1954 No. 1720

The Central Land Board (Provision of Information) Regulations, 1954

Made - - - -	23*rd December*, 1954
Laid before Parliament	31*st December*, 1954
Coming into Operation	1*st January*, 1955

The Minister of Housing and Local Government in exercise of the powers conferred on him by sections 48 and 68 of the Town and Country Planning Act, 1954(a), and of all other powers enabling him in that behalf, hereby makes the following regulations:—

Citation and commencement

1. These regulations may be cited as the Central Land Board (Provision of Information) Regulations, 1954, and shall come into operation on the first day of January, 1955.

Interpretation

2.—(1) The Interpretation Act, 1889(b), shall apply to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

(2) In these regulations, unless the context otherwise requires:

"the Act" means the Town and Country Planning Act, 1954;

"the Board" means the Central Land Board; and

"new apportionment" means an apportionment which relates wholly or partly to any matters relating to which there has not been a previous apportionment as defined by section 69 of the Act.

Certificates under subsection (1) *of section* 48

3.—(1) An application for a certificate under subsection (1) of section 48 of the Act shall be in the form prescribed in the First Schedule to these regulations, or a form substantially to the like effect, and shall be made by sending the application to the District Valuer of the Inland Revenue Department.

(2) A separate application shall be made in respect of each parcel of land which is in separate occupation or separately rated at the time of the application, except where a certificate is required in respect of two or more contiguous parcels of land by a person entitled to an interest (including a mortgage or rentcharge) in such parcels or for the purposes of a transaction relating thereto.

(3) A certificate issued under subsection (1) of section 48 shall be in the form prescribed in the Second Schedule to these regulations or a form substantially to the like effect.

(a) 2 & 3 Eliz. 2. c. 72.

(b) 52 & 53 Vict. c. 63.

Certificates under subsection (2) *of section* 48

4. An application for a certificate under subsection (2) of section 48 of the Act shall be in the form prescribed in the Third Schedule to these regulations, or a form substantially to the like effect, and shall be made by sending the application to the District Valuer of the Inland Revenue Department.

Payment of fees

5.—(1) Subject to the following paragraph of this regulation, the fee of five shillings payable on an application for a certificate under subsection (1) of section 48 of the Act shall be paid by attaching to the application form adhesive postage stamps to the value of five shillings.

(2) Where an application involves a new apportionment the further fee of fifteen shillings shall be sent to the Board before the certificate is issued, or such further fee may be paid with the initial fee of five shillings by sending with the application a cheque or a money or postal order for the sum of one pound payable to the Board and crossed.

FIRST SCHEDULE

Application No.....

Claim File No...../.../S.....

CENTRAL LAND BOARD

TOWN AND COUNTRY PLANNING ACT, 1954

ORIGINAL UNEXPENDED BALANCE OF ESTABLISHED DEVELOPMENT VALUE

Application for a Certificate under Section 48 (1)

1. NAME(S) AND ADDRESS(ES) OF APPLICANT(S) (in block capitals)

(*a*) Surname(s) (state whether Mr., Mrs., Miss).....

Other name(s).....

(*b*) Present postal address(es).....

.....

Note. In the case of a joint application the names of each applicant should be given, but the Board will send all communications to the first named applicant unless a written request to the contrary is made.

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2. PARTICULARS OF AGENT (if any) to whom the applicant wishes any communications about this application to be sent.

NAME .....

Postal address .....

.....

Telephone Number ..... Profession .....

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3. PARTICULARS OF LAND to which the application relates:—

(i) Description, situation and extent of land (see note 1).....

.....

.....

(ii) Nature of the applicant's present interest in the land, if freehold or leasehold (if neither, state "none") (see note 2).....

.....

(iii) Give particulars of any other freehold or leasehold interest in the land with names and addresses of the persons entitled, so far as known (see note 3)

.....

.....

Note 1. If a map is necessary to enable the land to be identified an accurate map of sufficiently large scale and with sufficient detail for this purpose must accompany this application.

Note 2. Only a person who has an interest in the land to which this application relates is entitled under section 48 (1) of the Act to a certificate if a new apportionment will be required before the certificate can be issued. If therefore on examination of this application it is found that the applicant has no interest in the land and that a new apportionment is involved, no certificate will be issued and he will be informed accordingly. In such cases the application fee of 5/- will not be refunded.

Note 3. Question (iii) need not be answered by applicants who have stated "none" in answer to question (ii).

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4. PARTICULARS OF CLAIM ESTABLISHED UNDER PART VI OF THE TOWN AND COUNTRY PLANNING ACT, 1947 (if known)

(i) Board's claim file number (as shown on the determination of development value)...../...../S.....

(ii) Name(s) and address(es) of the person(s) who owned the land, or interests in the land, on 1st July, 1948.....

.....

Note. The completion of this section is optional but it will assist the Central Land Board if the information is provided.

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5. APPLICATION FEE

Under section 48 (8) of the Act a fee of 5/- is payable in respect of this application. This fee must be paid by attaching to this form of application in the space provided below postage stamps to this value. If a new apportionment is necessary to enable the certificate to be given in respect of land to which the application relates, a further fee of 15/- will be payable before the certificate is issued. The Board after examining the application will inform the applicant whether this further fee is payable.

