



New Towns Act 1946

1946 CHAPTER 68

4 Acquisition of land by development corporations.

(1) The development corporation established for the purposes of a new town may, with the consent of the Minister, acquire by agreement, or may be authorised by means of a compulsory purchase order made by the corporation and submitted to and confirmed by the Minister to acquire compulsorily,—

- (a) any land within the area designated under this Act as the site of the new town ;
- (b) any land adjacent to that area which they require for purposes connected with the development of the new town ;
- (c) any land, whether adjacent to that area or not, which they require for the provision of services for the purposes of the new town;

and the provisions of Part I of the Second Schedule to the Town and Country Planning Act, 1944 (which relates to the procedure for making and confirming compulsory purchase orders) shall apply in relation to a compulsory purchase order under this section as they apply in relation to an order authorising a local planning authority to acquire land compulsorily under Part I of that Act.

(2) In relation to the acquisition of land by a development corporation under this section, the following provisions of the Town and Country Planning Act, 1944, that is to say—

- (a) sections thirteen and fourteen (which contain special provisions as to the acquisition under Part I of that Act of land belonging to statutory undertakers and land forming part of commons and other open spaces) ;
- (b) sections sixteen and seventeen (which relate respectively to the validity and date of operation of compulsory purchase orders under Part I of that Act, and to the registration of such orders in the register of local land charges) ; and
- (c) section eighteen (which applies the Lands Clauses Acts subject to modifications, including modifications providing for expediting the completion of compulsory purchases under that Part),

shall apply as they apply in relation to the acquisition of land by local planning authorities under Part I of that Act.

(3) Section two of the Acquisition of Land (Authorisation Procedure) Act, 1946 (which confers temporary powers for the speedy acquisition of land by local authorities having

Status: This is the original version (as it was originally enacted).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

power to purchase land in accordance with section one of that Act or the Town and Country Planning Act, 1944) shall have effect as if references therein to a local authority included references to a development corporation :

Provided that without prejudice to the provisions of the said section two restricting the period within which an authorisation may be given thereunder for the compulsory acquisition of land, no such authorisation shall be given for the compulsory acquisition of land by the development corporation established for the purposes of a new town at any time after two years from the date on which the order under section one of this Act designating the site of the new town became operative.

- (4) For the purposes of subsection (3) of section six of the Acquisition of Land (Authorisation Procedure) Act, 1946 (which relates to the acquisition of inalienable land) this Act shall be deemed to have been passed before the commencement of that Act.
- (5) A compulsory purchase order under this section shall, in so far as it authorises the compulsory purchase of land which is the property of a local authority, or of land belonging to the National Trust which is held by the Trust inalienably, be subject to special parliamentary procedure in any case where an objection to the order has been duly made by the local authority or by the Trust, as the case may be, and has not been withdrawn.
- (6) The provisions of Part VIII of the Requisitioned Land and War Works Act, 1945 (which provides for the adjustment of compensation on the acquisition of land in certain cases), shall have effect where, in pursuance of a notice to treat served or deemed to be served before the expiration of two years from the end of the war period within the meaning of that Part, land which at the date of the notice to treat is, by virtue of an exercise of emergency powers as defined by that Act, in the possession of a Minister as so defined, or of a person acting under the authority of a Minister, is compulsorily acquired by a development corporation under this Act.
- (7) For the avoidance of doubt it is hereby declared that a development corporation established under this Act is a public authority within the meaning of the Acquisition of Land (Assessment of Compensation) Act, 1919. and that Part II of the Town and Country Planning Act, 1944, applies accordingly for the purpose of the assessment of compensation for the compulsory purchase of land by such a corporation.