragraphs:— "(a) outside the area designated under the New Towns Act, 1946, as the site of a new town for the purpose of securing the development of land in that area in accordance with proposals approved by the Secretary of State under that Act; or (b) for the purpose of providing proper means of access to such an area,".
	In subsection (3) for the words " submitted with an application for" there shall be substituted the words " prepared for the purposes of ".
Section thirteen	In subsection (1) for the words " The preceding provisions of this Act " there shall be substituted the words " The provisions of the New Towns Act, 1946 "; and after the

Section.

Modifications.

words " contained in " there shall be inserted the words " or incorporated with ".

In paragraph (b) of subsection (4) for the words " the Minister having jurisdiction by virtue of the enactment in question to authorise a compulsory purchase thereunder" there shall be substituted, the words " the Minister of Transport ".

In subsection (5) for the words " subsection (1) of section two or under section four of this Act " there shall be substituted the words " section four of the New Towns Act, 1946 ", and in paragraph (a) of the subsection the words " application for the " shall be omitted.

Subsections (2), (6) and (7) shall be omitted.

In subsection (5), paragraph (b) and the words " and in a case falling within paragraph (b) thereof in accordance with the provisions of section ten of this Act " shall be omitted.

In subsection (1), the words " or order " shall be omitted; for the words " twenty-eight days " there shall be substituted the words " six weeks "; and for the words " this Act " in the fourth and all subsequent places where those words occur, there shall be substituted the words " the New Towns Act, 1946, or this Act ".

In subsection (4) for the words " this Act" there shall be substituted the words " the New Towns Act, 1946, or this Act ".

In subsection (1), for the words " The authority on whose application " there shall be substituted the words " The Secretary of State, in the case of " and the words " is made " shall be omitted, and subsection (2) shall be omitted.

In subsections (1) and (2) for the words " this Part of this Act " there shall be substituted the words " The New Towns Act, 1946, and this Part of this Act ".

In subsection (4) for the words " this Part of this Act " in the second place where those words occur, there shall be substituted the words " the New Towns Act, 1946, and this Part of this Act ", and for the words " this

Section fourteen

Section fifteen

Section sixteen

Section seventeen

Section.

Modifications.

Part of this Act (together, in the case of the purchase under section four or subsection (4) of section nine of this Act, with the relevant enactment mentioned in section four of this Act) " there shall be substituted the words " that Act and this Part of this Act ".

In subsection (1) for the words " this Part of this Act " in the second place where- those words occur, there shall be substituted the words " that Act ".

In subsection (2), in paragraph (a), the words from "except " to "order "shall be omitted.

In subsection (3) for the words " a Minister " there shall be substituted the words " the Minister of Transport ".

In subsections (5) and (9) for the words " a Minister ", wherever those words ocqur, there shall be substituted the words " the Minister of Transport ".

In subsection (1), in paragraph (a), for the words " any purpose in connection with which a local planning authority may be authorised under this Part of this Act to acquire land " there shall be substituted the words " the purposes of a new town under the New Towns Act, 1946 "; and in paragraph (b) the words from " or necessitated " in the second place where those words occur to the end of the paragraph shall be omitted.

In subsection (5), for the words " any purpose in connection with which the authority may be authorised under this Part of this Act to acquire land " there shall be substituted the words " the purposes of a new town under the New Towns Act, 1946 ".

In subsection (1), after the word " accommodation," in the first place where that word occurs, there shall be inserted the words " suitable to the reasonable requirements of those persons "; and at the end of the subsection there shall be added the following paragraph:—

"Where the land so acquired is land within the area designated under the said Act as the site of a new town, the references in this subsection to residential accommodation shall

