



Town and Country Planning Act 1959

1959 CHAPTER 53 7 and 8 Eliz 2

An Act to make further provision as to compensation in respect of the compulsory acquisition of land, and as to other matters relating to the acquisition, appropriation and disposal of land by public authorities; to make provision as to proceedings in respect of certain matters arising under the Town and Country Planning Acts, 1947 to 1954, and the Town and Country Planning (Scotland) Acts, 1947 to 1954, as to applications for planning permission under those Acts, and as to enforcement notices thereunder; to make further provision as to procedure in connection with statutory inquiries, as to compensation for damage to requisitioned land, and as to advances to highway authorities in respect of land acquired for highways; and for purposes connected with the matters aforesaid. [16th July 1959]

Modifications etc. (not altering text)

- C1 Act repealed as to Scotland by [Town and Country Planning \(Scotland\) Act 1959 \(c. 70\), s. 56\(2\)](#)
- C2 Functions of Minister of Housing and Local Government under this Act now exercisable by Secretary of State: [S.I. 1965/319](#) and 1970/1681
Act: transfer of certain functions in relation to Wales (1.7.1999) by [S.I. 1999/672, art. 2, Sch. 1](#)
- C3 Words of enactment omitted under authority of [Statute Law Revision Act 1948 \(c. 62\), s. 3](#)

Commencement Information

- I1 Act wholly in force at 16.8.1959 see [s. 59\(2\)](#).

PART I

COMPENSATION FOR COMPULSORY ACQUISITION OF LAND

1—13. F1

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Town and Country Planning Act 1959. (See end of Document for details)

Textual Amendments

F1 Ss. 1–13, 17–21, Schs. 1–3 repealed by [Land Compensation Act 1961 \(c. 33\)](#), [Sch. 5](#)

14— ^{F2}
16.

Textual Amendments

F2 Ss. 14–16, 57(10)(11) repealed by [Statute Law \(Repeals\) Act 1989 \(c. 43\)](#), s. 1(1), [Sch. 1 Pt. VII](#)

17— ^{F3}
21.

Textual Amendments

F3 Ss. 1–13, 17–21, Schs. 1–3 repealed by [Land Compensation Act 1961 \(c. 33\)](#), [Sch. 5](#)

PART II

ACQUISITION, APPROPRIATION AND DISPOSAL OF LAND
BY LOCAL AUTHORITIES AND OTHER PUBLIC BODIES

Modifications etc. (not altering text)

C4 Pt. II amended by [London Government Act 1963 \(c. 33\)](#), s. 83(1), [Sch. 17 para. 20\(a\)](#)

22 Exercise of powers of acquisition by agreement.

- (1) Where by any enactment—
 - (a) power is conferred on any authority to whom this Part of this Act applies, or on any class of such authorities, to acquire land by agreement, but
 - (b) that power is so conferred subject to a provision (in whatever terms the provision is expressed, and whether it is contained in the same or in any other enactment) that the power is not to be exercised except with the consent of a Minister specified in that provision, with or without a further provision enabling conditions to be imposed by such a Minister in respect of the exercise of the power,
 the enactment shall have effect, in relation to acquisitions to which this section applies, as if it conferred that power free from any such provision as is mentioned in paragraph (b) of this subsection.
- (2) This section applies to every acquisition of land by agreement by an authority to whom this Part of this Act applies, in pursuance of a contract made after the commencement of this Act, where either—

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- (a) the land is immediately required by the purchasing authority for the purpose for which it is to be acquired, or
 - (b) if the land is not so required, it is land within the area of the purchasing authority.
- (3) F4
- (4) In this Part of this Act “authority to whom this Part of this Act applies”, . . . F5 means a body of any of the descriptions specified in Part I of the Fourth Schedule to this Act, . . . F5; “land” includes any easement . . . F5 and any other interest in, or right over, land; “Minister” means a Minister of the Crown or a government department; and “consent” includes approval, sanction and authorisation.
- (5) F6

Textual Amendments

F4 S. 22(3) repealed by [Mineral Workings Act 1985 \(c. 12, SIF 86\)](#), s. 10, [Sch. 2](#)

F5 Words repealed by [Statute Law Revision Act 1960 \(c. 56\)](#)

F6 [Ss. 22\(5\), 23\(5\), 24\(4\), 25, 26\(7\), 29\(2\), 45\(3\), 46\(4\), 47, 50, 52\(7\), 57\(3\)\(b\)\(7\), 58\(7\)](#), Sch. 4 Pt. II, Sch. 10 repealed by [Statute Law Revision Act 1960 \(c. 56\)](#)

Modifications etc. (not altering text)

C5 S. 22 excluded by [Local Government Act 1972 \(c. 70\)](#), [s. 128\(3\)](#)

