

SCHEDULES

SCHEDULE 7

Section 27.

AMENDMENTS OF ACTS

Landlord and Tenant Act 1954

- 1 (1) The following section shall be inserted after section 60A of the Landlord and Tenant Act 1954—

“60B Development Board for Rural Wales premises.

- (1) Where the property comprised in the tenancy consists of premises of which the Development Board for Rural Wales is the landlord, and the Secretary of State certifies that it is necessary or expedient, for the purpose of providing employment appropriate to the needs of the area in which the premises are situated, that the use or occupation of the property should be changed, paragraphs (a) and (b) of section 58(1) above shall apply as they apply where such a certificate is given as is mentioned in that subsection.
- (2) Where the court makes an order under Part II of this Act for the grant of a new tenancy of any such premises as aforesaid, and the Secretary of State certifies that it is necessary or expedient as aforesaid that the tenancy should be subject to a term, specified in the certificate, prohibiting or restricting the tenant from assigning the tenancy or sub-letting, charging or parting with possession of the premises or any part of the premises or changing the use of the premises or any part of the premises, the court shall determine that the terms of the tenancy shall include the terms specified in the certificate.”
- (2) In section 59 of that Act (compensation for exercise of special powers in relation to tenancies)—
- (a) in subsection (1), for the words " or, subject to subsection (1A) below, section 60A below " (inserted by section 11(2) of the Welsh Development Agency Act 1975) there shall be substituted the words " or subject to subsections (1A) or (1B) below, sections 60A or 60B below "; and
- (b) after subsection (1A) there shall be inserted the following subsection—
- “(1B) No compensation shall be recoverable under subsection (1) above where the certificate was given under section 60B below and either—
- (a) the premises are premises which—
- (i) were vested in the Welsh Development Agency by section 8 of the Welsh Development Agency Act 1975 or were acquired by the Agency when no tenancy subsisted in the premises ; and

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- (ii) vested in the Development Board for Rural Wales under section 24 of the Development of Rural Wales Act 1976 ; or
- (b) the tenant was not the tenant of the premises when the Board acquired the interest by virtue of which the certificate was given.”

Licensing Act 1964

- 2 In section 115 of the Licensing Act 1964 (development corporation to provide services for, and pay expenses of, licensing committee for a new town or towns) there shall be added at the end the following subsection—

“(3) Subsections (1) and (2) above shall have effect, in a case where the Development Board for Rural Wales is responsible under the Development of Rural Wales Act 1976 for the development of the new town or (where a committee is constituted for two new towns) for the development of one or both of the new towns, in accordance with the following provisions, that is to say—

- (a) where the committee is constituted for one new town for which the Board is responsible, subsection (1) above shall apply as if the Board were the development corporation for that town;
- (b) where the committee is constituted for two new towns for both of which the Board is responsible, subsection (1) above shall apply (instead of subsection (2)) as if the two towns were one town and the Board were the development corporation for that town;
- (c) where the committee is constituted for two new towns for one of which the Board is responsible, subsections (1) and (2) above shall apply as if the Board were the development corporation for that town.”

- 3 In Schedule 10 to the Licensing Act 1964 (constitution of licensing committee for new town or towns), after paragraph 1(1) there shall be inserted the following sub-paragraph—

“(1A) Sub-paragraph (1) above shall have effect, in a case where the Development Board for Rural Wales is responsible under the Development of Rural Wales Act 1976 for the development of the new town or (where the committee is constituted for two new towns) for the development of one or both of the new towns, in accordance with the following provisions, that is to say—

- (a) where the committee is constituted for one new town for which the Board is responsible, sub-paragraph (1)(b) above shall apply as if the Board were the development corporation for that town ;
- (b) where the committee is constituted for two new towns for both of which the Board is responsible, sub-paragraph (1)(b) above shall apply as if the two towns were one town and the Board were the development corporation for that town ;
- (c) where the committee is constituted for two new towns for one of which the Board is responsible, sub-paragraph (1)(b) above shall apply as if the Board were the development corporation for that town.”

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New Towns Act 1965

- 4 In section 1 of the New Towns Act 1965 (power to designate sites of new towns), after subsection (1) there shall be inserted the following subsection—

“(1A) Subsection (1) shall apply, in relation to land within the area for which the Development Board for Rural Wales is for the time being responsible under the Development of Rural Wales Act 1976, as if it referred to the expediency of the Board's developing the area of land designated in the order as a new town.”