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6. OFFICE FOR RECEIPT OF APPLICATIONS

This application form when duly completed and stamped should be sent by post or handed in to the District Valuer of the valuation district within which the land to which this application relates is situated, or to the nearest District Valuer.

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7. FORMAL APPLICATION (to be signed by the applicant(s) whose name(s) is/are shown in paragraph 1 above).

I/We hereby request the Central Land Board to issue to me/us a certificate in accordance with the provisions of section 48 (1) of the Town and Country Planning Act, 1954, and of the Central Land Board (Provision of Information) Regulations, 1954.

Signature .....

Date ....

A POSTAGE STAMP OR STAMPS TO THE VALUE OF FIVE SHILLINGS SHOULD BE ATTACHED TO THIS FORM IN THE SPACE BELOW.

SECOND SCHEDULE

CENTRAL LAND BOARD

(Address).....

.....

.....

CENTRAL LAND BOARD

ORIGINAL UNEXPENDED BALANCE OF ESTABLISHED DEVELOPMENT VALUE

Certificate issued under Section 48 (1) *of the Town and Country Planning Act,* 1954

DESCRIPTION OF LAND .....

.....

.....

.....

Central Land Board's reference number .....

Date of issue of certificate .....

TO .....

.....

.....

The Central Land Board hereby certify as follows:—

*(i) [the above described land] [the part(s) of the above described land as indicated in the Schedule annexed] has/have severally / has not an original unexpended balance of established development value within the meaning of section 17 of the Town and Country Planning Act, 1954;

* Delete words inapplicable.

†(ii) on the first day of July nineteen hundred and forty-eight the state of [the above described land] [the said parts] was taken by the Board, for the purposes of Part VI of the Town and Country Planning Act, 1947, to be .....
.....
.....
.....

†(iii) the following [is] [are] the amount(s) of the said original unexpended balance(s) [subject to any outstanding claims under Part I or Part V of the Town and Country Planning Act, 1954].....
.....

‡(iv)

Signed.....
Authorised in that behalf by the Central Land Board.

† Delete where there is no original unexpended balance.
‡ Additional information, if any, to be inserted here.

THIRD SCHEDULE

Application No. .....

Claim File No. ...../.../S.....

CENTRAL LAND BOARD

TOWN AND COUNTRY PLANNING ACT, 1954

UNEXPENDED BALANCE OF ESTABLISHED DEVELOPMENT VALUE

Application for a Certificate under Section 48 (2)

1. NAME AND ADDRESS OF PUBLIC AUTHORITY (in block capitals)

(*a*) Name of Public Authority.....

(*b*) Postal address.....
.....

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2. PARTICULARS OF LAND to which the application relates

(i) Description, situation and extent of land.....
.....

(ii) Description of interest(s) being acquired.....
.....

(iii) Details of the powers under which the acquisition is being effected. (It should be stated whether minerals are excluded from the acquisition.)
.....

(iv) The date on which a notice to treat was served, or was deemed to have been served, with a view to the compulsory acquisition of an interest in the land.....

(v) Is there more than one interest (i.e., freehold or leasehold) in the land? (Answer "Yes" or "No").....

(vi) If the answer to (v) above is "Yes" give (if known) the names and addresses of the owners of other interests and the nature of their interests.....
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.....
.....

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*3. PARTICULARS OF CLAIM ESTABLISHED UNDER PART VI OF THE TOWN AND COUNTRY PLANNING ACT, 1947 (if known)

(i) Board's claim file number (as shown on the determination of development value) ...../...../S .....

(ii) Name(s) and address(es) of the person(s) who owned the land, or an interest in the land, on 1st July, 1948.....

.....

.....

Note.—Question 3 (ii) need be answered only if the Board's claim file number is not known.

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*4. NEW DEVELOPMENT

Has any new development, within the meaning of section 16 of the Town and Country Planning Act, 1954, been carried out on the land since 1st July, 1948? If so, give details, including date of commencement.....

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*5. PREVIOUS ACQUISITIONS

Has any interest in the land previously been compulsorily acquired by a public authority or acquired by agreement by a public authority possessing compulsory purchase powers? If the answer is "Yes" give details.....

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.....

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6. FORMAL APPLICATION

I/We hereby request the Central Land Board to issue to.....

..... (name of authority) a certificate in accordance with the provisions of section 48 (2) of the Town and Country Planning Act, 1954, showing the unexpended balance of established development value, if any, of the land described in paragraph 2 above immediately before the service of the notice mentioned in that paragraph.

Signature.....

(Rank of Signatory).....

For and on behalf of the above authority.

Date.....

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* The completion of these sections is optional but it will assist the Central Land Board if the information is provided.

Given under the official seal of the Minister of Housing and Local Government this twenty-third day of December, nineteen hundred and fifty-four.

(L.S.)

Duncan Sandys,

Minister of Housing and Local Government.

EXPLANATORY NOTE

(This Note is not part of these regulations, but is intended to indicate their general purport.)

Under section 48 of the Town and Country Planning Act, 1954, information as to whether land has an unexpended balance of established development value is to be provided by the Central Land Board on application.

These regulations prescribe the forms to be used, the manner in which applications are to be made and the method by which the fees payable under the section are to be paid.