23 Exercise of powers of appropriation.

- (1) Subject to the following provisions of this section, where by any enactment—
- (a) power is conferred on any authority to whom this Part of this Act applies, or on any class of such authorities, to appropriate land for any purpose, whether the purpose is defined in the enactment specifically or by reference to some other power exercisable by the authority or class of authorities in question, but
 - (b) that power is so conferred subject to a provision (in whatever terms the provision is expressed, and whether it is contained in the same or in any other enactment) that the power is not to be exercised except with the consent of a Minister specified in that provision, or for a purpose approved by a Minister so specified, with or without a further provision enabling conditions to be imposed by such a Minister in respect of the exercise of the power,
- the enactment shall have effect, in relation to any exercise of the power after the commencement of this Act by an authority to whom this Part of this Act applies, as if it conferred that power free from any such provision as is mentioned in paragraph (b) of this subsection.
- [^{F7}(2) Before exercising any power of appropriation in relation to land which consists or forms part of an open space, not being land which consists or forms part of a common or of a fuel or field garden allotment, an authority to whom this Part of this Act applies—
- (a) shall publish a notice of their intention to do so for at least two consecutive weeks in a newspaper circulating in their area; and
 - (b) shall consider any objections to the proposed appropriation which may be made to them.]

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Town and Country Planning Act 1959. (See end of Document for details)

- (3) Subsection (1) of this section shall not apply—
- (a) to any appropriation of land in pursuance of an order under section forty-two of the Act of 1947 or under section twenty-eight of the ^{M1}Land Settlement (Facilities) Act, 1919, or
 - (b) to any appropriation of land which, immediately before the appropriation, is land which consists or forms part of a common, or formerly consisted or formed part of a common, and is held or managed by a local authority in accordance with a local Act;
- and shall not operate so as to dispense with any requirement for the consent of the Minister of Agriculture, Fisheries and Food—
- (i) under subsection (7) of section two of the ^{M2}Small Holdings and Allotments Act, 1926, as applied by section twelve of the ^{M3}Agricultural Land (Utilisation) Act, 1931 (whereby the consent of that Minister is required in certain cases in respect of transactions relating to cottage holdings), or
 - (ii) in respect of any appropriation of land which, immediately before the appropriation, is land held for use as allotments;
- F8
- (4) Sub-paragraph (b) of paragraph (i) of the proviso to subsection (1) of section one hundred and sixty-three of the ^{M4}Local Government Act, 1933 (which prohibits a local authority from executing certain works on land appropriated by them, unless authorised to do so by the Minister of Housing and Local Government), shall cease to have effect.
- F9
- (5)

Textual Amendments

F7 S. 23(2) substituted by [Local Government, Planning and Land Act 1980 \(c. 65, SIF 123:1, 2\)](#), **Sch. 23 para. 3**

F8 Words repealed by [Local Government, Planning and Land Act 1980 \(c. 65, SIF 81:2\)](#), **Sch. 34 Pt. XIII**

F9 [Ss. 22\(5\), 23\(5\), 24\(4\), 25, 26\(7\), 29\(2\), 45\(3\), 46\(4\), 47, 50, 52\(7\), 57\(3\)\(b\)\(7\), 58\(7\)](#), Sch. 4 Pt. II, Sch. 10 repealed by [Statute Law Revision Act 1960 \(c. 56\)](#)

Modifications etc. (not altering text)

C6 S. 23 excluded by [Local Government Act 1972 \(c. 70\)](#), **s. 128(3)**

Marginal Citations

M1 1919 c. 59.

M2 1926 c. 52.

M3 1931 c. 41.

M4 1933 c. 51.

24 Adjustment of accounts on appropriation of land.

- (1) On an appropriation of land for any purpose by an authority to whom this Part of this Act applies, other than an appropriation falling within the next following subsection, such adjustment shall be made in the accounts of the authority as may be requisite in the circumstances.

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- (2) Where land is appropriated for any purpose by an authority to whom this Part of this Act applies, and—
- (a) either the land was immediately before the appropriation held by the authority for the purposes of a grant-aided function, or it is appropriated by the authority for the purposes of such a function, and
 - (b) apart from this section, a Minister would by virtue of any enactment have power to direct an adjustment to be made in the accounts of the authority in connection with that appropriation,
- such adjustment shall be made in the accounts of the authority as the Minister of Housing and Local Government may direct.
- (3) The preceding provisions of this section shall have effect in substitution for the provisions of any enactment in force immediately before the commencement of this Act whereby an adjustment is required to be made in the accounts of an authority to whom this Part of this Act applies on an appropriation of land by such an authority.
- (4) **F10**