Leasehold Reform Act 1967

- 5 (1) The Leasehold Reform Act 1967 shall be amended in accordance with this paragraph.

- (2) In section 28 (retention or resumption of land required for public purposes), in subsection (5) after paragraph (b) there shall be inserted the following paragraph—
“(bb) to the Development Board for Rural Wales”.

- (3) In section 29 (reservation of future right to develop), after subsection (6) there shall be inserted the following subsection—

“(6A) Subsections (1) to (4) above shall have effect in relation to the Development Board for Rural Wales as if any reference in those subsections or in Part I of Schedule 4 to this Act to a local authority were a reference to the Board. and in subsection (7), after the words "Commission for the New Towns " there shall be inserted the words " the Development Board for Rural Wales " .”

- (4) In section 30 (reservation of right of pre-emption in new town or overspill areas), in subsection (7) there shall be added after the words " Commission for the New Towns " the words " to the Development Board for Rural Wales " .

- (5) In Part II of Schedule 4 (reacquisition for development by New Towns Commission) there shall be added after paragraph 5 the following paragraph—

“6 (1) Where a tenant of a house and premises acquires the freehold under Part I of this Act subject to a covenant entered into under section 29(1) with the Development Board for Rural Wales, and the property or any part of it is afterwards acquired for development for purposes (other than investment purposes) of the Board the Board may be authorised by the Secretary of State to acquire the property or that part of it compulsorily.

(2) The Acquisition of Land (Authorisation Procedure) Act 1946 and any other enactment relating to compulsory purchases to which the provisions of Schedule 1 to that Act apply shall have effect in relation to a compulsory purchase under this paragraph as if the paragraph were contained in an Act in force immediately before the commencement of that Act and as if the Board were a local authority.”

Rent Act 1968

- 6 In section 5 (no protected or statutory tenancy where landlord's interest belongs to certain public bodies), in subsection (2) after paragraph (d) there shall be inserted the following paragraph—

“(dd) the Development Board for Rural Wales”.

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Agriculture (Miscellaneous Provisions) Act 1968

- 7 In section 13(2) (additional payments to farmers in consequence of compulsory acquisition), after the words " section 7 of the New Towns Act 1965 " there shall be inserted the words " or section 4(1) of the Development of Rural Wales Act 1976 ".

Housing Finance Act 1972

- 8 In section 91(1) of the Housing Finance Act 1972 (certain bodies exempt from duty to give tenants information about service charges) there shall be added after paragraph (d) the following paragraph (preceded by the word " or ")—
 “(e) the Development Board for Rural Wales.”
- 9 In section 91A of the Housing Finance Act 1972 (certain bodies exempt from right to challenge service charges), in subsection (8), at the end of paragraph (a) there shall be inserted the following sub-paragraph—
 “(vi) the Development Board for Rural Wales, or”.

Land Compensation Act 1973

- 10 (1) Section 39 of the Land Compensation Act 1973 (duty to rehouse occupiers displaced by compulsory acquisition of land etc.) shall be amended in accordance with this paragraph.
- (2) In subsection (4) (no such duty where money advanced for rehousing), after paragraph (e), there shall be inserted the following paragraph—
 “(f) by the Development Board for Rural Wales”.
- (3) At the end of subsection (8) there shall be added the following paragraph—
 “(d) if the authority by whom the land is acquired or redeveloped is the Development Board for Rural Wales, that Board shall, in a case falling within paragraph (a) or (c) of that subsection, be the relevant authority for the purposes of this section.”.

Water Act 1973

- 11 (1) This paragraph has effect for the amendment of section 15 of the Water Act 1973 (arrangements for discharge of sewerage functions) where the circumstances specified in sub-paragraph (2) below exist.
- (2) The said circumstances are that an order is in force under paragraph 51 of Schedule 3 to this Act authorising the Development Board for Rural Wales to exercise the powers of a water authority under section 15 of the Public Health Act 1936 for the purpose of the sewerage of the area of a new town situated within the area for which the Board is responsible under this Act and within a water authority area.
- (3) Where this paragraph has effect section 15 shall have effect as if subsection (1) thereof also required the water authority for that area and (at the choice of that water authority) either the Board or any district council within whose area the new town is wholly or partly situated to endeavour to make arrangements for the Board or the district council to discharge as respects the new town the functions of the water authority under Part II of the Public Health Act 1936 (other than those excepted by subsection (3)) and as if the references in subsections (2), (4), (5) and (6) to a or the relevant authority included references to the Board.

