SUPPLIED FOR THE PUBLIC SERVICE



CHAPTER 22.

An Act to promote and facilitate the construction, maintenance and management of camps of a permanent character. [25th May 1939.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled; and by the authority of the same, as follows :—

Power to make payments for promoting camps.

1.—(1) With a view to promoting the construction, maintenance and management of camps of a permanent character, payments may, with the consent of the Treasury, be made out of moneys provided by Parliament to each of two companies recognised for the purposes of this section, one for England and Wales and one for Scotland, being companies not trading for profit the objects of which include the construction, maintenance and management of such camps; and the companies so recognised are hereinafter referred to as recognised companies.

(2) The said companies shall be recognised, and such payments as aforesaid shall be made to them, by the appropriate Minister.

(3) Payments made under this section may be by way of grant or loan and shall be made upon such terms and conditions as may be determined by the appropriate Minister with the consent of the Treasury :

Provided that the sum of the grants made under this section and of the amounts outstanding in respect of the principal of any loans made thereunder shall not at any time exceed in the aggregate one million two hundred thousand pounds.

(4) In this section the expression "the appropriate Minister", in relation to the company recognised for England and Wales and payments made to that company, means the Minister of Health and, in relation to the company recognised for Scotland and payments made to that company, means the Department of Health for Scotland.

(5) All sums received in repayment of the principal of any loan made under this section or in respect of any interest on any such loan shall be paid into the Exchequer.

Power to authorise recognised companies to purchase land compulsorily.

2.—(1) A recognised company may be authorised by means of a compulsory purchase order made by the company and confirmed by the Minister of Health (hereinafter referred to as "the Minister") to purchase land compulsorily for the purposes of their functions in connection with the construction, maintenance and management of camps and also any land reasonably necessary for the preservation of the amenities of any land acquired or proposed to be acquired for such purposes.

(2) The provisions of sections one hundred and sixty-one, one hundred and sixty-two, one hundred and seventy-four and one hundred and seventy-five of the Local Government Act, 1933, and of paragraphs (*a*), (*b*) and (*c*) of section one hundred and seventy-nine of that Act shall, subject to the provisions of the next succeeding subsection, apply with respect to any order made under this section as if the recognised company were a local authority and the provisions of subsections (2), (3), (4), (5) and (8) of section two hundred and ninety of the said Act shall apply to any inquiry which the Minister may cause to be held with respect to any such order:

22 & 23 Geo. 5. c. 51.

Provided that, in the case of any compulsory purchase order submitted to the Minister under this section within two years after the passing of this Act, the Minister shall not be bound to cause a local inquiry to be held

before confirming the order, notwithstanding the provisions of subsection (4) of the said section one hundred and sixty-one.

(3) In its application to a recognised company who make under this section a compulsory purchase order, subsection (3) of section one hundred and sixty-one of the Local Government Act, 1933, shall have effect as if it provided that the notice required by paragraph (*a*) of that subsection to be published in a local newspaper shall also be served on the council of every county and of every borough, or urban or rural district, in which any land comprised in the order is situate.

(4) Where a recognised company are authorised by an order confirmed under this section to purchase land compulsorily, then, at any time after notice to treat has been served, the company may, after giving to the owner and to the occupier of the land not less than fourteen days' notice, enter on and take possession of the land or such part thereof as is specified in the notice, without previous consent or compliance with sections eighty-four to ninety of the Lands Clauses Consolidation Act, 1845, but subject to the payment of the like compensation for the land of which possession is taken, and interest on the compensation awarded, as would have been payable if those provisions had been complied with. 8 & 9 Vict. c. 18.

(5) The provisions of the Acquisition of Land (Assessment of Compensation) Act, 1919, shall apply in relation to the compulsory purchase of any land authorised under this section in like manner as if a recognised company were a public authority. 9 & 10 Geo. 5. c. 57.

3.—(1) Where plans and specifications for the construction of any buildings or erections, or the making of any excavations, by a recognised company in the exercise of their functions in connection with the construction, maintenance and management of camps have been submitted to and approved by the Minister, then, no requirements or restrictions imposed by, or under, any enactment as to the erection, placing or making of buildings, erections or excavations, or the construction, formation or laying out of means of access to or from any road, or as to the submission of plans and specifications, or the giving of notices, to a local authority, shall apply in relation to any building, erection or excavation Exemption from building restrictions.

erected, placed, or made in accordance with the plans and specifications so approved, except in so far as the Minister may direct.

15 & 16 Geo. 5. c. 16. 22 & 23 Geo. 5. c. 48.

(2) No provision contained in a scheme made under the Town Planning Act, 1925, or the Town and Country Planning Act, 1932, or any enactment repealed by either of those Acts, shall apply to any land acquired, or appropriated, with the approval of the Minister by a recognised company for the purposes of their functions in connection with the construction, maintenance and management of camps, except in so far as the Minister may at any time direct:

Provided that—

(*a*) before giving his approval under this subsection, the Minister shall notify the planning authority, if any, for the area in which the land is situate, of the application for his approval and take into consideration any representations which may be made to him by that authority within fourteen days after the receipt by them of such notification; and

(*b*) this subsection shall cease to have effect when such land ceases to be used for such purposes.