Textual Amendments

F10 Ss. 22(5), 23(5), 24(4), 25, 26(7), 29(2), 45(3), 46(4), 47, 50, 52(7), 57(3)(b)(7), 58(7), Sch. 4 Pt. II, Sch. 10 repealed by Statute Law Revision Act 1960 (c. 56)

Modifications etc. (not altering text)

- C7** S. 24 excluded by Housing Finance Act 1972 (c. 47), s. 101(3)
- C8** S. 24 excluded by Housing Act 1985 (c. 68, SIF 61), s. 418, Sch. 14 Pt. V para. 4(3)
- C9** S. 24(1) extended by Town and Country Planning Act 1971 (c. 78), s. 121(6)

25 **F11**

Textual Amendments

F11 Ss. 22(5), 23(5), 24(4), 25, 26(7), 29(2), 45(3), 46(4), 47, 50, 52(7), 57(3)(b)(7), 58(7), Sch. 4 Pt. II, Sch. 10 repealed by Statute Law Revision Act 1960 (c. 56)

26 Exercise of powers of disposing of land.

- (1) Subject to the following provisions of this section, where by any enactment—
- (a) power is conferred on any authority to whom this Part of this Act applies, or on any class of such authorities, to dispose of land, but
 - (b) that power is so conferred subject to a provision (in whatever terms the provision is expressed and whether it is contained in the same or in any other enactment) that the power is not to be exercised except with the consent of a Minister specified in that provision, with or without a further provision enabling conditions to be imposed by such a Minister in respect of the exercise of the power,

the enactment shall have effect, in relation to any exercise of the power after the commencement of this Act by an authority to whom this Part of this Act applies, as if

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it conferred that power free from any such provision as is mentioned in paragraph (b) of this subsection.

[^{F12}(2) Before disposing of any land which consists or forms part of an open space, not being land which consists or forms part of a common or of a fuel or field garden allotment, an authority to whom this Part of this Act applies—

- (a) shall publish notice of their intention to do so for at least two consecutive weeks in a newspaper circulating in their area; and
- (b) shall consider any objections to the proposed disposal which may be made to them.]

(3) ^{F13}

(4) Except with the consent of the Minister of Housing and Local Government, an authority to whom this Part of this Act applies shall not sell, exchange or let any land, in the exercise of a power in relation to which subsection (1) of this section has effect, for a price, consideration or rent less than the best price, best consideration or best rent (as the case may be) that can reasonably be obtained, having regard to any restrictions or conditions (including conditions as to payment or the giving of security for payment) subject to which the land is sold, exchanged or let.

(5) Subsection (1) of this section shall not apply—

- (a) ^{F14}
- [^{F15}(aa) to a disposal for which consent is required under section 32 or 43 of the Housing Act 1985 (disposal of land held for housing purposes);]
- (b) ^{F16}
- [^{F17}(c) to section 233 of the Town and Country Planning Act 1990 (which relates to the disposal of land for planning purposes)]
- (d) to any disposal of land which, immediately before the disposal, is land which consists or forms part of a common, or formerly consisted or formed part of a common, and is held or managed by a local authority in accordance with a local Act;
- (e) to any local enactment in so far as it provides (in whatsoever terms) that, except with the consent of a Minister specified therein, land shall not be disposed of thereunder for a price, consideration or rent of a value less than the current market value of the interest disposed of;

and subsection (1) of this section shall not operate so as to dispense with any requirement for the consent of the Minister of Agriculture, Fisheries and Food—

- (i) under subsection (7) of section two of the ^{M5}Small Holdings and Allotments Act, 1926, as applied by section twelve of the ^{M6}Agricultural Land (Utilisation) Act, 1931, or under subsection (1) of section six of the said Act of 1926, or
- (ii) in respect of any disposal of land which, immediately before the disposal, is land held for use as allotments;

..... ^{F18}

(6) In determining, for the purposes of subsection (2) of this section, whether a disposal of land under a local enactment is a disposal which apart from this section could not be effected except with the consent of a Minister, any such provision as is mentioned in paragraph (e) of the last preceding subsection shall be disregarded.