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Housing Act 1974

- 12 In section 5(3) of the Housing Act 1974 (power of Housing Corporation to dispose of land with dwellings or hostels to new town and other authorities) after paragraph (e), there shall be inserted the following paragraph—
- “(f) the Development Board for Rural Wales where the land is situated within the area for which the Board is responsible under the Development of Rural Wales Act 1976”.
- 13 In section 84 of the Housing Act 1974, in the definition of "housing authority" (for the purposes of Part VII housing grants and contributions), after the words "Commission for the New Towns " there shall be inserted the words " the Development Board for Rural Wales ".
- 14 In section 99(2) of the Housing Act 1974 (provisional notices and improvement notices under that Act not to be served on certain bodies), after paragraph (f), there shall be added the following paragraph—
- “(g) the Development Board for Rural Wales.”
- 15 In section 105 of the Housing Act 1974 (Secretary of State's control of certain expenditure by housing authorities), at the end of subsection (3) there shall be added the words " except that ' housing authority' does not include the Development Board for Rural Wales. "

Community Land Act 1975

- 16 (1) The Community Land Act 1975 shall be amended in accordance with this paragraph.
- (2) In section 17 (manner of exercise of functions of community land authorities) after subsection (3) there shall be inserted the following subsection—
- “(3A) In considering whether any land in Wales which is situated within the area of a new town within the area for which the Development Board for Rural Wales is responsible under the Development of Rural Wales Act 1976 is development land, the Land Authority for Wales shall (except in a case where planning permission is in force for the carrying out of relevant development on the land) consult the Board.”
- (3) In section 23 (disposal notification areas) in subsection (2), there shall be added at the end the words " and, where any part of the land covered by the resolution is situated within the area of a new town within the area for which the Development Board for Rural Wales is responsible under the Development of Rural Wales Act 1976, that Board also. "
- (4) In section 23, in subsection (6), after paragraph (d) there shall be added the following paragraph—
- “(e) to a disposal, or to a contract for the disposal, to the Development Board for Rural Wales of a material interest in land situated within the area of a new town within the area for which that Board is responsible under the Development of Rural Wales Act 1976 ;”
- (5) In section 24 (revocation of duty to notify), in subsection (2), there shall be added at the end the words " and where the land is situated within the area for which the Development Board for Rural Wales is responsible under the Development of Rural Wales Act 1976, that Board also. "

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- (6) In section 46 (authorities to keep registers of land holdings) in subsection (3) there shall be added at the end the words " and the Development Board for Rural Wales ".

New Towns (Amendment) Act 1976

- 17 After section 15 of the New Towns (Amendment) Act 1976 there shall be inserted the following section—

“15A Application to new towns of the Development Board for Rural Wales.

- (1) The foregoing provisions of this Act shall apply in relation to the Development Board for Rural Wales (' the Board') and any new town within the area for which the Board is responsible under the Development of Rural Wales Act 1976 as they apply to a new town corporation for any new town and that town subject, however, to the modifications specified in this section.
- (2) A dwelling is a dwelling of a new town if it is a dwelling (whether or not in the area of the new town concerned) erected, adapted, or acquired by the Board for occupation as a dwelling and so erected, adapted or acquired for the purpose of developing any area of a new town or new town situated within the area for which the Board is responsible under that Act.
- (3) A transfer scheme shall, in addition to specifying under section 3(6)(b) above the number or proportion of dwellings in respect of which the right to nominate tenants is conferred by the scheme, specify the period for which the right is to be exercisable, but the Board's right shall only be exercisable during the period of five years beginning with the date on which the Board's interests in the transferred dwellings vest in the district council or such lesser period as may, with the consent of the Secretary of State, be agreed between the Board and the council.
- (4) The powers, rights, liabilities and obligations of the Board which are excepted by subsection (8) of section 6 above from those which a district council are to have in relation to land managed under a transfer scheme include any powers, rights, liabilities and obligations which are certified by the Board as being appropriate for the Board to retain in order to enable them to complete their function of laying out and developing the new town, and subsection (9) of that section shall apply as if the certificate had been given under subsection (8)(c).”