(3) A recognised company who submit any plans and specifications to the Minister for his approval under subsection (1) of this section shall transmit copies thereof to the council of the county and of the borough or urban or rural district, and to the planning authority, if any, for the area, in which the site of the proposed buildings, erections or excavations is situate, and the Minister, before giving his approval, shall take into consideration any representations which may be made to him by that council or authority within fourteen days after the receipt by them of the copies of the plans and specifications.

In this section the expression "planning authority" in relation to any land subject to such a scheme as is mentioned in the last preceding subsection, or to a resolution to prepare or adopt such a scheme, means the authority having power to control the development or interim development of that land.

Powers of Unemployment Assistance Board to make arrangements with recognised companies as to employment. 24 & 25 Geo. 5. c. 29.

4. The Unemployment Assistance Board may enter into agreements with any recognised company for the employment of persons upon work for the company in like manner and, save as hereinafter provided, subject to the like conditions, as the Board may under section thirty-seven of the Unemployment Assistance Act, 1934, enter into agreements for their employment upon work for local authorities, and that section shall apply accordingly with the necessary modifications:

Provided that the employment of persons upon work for a recognised company in pursuance of an agreement made under this section need not be in continuance of, or part of, training and instruction afforded in connection with a training course, and where the work is not utilised as part of a training course, the contributions which may be made by the Board shall be in respect of any additional expenditure incurred by the recognised company by reason of the persons being employed in pursuance of the agreement.

Annual reports to be made by a recognised company.

5. A recognised company shall each year prepare and submit to the appropriate Minister an annual report on their operations in that year; and the Minister, upon receiving any report submitted to him under this section, shall lay copies of the report before Parliament.

Interpretation.

6. In this Act, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say,—

"company" has the meaning assigned to it by section three hundred and eighty of the Companies Act, 1929; 19 & 20 Geo. 5. c. 23.

"construction," in relation to a camp or building, includes the making of any alterations and additions to any building to adapt it for use in connection with a camp;

"enactment" includes any private or local Act;

"land" includes any interest in land and any easement or right in, to or over land;

"management," in relation to a camp, includes the arrangement and supervision of all matters connected with the use of the camp, and the

provision of facilities for recreation for the persons using it;

"road" has the same meaning as it has in the Restriction of Ribbon Development Act, 1935.

25 & 26 Geo. 5. c. 47.

Application of Act to Scotland.

7. This Act shall apply to Scotland, subject to the following modifications—

(*a*) for any reference to the Minister of Health (except the reference in section one of this Act) there shall be substituted a reference to the Department of Health for Scotland (hereinafter referred to as the Department); for references to the Town Planning Act, 1925, and the Town and Country Planning Act, 1932, there shall be substituted respectively references to the Town Planning (Scotland) Act, 1925, and the Town and Country Planning (Scotland) Act, 1932; for any reference to sections eighty-four to ninety of the Lands Clauses Consolidation Act, 1845, there shall be substituted a reference to sections eighty-three to eighty-eight of the Lands Clauses Consolidation (Scotland) Act, 1845; for any reference to a borough, there shall be substituted a reference to a burgh and references to urban or rural districts shall not apply; and for any reference to an easement there shall be substituted a reference to a servitude;

15 & 16 Geo. 5. c. 17. 22 & 23 Geo. 5. c. 49. 8 & 9 Vict. c. 19.

(*b*) section two of this Act shall have effect as if for subsections (2) and (3) thereof the following subsections were substituted—

"(2) The following provisions of the Town and Country Planning (Scotland) Act, 1932, viz:—Part III of the First Schedule, Part I of the Third Schedule (except paragraph 2 and sub-paragraph (iii) of paragraph 3) and paragraphs 2 and 4 of Part II of that Schedule, shall, so far as applicable, apply with respect to any order made under this section, subject, however, to the following and any other necessary modifications—

(i) for references to the responsible authority there shall be substituted references to the recognised company;

(ii) anything which has to be prescribed shall be prescribed by the Department;

(iii) the Department may confirm any order submitted to them under this section within two years after the passing of this Act without causing a local inquiry to be held;

(iv) section thirty-seven of the said Act of 1932 shall apply to any local inquiry held regarding an order made under this section, in like manner as if the inquiry were held under that Act.

(3) In its application to a recognised company who make under this section a compulsory purchase order, paragraph 4 of Part I of the Third Schedule to the Town and Country Planning (Scotland) Act, 1932, shall have effect as if it provided that the notice required by sub-paragraph (*a*) of that paragraph to be published in a local newspaper shall also be served on the council of any county or burgh in which any land comprised in the order is situate";

(*c*) nothing in section two of this Act shall authorise the compulsory acquisition of any land which is the site of an ancient monument or other object of archæological interest, and where any land proposed to be acquired by means of a compulsory purchase order under the said section is situate within such distance as may be prescribed by the Department after consultation with the Commissioners of Works from any of the royal palaces or parks, the recognised company shall communicate with the Commissioners of Works and the Department shall, before confirming the order, take into consideration any recommendation received from the Commissioners of Works with reference to the order; and

(*d*) the exemption from requirements and restrictions conferred by subsection (1) of section three of this Act shall extend to any requirement imposed

by or under any enactment, or by virtue of the common law, as to the presentation of a petition to a dean of guild court, or to any body performing the functions of such a court.

Short title and extent.

8.—(1) This Act may be cited as the Camps Act, 1939.

(2) This Act shall not extend to Northern Ireland.

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