(7) ^{F19}

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Textual Amendments

- F12** S. 26(2) substituted by [Local Government, Planning and Land Act 1980 \(c. 65, SIF 123:1, 2\)](#), **Sch. 23 para. 5**
- F13** S. 26(3) repealed by [Local Government, Planning and Land Act 1980 \(c. 65, SIF 81:2\)](#), **Sch. 34 Pt. XIII**
- F14** S. 26(5)(a) repealed by [Housing \(Consequential Provisions\) Act 1985 \(c. 71, SIF 61\)](#), ss. 3, 4, Sch. 1 Pt. I, **Sch. 2 para. 3(a)**
- F15** S. 26(5)(aa) inserted by [Housing \(Consequential Provisions\) Act 1985 \(c. 71, SIF 61\)](#), s. 4, **Sch. 2 para. 3(b)**
- F16** S. 26(5)(b) repealed and superseded by [Town and Country Planning Act 1968 \(c. 72\)](#), s. 39(2), **Sch. 11**
- F17** S. 26(5)(c) substituted by virtue of [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123:1\)](#), s. 4, **Sch. 2 para. 6**
- F18** Words repealed by [Local Government, Planning and Land Act 1980 \(c. 65, SIF 81:2\)](#), **Sch. 34 Pt. XIII**
- F19** Ss. 22(5), 23(5), 24(4), 25, 26(7), 29(2), 45(3), 46(4), 47, 50, 52(7), 57(3)(b)(7), 58(7), Sch. 4 Pt. II, Sch. 10 repealed by [Statute Law Revision Act 1960 \(c. 56\)](#)

Modifications etc. (not altering text)

- C10** S. 26 extended by [Land Drainage Act 1961 \(c. 48\)](#), s. 32; excluded by [Local Government Act 1972 \(c. 70\)](#), s. 128(3)
- C11** S. 26(1) excluded by [Town and Country Planning Act 1968 \(c. 72\)](#), s. 39(1); [Town and Country Planning Act 1968 \(c.72\)](#), s. 39 repealed (*prosp.*) by [Housing Act 1980 \(c.51, SIF 61\)](#), s. 153(4), **Sch. 26**
- C12** S. 26(4) excluded by [Local Government Act 1988 \(c. 9, SIF 81:1, 2\)](#), s. 26(5)(a)

Marginal Citations

- M5** 1926 c. 52.
- M6** 1931 c. 41.

27 F20

Textual Amendments

- F20** S. 27 repealed by [Local Government and Housing Act 1989 \(c. 42, SIF 81:2\)](#), s. 194(2), **Sch. 12 Pt. I**

28 F21

Textual Amendments

- F21** S. 28 repealed by [Local Government Act 1972 \(c. 70\)](#), **Sch. 30**

29 Protection of persons deriving title under transactions requiring consent.

- (1) Where after the commencement of this Act an authority to whom this Part of this Act applies purport to acquire, appropriate or dispose of land under an enactment whereby power to acquire, appropriate or dispose of land is conferred on that authority, or on a class of authorities to whom this Part of this Act applies, then—

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- (a) in favour of any person claiming under the authority, the acquisition, appropriation or disposal so purporting to be made shall not be invalid by reason that any consent of a Minister which (whether by virtue of this Part of this Act or otherwise) is required thereto has not been given, and
- (b) a person dealing with the authority, or with a person claiming under the authority, shall not be concerned to see or inquire whether any such consent has been given.

(2) F22

Textual Amendments
F22 Ss. 22(5), 23(5), 24(4), 25, 26(7), 29(2), 45(3), 46(4), 47, 50, 52(7), 57(3)(b)(7), 58(7), Sch. 4 Pt. II, Sch. 10 repealed by Statute Law Revision Act 1960 (c. 56)

Modifications etc. (not altering text)
C13 S. 29 amended by Local Government Act 1972 (c. 70), s. 128(3)
C14 S. 29 excluded by Housing Act 1985 (c. 68, SIF 61), s. 44(2)

30 General provisions relating to Part II.

- (1) Any reference in this Part of this Act to a provision that a power is not to be exercised except with the consent of a Minister is a reference to a provision which either—
 - (a) requires such consent generally in respect of any exercise of the power, or
 - (b) requires such consent in respect of the exercise of the power in such circumstances as may be specified therein.
- (2) For the purposes of this Part of this Act any provision whereby a power is to be exercised only if a Minister specified therein is satisfied as to any matters so specified shall be taken to be a provision that the power shall not be exercised except with the consent of that Minister.
- (3) Any reference in this Part of this Act to an enactment whereby a power is conferred on an authority to whom this Part of this Act applies, or on a class of such authorities,—
 - (a) shall be taken to include any enactment whereby the power in question is conferred on local authorities generally, or on a class of local authorities which includes a class of authorities to whom this Part of this Act applies, or is conferred on a class of authorities to whom this Part of this Act applies together with any other class of local authorities, but
 - (b) shall not be taken to include any enactment where by (without particular reference to local authorities, or to bodies of any description specified in the Fourth Schedule to this Act) a power is conferred generally on persons of a description specified in the enactment, notwithstanding that one or more authorities to whom this Part of this Act applies may fall within the description specified in the enactment.
- (4) For the purposes of any provision of this Part of this Act whereby the consent of a Minister is required, or directions may be given by a Minister, for any purpose therein mentioned, the consent or directions may be given by that Minister either generally to all authorities to whom the provision relates, or to any class of such authorities, or may be given specifically in any particular case, and (whether given generally or

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otherwise) may be given either unconditionally or subject to such conditions as the Minister giving the consent or directions may consider appropriate.