Section twenty-one

Section twenty-two

Section twenty-three

Section twenty-four

Section twenty-five

Section twenty-nine

Section.	Modifications.
	be construed as references to such accommodation in that area."
	In subsection (3), for the words "acquiring or appropriating authority" there shall be substituted the words "corporation or highway authority".
	In subsection (5) for the words " a Minister " there shall be substituted the words " the Minister of Transport ".
Section forty-nine	In subsection (2) for the words " section seven of this Act " there shall be substituted the words " section three of the New Towns Act, 1946 ".
Section fifty	In subsection (1), for the words " this Act ", where they first occur, there shall be substituted the words " the New Towns Act, 1946 ".
	In subsection (7) after the word " inquiry," there shall be inserted the words " and, where the inquiry arises out of a proposed acquisition of land by a development corporation or the proposed extinction of a right of way over land acquired or proposed to be acquired by a development corporation, as to the expenses incurred by the Minister in relation to the 'inquiry (including such reasonable sum as the Minister may determine for the services of the person appointed to hold the inquiry). "
Section fifty A	For the words " this Act " in subsection (1), in subsection (2) in the second place where those words occur, and in subsection (4) there shall be substituted the words " the New Towns Act, 1946".
Section fifty-two	For the words " this Act ", wherever those words occur, there shall be substituted the words " the New Towns Act, 1946, or this Act "; and for the words " the authority " wherever those words occur there shall be substituted the words " the Minister, corporation or authority ".
Section sixty-two	The definitions of " clearing", and " loan charges " shall not apply; and in the definition of " purchasing authority" for the words " a Minister purchasing under this Act " there shall be substituted the words " a development corporation purchasing under

development corporation purchasing under

Section.

First Schedule

Second Schedule

Third Schedule

Modifications.

section four of the New Towns Act, 1946, and the Minister of Transport purchasing under section three of this Act ".

In paragraph 1, in sub-paragraph (1), the words " an application for an order under section one of this Act " shall be omitted; for the word " thereof ", in both places where that word occurs, there shall be substituted the words " of this Act "; and for the words " a Minister " there shall be substituted the words " the Minister of Transport "; and in sub-paragraph (2) after the word " sub-paragraph" there shall be inserted the words " or by any enactment incorporated therewith ".

In paragraph 2, in sub-paragraph (1), after the words " and local advertisement " there shall be inserted the words " and by affixing a copy thereof, addressed to ' the owners and any occupiers of the land ' (describing it), to some conspicuous object or objects on the land ".

In paragraph 6, for the words " land as to which an application for an order under section one of this Act is pending " there shall be substituted the words '.' land in an area proposed to be designated as the site of a new town by an order a draft of which has been published in accordance with the First Schedule to the New Towns Act, 1946 "; and for the word " application ", in the second place where that word occurs, there shall be substituted the word " order ".

In Part II for the words "a Minister," in both places where those words occur, and the words "the Minister making the order" and the words "the Minister having jurisdiction to make the order" there shall be substituted the words "the Minister of Transport"; and paragraph 10 shall be omitted.

In Part II for the words " a Minister," in both places where those words occur, and for the words " the Minister having, in conjunction with the appropriate Minister, jurisdiction to make: the order" and the words " the Minister having jurisdiction as aforesaid" there shall be substituted the words " the Minister of; Transport ".

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Section.

Fourth Schedule

Fifth Schedule

Sixth Schedule

Modifications.

In paragraph I, sub-paragraph (c) shall be omitted.

In paragraph 2, in sub-paragraph (4), after the word "right" there shall be inserted the word " or " and the words " refusal of permission, grant of permission subject to conditions, or revocation or modification of permission " shall be omitted.

For the words "Part I of this Act," wherever those words occur, there shall be substituted the words "the New Towns Act, 1946, and Part I of this Act ".

In paragraph 1, in sub-paragraph (1) (a) the words "together, in the case of a purchase authorised by virtue of such an order as is mentioned in section four of this Act, with the relevant enactment mentioned in that section "shall be omitted and in sub-paragraph (1) (d) for the words "a Minister "there shall be. substituted the words "the Minister of Transport "and for the words "Part I of this Act "there shall be substituted the words "section three of this Act ".

In paragraph 8, in sub-paragraph (1) (b) for the words " a Minister" there shall be substituted the words " the Minister of Transport " and for the words " four or nine thereof " there shall be substituted the words " of this Act ".

In paragraph 9 for the words "section eleven of this Act," there shall be substituted the words "subsection (4) of section six of the New Towns Act, 1946".

In paragraph 8 for the words " Part I of this Act " there shall be substituted the words " the New Towns Act, 1946, and Part I of this Act ".

In paragraph 12 for the words " a Minister " in both places where those words occur, there shall be substituted the words " the Minister of Transport ".