



# Town Development Act 1952

1952 CHAPTER 54 15 and 16 Geo 6 and 1 Eliz 2

*Participation in town development of authorities other than council of receiving district*

## **8 Provision for participation by agreement.**

- (1) In relation to any town development within the meaning of this Act the council of a receiving district and any authority or authorities eligible to participate, may, if authorised by the Minister in that behalf, make by agreement provision for the taking by any of the parties thereto of action of a kind mentioned in this subsection notwithstanding that apart from this subsection it would not be within the powers of that party, and it shall be lawful by virtue of this subsection for the party in question to take any such action for which provision is so made.

The kinds of action for which provision may be so made are—

- (a) a party's acting on behalf of another party in doing any thing which apart from this subsection that other party could lawfully employ an independent contractor to do, with or without power to the party so acting to employ another person or authority to do it;
- (b) any action outside their area by a [<sup>F1</sup>participating council, being action] which apart from this subsection they could lawfully take if it were for the benefit of their area but which is not, or may not be, for the benefit thereof;
- (c) .....<sup>F2</sup>
- (d) the transfer by one party to another party who are to carry out the development, or part of it, of land possessed by the transferor party which is held by them for a purpose for which the development or that part of it is required;
- (e) the re-transfer to the transferor party of land transferred by them as aforesaid, or, where a party other than the council of the receiving district are to carry out the development or part of it on land possessed by that other party, the transfer of that land to the council of the receiving district after the carrying out of the development or that part of it;
- (f) .....<sup>F3</sup>
- (g) the making and receipt of payments by any party to or from another.

*Changes to legislation: There are currently no known outstanding effects for the Town Development Act 1952, Section 8. (See end of Document for details)*

- (2) Nothing in the preceding subsection shall be taken to prejudice the competence of the council of a receiving district, or of any authority eligible to participate, to make provision by agreement for any of the parties thereto—
  - (a) to take action for the acquisition of land in the receiving district, whether by agreement or compulsorily, in exercise of any power in that behalf which that party has apart from that subsection,
  - (b) to carry out development in the receiving district in exercise of power which that party has under any of the enactments relating to housing or to town and country planning, or
  - (c) to take any other action which is within the powers of that party apart from that subsection,
 and nothing in that subsection shall be taken to prejudice the competence of any of them to take any action without the agreement of any other of them which apart from that subsection they could lawfully so take.
- (3) An authorisation of the Minister for the purposes of subsection (1) of this section of the making by agreement of any such provision as is therein mentioned may be limited to the making thereof in particular terms, or to a particular effect, specified by him.
- (4) ..... F4

**Textual Amendments**

- F1 Words substituted by [Water Act 1989 \(c. 15, SIF 130\)](#), s. 190(1), **Sch. 25 para. 19(2)** (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), 57(6), 58)
- F2 S. 8(1)(c) repealed by [Local Government, Planning and Land Act 1980 \(c. 65, SIF 81:1, 2\)](#), **Sch. 34 Pt. XIV**
- F3 Ss. 2(2)(a), 3(2)(c), 8(1)(f), 14(1)(2) repealed by [Housing Finance Act 1972 \(c. 47\)](#), s. 108(4), **Sch. 11 Pt. III**
- F4 S. 8(4) repealed by [Water Act 1973 \(c. 37\)](#), Sch. 8 para. 65(2), **Sch. 9**

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**Modifications etc. (not altering text)**

- C1 S. 8 amended by [Water Act 1973 \(c. 37\)](#), **Sch. 8 para. 65(1)**

**Changes to legislation:**

There are currently no known outstanding effects for the Town Development Act 1952, Section 8.