- (5) F23
- (6) F24

Textual Amendments

- F23** S. 30(5) repealed by [Local Government, Planning and Land Act 1980 \(c. 65, SIF 81:2\)](#), **Sch. 34 Pt. XIII**
- F24** S. 30(6) repealed by [Local Authorities \(Land\) Act 1963 \(c. 29\)](#), s. 8, **Sch.**

PART III

ADMINISTRATIVE PROCEDURES AND RELATED PROCEEDINGS

- 31, 32.** F25

Textual Amendments

- F25** Ss. 31, 32, 35–44, 51, 52(1)–(3)(5)(6), 53–56, 57(5)(6)(8)(9), 58(1)(b)(2)(5)(6), Schs. 5, 6, 8, 9 repealed by [Town and Country Planning Act 1962 \(c. 38\)](#), **Sch. 15**

- 33** F26

Textual Amendments

- F26** S. 33 repealed by [Tribunals and Inquiries Act 1971 \(c. 62\)](#), **Sch. 4 Pt. I**

- 34** F27

Textual Amendments

- F27** Ss. 34, 58(3) repealed by [Statute Law \(Repeals\) Act 1975 \(c. 10\)](#), **Sch. Pt. XII**

- 35—** F28
- 38.**

Textual Amendments

- F28** Ss. 31, 32, 35–44, 51, 52(1)–(3)(5)(6), 53–56, 57(5)(6)(8)(9), 58(1)(b)(2)(5)(6), Schs. 5, 6, 8, 9 repealed by [Town and Country Planning Act 1962 \(c. 38\)](#), **Sch. 15**

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PART IV

39 **F29**
43.

Textual Amendments
F29 Ss. 31, 32, 35–44, 51, 52(1)–(3)(5)(6), 53–56, 57(5)(6)(8)(9), 58(1)(b)(2)(5)(6), Schs. 5, 6, 8, 9 repealed by [Town and Country Planning Act 1962 \(c. 38\)](#), [Sch. 15](#)

PART V

MISCELLANEOUS AND SUPPLEMENTARY PROVISIONS

44 **F30**

Textual Amendments
F30 Ss. 31, 32, 35–44, 51, 52(1)–(3)(5)(6), 53–56, 57(5)(6)(8)(9), 58(1)(b)(2)(5)(6), Schs. 5, 6, 8, 9 repealed by [Town and Country Planning Act 1962 \(c. 38\)](#), [Sch. 15](#)

45 Compensation for damage to requisitioned land.

- (1) In relation to compensation accruing due after the twenty-ninth day of October, nineteen hundred and fifty-eight, by virtue of paragraph (b) of subsection (1) of section two of the ^{M7}Compensation (Defence) Act, 1939 (which relates to compensation payable in respect of damage occurring to requisitioned land during the period of requisition), section fifty-three of the Act of 1954 (which limits the amount of that compensation) shall have effect as if any reference to the price which, at the relevant time and in the relevant circumstances, would be the compulsory purchase price of the land were a reference to the value which, at that time and in those circumstances, would be the value of such an interest in the land as is mentioned in paragraph (a) of subsection (2) of the said section fifty-three (that is to say, a freehold interest free from incumbrances but subject to any easement or other restriction affecting the land at the relevant time).
- (2) In this section “the relevant time” means the time when the compensation accrues due, and “in the relevant circumstances” means if the land were at the relevant time in the state in which it was when possession of the land was taken in the exercise of emergency powers.
- (3). . . . ^{F31}

Textual Amendments
F31 Ss. 22(5), 23(5), 24(4), 25, 26(7), 29(2), 45(3), 46(4), 47, 50, 52(7), 57(3)(b)(7), 58(7), Sch. 4 Pt. II, Sch. 10 repealed by [Statute Law Revision Act 1960 \(c. 56\)](#)

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Marginal Citations

M7 1939 c. 75.

46 Acquisition of land in connection with town development in England and Wales.

- (1) Any power of the Minister under section six of the ^{M8}Town Development Act, 1952, to authorise the compulsory acquisition of land for purposes connected with town development shall, subject to the provisions of this section, be exercisable notwithstanding that the land is not immediately required for those purposes.
- (2) The compulsory acquisition of land shall not be authorised by virtue of the preceding subsection unless the Minister is satisfied that the land is likely to be required for the purposes therein mentioned within ten years from the date on which he confirms the compulsory purchase order.
- (3) In this section “town development” has the same meaning as in the said Act of 1952.
- (4). . . . ^{F32}

Textual Amendments

F32 Ss. 22(5), 23(5), 24(4), 25, 26(7), 29(2), 45(3), 46(4), 47, 50, 52(7), 57(3)(b)(7), 58(7), Sch. 4 Pt. II, Sch. 10 repealed by Statute Law Revision Act 1960 (c. 56)

Marginal Citations

M8 1952 c. 54.

47 ^{F33}

Textual Amendments

F33 Ss. 22(5), 23(5), 24(4), 25, 26(7), 29(2), 45(3), 46(4), 47, 50, 52(7), 57(3)(b)(7), 58(7), Sch. 4 Pt. II, Sch. 10 repealed by Statute Law Revision Act 1960 (c. 56)

48, 49. ^{F34}

Textual Amendments

F34 Ss. 48, 49 repealed by Highways Act 1980 (c. 66, SIF 59), **Sch. 25**

50 ^{F35}

Textual Amendments

F35 Ss. 22(5), 23(5), 24(4), 25, 26(7), 29(2), 45(3), 46(4), 47, 50, 52(7), 57(3)(b)(7), 58(7), Sch. 4 Pt. II, Sch. 10 repealed by Statute Law Revision Act 1960 (c. 56)

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51 F36

Textual Amendments
F36 Ss. 31, 32, 35–44, 51, 52(1)–(3)(5)(6), 53–56, 57(5)(6)(8)(9), 58(1)(b)(2)(5)(6), Schs. 5, 6, 8, 9 repealed by Town and Country Planning Act 1962 (c. 38), **Sch. 15**

52 Application of Act to Crown.

- (1) F37
- (4) In so far as any power conferred by section six of the ^{M9}Town Development Act, 1952, is exercisable in respect of Crown land, that power as extended by section forty-six of this Act shall be exercisable in respect of Crown land to the like extent.
- (5) F37
- (7) F38

Textual Amendments
F37 Ss. 31, 32, 35–44, 51, 52(1)–(3)(5)(6), 53–56, 57(5)(6)(8)(9), 58(1)(b)(2)(5)(6), Schs. 5, 6, 8, 9 repealed by Town and Country Planning Act 1962 (c. 38), **Sch. 15**
F38 Ss. 22(5), 23(5), 24(4), 25, 26(7), 29(2), 45(3), 46(4), 47, 50, 52(7), 57(3)(b)(7), 58(7), Sch. 4 Pt. II, Sch. 10 repealed by Statute Law Revision Act 1960 (c. 56)

Marginal Citations
M9 1952 c. 54.

53 F39
56.

Textual Amendments
F39 Ss. 31, 32, 35–44, 51, 52(1)–(3)(5)(6), 53–56, 57(5)(6)(8)(9), 58(1)(b)(2)(5)(6), Schs. 5, 6, 8, 9 repealed by Town and Country Planning Act 1962 (c. 38), **Sch. 15**

57 Interpretation.

- (1) In this Act, except in so far as the context otherwise requires, the following expressions have the meanings hereby assigned to them respectively, that is to say:—
 - “acquiring authority”, in relation to the acquisition of an interest in land (whether compulsorily or by agreement) or to a proposal so to acquire such an interest, means the government department, local authority or other body by whom the interest is, or is proposed to be, acquired;
 - “theAct of 1919” means the Acquisition of Land (Assessment of Compensation) Act, 1919;
 - “the Act of 1947” means the ^{M10}Town and Country Planning Act, 1947;
 - “the Act of 1954” means the ^{M11}Town and Country Planning Act 1954;

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..... F40
“compulsory acquisition” and “public authority possessing compulsory purchase powers”, . . . F41 have the same meanings as in the Act of 1954, . . . F41;

..... F42
“disposal” means disposal by way of sale, exchange, . . . F41 or lease, or by way of the creation of any easement, . . . F41, right or privilege, or in any other manner, except by way of appropriation, gift, mortgage . . . F41 and “dispose of” shall be construed accordingly;

“function” means a power or a duty, and “grant-aided function”, in relation to a body, means a function in respect of which a grant or contribution (other than any grant under [F43 section 1 of the M12 Local Government Act 1966] . . . F41 . . . F44 . . . F41 is payable to that body by a government department out of moneys provided by Parliament;

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..... F45

“local enactment” means a local or private Act, or an order confirmed by Parliament or brought into operation in accordance with special parliamentary procedure;

“the Minister”, except in Part II of this Act, . . . F41 means the Minister of Housing and Local Government . . . F41;

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..... F40

“planning permission”, . . . F41 means permission under Part III of the Act of 1947 . . . F41;

“prescribed” (except in relation to matters required or authorised by this Act to be prescribed by an order) means prescribed by regulations under this Act;

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..... F40

- (2) In this Act, in relation to a compulsory acquisition in pursuance of a notice to treat, “the relevant interest” means the interest acquired in pursuance of that notice, “the relevant land” means the land in which the relevant interest subsists, and “the notice to treat” means the notice to treat in pursuance of which the relevant interest is acquired.
- (3) Subject to the preceding subsections, and except in so far as the context otherwise requires,—
 - (a) . . . F41 expressions used in this Act and in the Act of 1947 have the same meanings in this Act as in that Act;
 - (b) . . . F47
- (4) Subsections (3), (6) and (7) of section sixty-nine of the Act of 1954 (which relates to the interpretation of that Act) shall apply for the purposes of this Act . . . F41 as they apply for the purposes of that Act; . . . F41.
- (5) . . . F48
- (7) . . . F47
- (8) . . . F48

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Town and Country Planning Act 1959. (See end of Document for details)

(10) F49

(12) References in this Act to any enactment shall, except where the context otherwise requires, be construed as references to that enactment as amended by or under any other enactment, including this Act.

Textual Amendments

- F40** Definition repealed by Statute Law (Repeals) Act 1975 (c. 10), **Sch. Pt. XII**
- F41** Words repealed by Statute Law Revision Act 1960 (c. 56)
- F42** Definition of “corporate land” repealed by Local Authorities (Land) Act 1963 (c. 29), **Sch.**
- F43** Words substituted by Local Government Act 1966 (c. 42), **Sch. 5 para. 5**
- F44** Words repealed by Housing Finance Act 1972 (c. 47), **Sch. 11 Pt. VI**
- F45** Definition repealed by Statute Law (Repeals) Act 1989 (c. 43), s. 1(1), **Sch. 1 Pt. VII**
- F46** Definitions of “the Scottish Act of 1947” and “the Scottish Act of 1954” repealed by Statute Law Revision Act 1960 (c. 56)
- F47** Ss. 22(5), 23(5), 24(4), 25, 26(7), 29(2), 45(3), 46(4), 47, 50, 52(7), 57(3)(b)(7), 58(7), Sch. 4 Pt. II, Sch. 10 repealed by Statute Law Revision Act 1960 (c. 56)
- F48** Ss. 31, 32, 35–44, 51, 52(1)–(3)(5)(6), 53–56, 57(5)(6)(8)(9), 58(1)(b)(2)(5)(6), Schs. 5, 6, 8, 9 repealed by Town and Country Planning Act 1962 (c. 38), **Sch. 15**
- F49** Ss. 14–16, 57(10)(11) repealed by Statute Law (Repeals) Act 1989 (c. 43), s. 1(1), **Sch. 1 Pt. VII**

Marginal Citations

- M10** 1947 c. 51.
- M11** 1954 c. 72.
- M12** 1966 c. 42.

58 Minor and consequential amendments and repeals.

(1) Subject to the following provisions of this section, and without prejudice to any amendments having effect by virtue of the preceding provisions of this Act,—

- (a) the enactments specified in the Seventh Schedule to this Act shall have effect subject to the amendments specified in that Schedule; and
- (b) F50

- (2) F50
- (3) F51
- (4) F52
- (5) F50
- (7) F53

Textual Amendments

- F50** Ss. 31, 32, 35–44, 51, 52(1)–(3)(5)(6), 53–56, 57(5)(6)(8)(9), 58(1)(b)(2)(5)(6), Schs. 5, 6, 8, 9 repealed by Town and Country Planning Act 1962 (c. 38), **Sch. 15**
- F51** Ss. 34, 58(3) repealed by Statute Law (Repeals) Act 1975 (c. 10), **Sch. Pt. XII**
- F52** S. 58(4) repealed by Housing (Consequential Provisions) Act 1985 (c. 71, SIF 61), s. 3, **Sch. 1 Pt. I**

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Town and Country Planning Act 1959. (See end of Document for details)

F53 Ss. 22(5), 23(5), 24(4), 25, 26(7), 29(2), 45(3), 46(4), 47, 50, 52(7), 57(3)(b)(7), 58(7), Sch. 4 Pt. II, Sch. 10 repealed by Statute Law Revision Act 1960 (c. 56)

59 Short title, citation, commencement and extent.

- (1) This Act may be cited as the Town and Country Planning Act, 1959; and the Town and Country Planning Acts, 1947 to 1954, and this Act, except Part II thereof, may be cited together as the Town and Country Planning Acts, 1947 to 1959 . . . ^{F54}.
- (2) This Act shall come into operation at the end of the period of one month beginning with the day on which it is passed.
- (3) This Act shall not extend to Northern Ireland.

Textual Amendments

F54 Words repealed by Statute Law Revision Act 1960 (c. 56)

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Town and Country Planning Act 1959. (See end of Document for details)

SCHEDULES

F55F55 FIRST TO THIRD SCHEDULES

Textual Amendments

F55 Ss. 1–13, 17–21, Schs. 1–3 repealed by [Land Compensation Act 1961 \(c. 33\)](#), [Sch. 5](#)

F55

FOURTH SCHEDULE

Section 22.

AUTHORITIES TO WHOM PART II APPLIES

PART I

Authorities in England and Wales

1 The council of a county, county borough or county district, . . . ^{F56}.

Textual Amendments

F56 Words repealed by [London Government Act 1963 \(c. 33\)](#), s. 93(1), [Sch. 18 Pt. II](#)

2 The Common Council of the City of London.

3 The Council of the Isles of Scilly.

4 A joint education board constituted under Part I of the First Schedule to the ^{M13}Education Act, 1944.

Marginal Citations

M13 1944 c. 31.

5 A joint planning board constituted under subsection (2) of section four of the Act of 1947.

6 ^{F57}

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Town and Country Planning Act 1959. (See end of Document for details)

Textual Amendments

F57 Sch. 4 Pt. I paras. 6, 10–12 repealed by Water Act 1989 (c. 15, SIF 130), s. 190(3), **Sch. 27 Pt. I** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 55, 57(6), 58)

7 A coast protection board constituted under section two of the ^{M14}Coast Protection Act, 1949.

Marginal Citations

M14 1949 c. 74.

8 A combined police authority within the meaning of the ^{M15}Police Act, 1946.

Marginal Citations

M15 1946 c. 46.

9 A fire authority constituted by a combination scheme under section six of the ^{M16}Fire Services Act, 1947.

Marginal Citations

M16 1947 c. 41.

10—12. ^{F58}

Textual Amendments

F58 Sch. 4 Pt. I paras. 6, 10–12 repealed by Water Act 1989 (c. 15, SIF 130), s. 190(3), **Sch. 27 Pt. I** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 55, 57(6), 58)

13 Any joint board established by or under a local enactment for the provision of crematoria.

^{F59}**PART II**

Textual Amendments

F59 Ss. 22(5), 23(5), 24(4), 25, 26(7), 29(2), 45(3), 46(4), 47, 50, 52(7), 57(3)(b)(7), 58(7), Sch. 4 Pt. II, Sch. 10 repealed by Statute Law Revision Act 1960 (c. 56)

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Town and Country Planning Act 1959. (See end of Document for details)

^{F60}F60 FIFTH AND
SIXTH SCHEDULES

Textual Amendments

F60 Ss. 31, 32, 35–44, 51, 52(1)–(3)(5)(6), 53–56, 57(5)(6)(8)(9), 58(1)(b)(2)(5)(6), Schs. 5, 6, 8, 9 repealed by Town and Country Planning Act 1962 (c. 38), **Sch. 15**

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^{F61}F61^{F62}F62^{F63}F63^{F64}F64 SEVENTH
SCHEDULE

Textual Amendments

F61 Entry repealed by Agriculture Act 1970 (c. 40), **Sch. 5 Pt. III**
F62 Entry repealed by Town and Country Planning Act 1962 (c. 38), **Sch. 15**
F63 Entries repealed by Statute Law Revision Act 1960 (c. 56)
F64 Sch. 7: amendments of the Housing Act 1957 repealed by Housing (Consequential Provisions) Act 1985 (c. 71, SIF 61), s. 3, **Sch. 1 Pt. I**

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F62
F63
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^{F65}F65 EIGHTH TO
NINTH SCHEDULES

Textual Amendments

F65 Ss. 31, 32, 35–44, 51, 52(1)–(3)(5)(6), 53–56, 57(5)(6)(8)(9), 58(1)(b)(2)(5)(6), Schs. 5, 6, 8, 9 repealed by Town and Country Planning Act 1962 (c. 38), **Sch. 15**

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F65

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Town and Country Planning Act 1959. (See end of Document for details)

~~F66~~F66 TENTH SCHEDULE

Textual Amendments

F66 Ss. 22(5), 23(5), 24(4), 25, 26(7), 29(2), 45(3), 46(4), 47, 50, 52(7), 57(3)(b)(7), 58(7), Sch. 4 Pt. II, Sch. 10 repealed by Statute Law Revision Act 1960 (c. 56)

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F66

Status:

Point in time view as at 01/02/1991.

Changes to legislation:

There are currently no known outstanding effects for the Town and Country Planning Act 1959.