STATUTORY INSTRUMENTS

1967 No. 368

LAND COMMISSION

ACQUISITION, MANAGEMENT AND DISPOSAL OF LAND

The Compulsory Acquisition of Land (Development Plan) (Specification) Regulations 1967

Made - - - - -	10*th March* 1967
Laid before Parliament -	14*th March* 1967
Coming into Operation - -	6*th April* 1967

The Minister of Housing and Local Government, being for the purposes of these regulations the appropriate Minister in relation to England and Wales, in exercise of the powers conferred on him by sections 6(3)(*b*) and 98 of the Land Commission Act 1967(a), and of all other powers enabling him in that behalf, hereby makes the following regulations:—

Citation, extent and commencement

1. These regulations, which may be cited as the Compulsory Acquisition of Land (Development Plan) (Specification) Regulations 1967, apply to England and Wales and shall come into operation on 6th April 1967 (being the first appointed day under the Act(b)).

Interpretation

2.—(1) In these regulations the following expressions have the meanings hereby respectively assigned to them, that is to say—

"the Act" means the Land Commission Act 1967;

"the Commission" means the Land Commission;

"the current development plan" has the meaning assigned to it in section 26(1) of the Act;

"local planning authority" has the meaning assigned to it in section 2 of the Town and Country Planning Act 1962(c) and includes the Council of a London borough or the Common Council of the City of London;

"the planning Minister" in relation to England (excluding Monmouthshire) means the Minister of Housing and Local Government and in relation to Wales (including Monmouthshire) means the Secretary of State.

(2) References in regulation 3(2) and (3) of these regulations to expressions of which there are definitions in the regulations of 1965 therein referred to have the meanings thereby respectively assigned to them.

(3) The Interpretation Act 1889(d) applies to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

Indication of land in current development plan

3.—(1) For the purposes of subsection (3) of section 6 of the Act (which in paragraph (*b*) thereof contains one of the several conditions without fulfilment of at least one of which the Commission's power to acquire land compulsorily under subsection (1) of that section is not exercisable) the manner in which, in the current development plan, or in any proposals submitted to the planning

(a) 1967 c. 1.
(b) *See* S.I. 1967/146 (1967 I, p. 241).
(c) 1962 c. 38.
(d) 1889 c. 63.

Minister by a local planning authority for altering or adding to that plan, the land is defined or otherwise indicated (whether or not involving allocation to a purpose), shall be as set out in the following paragraphs of this regulation.

(2) In relation to a town map or proposals for altering or adding to that map, definition or other indication of the land or allocation of the land for particular purposes shall be in the manner adopted with reference to particulars and proposals in respect of land comprised in item (i)(*a*) or any of items (ii) to (viii) in Part I or of items (iii) to (viii) in Part III of Schedule 1 to the Town and Country Planning (Development Plans) Regulations 1965(**a**).

(3) In relation to a county map or proposals for altering or adding to that map, definition or other indication of the land shall be in the manner adopted with reference to particulars and proposals in respect of land comprised in item (i)(*c*) or any of items (iii) to (vi) in Part II or of items (iii) to (viii) in Part III of the said Schedule 1.

(4) In relation to a local development plan as defined in the Town and Country Planning (Development Plans for Greater London) Regulations 1966(**b**) or proposals for altering or adding to such a plan, definition or other indication of the land or allocation of the land for particular purposes shall be in the manner adopted with reference to particulars and proposals in respect of land comprised or included in item (i)(*a*) or any of items (ii) to (ix) or of items (xii) to (xv) in Part I of Schedule 1 to those Regulations.

(5) Where any item referred to in one of the foregoing paragraphs consists of a description of boundaries, any reference to land comprised in that item shall for the purpose of this regulation be treated as a reference to land included within those boundaries.

Given under the official seal of the Minister of Housing and Local Government on 10th March 1967.

(L.S.) *Anthony Greenwood,*
Minister of Housing and Local Government.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

Under section 6(3) of the Land Commission Act 1967, the Land Commission may not, under subsection (1) of that section, acquire land compulsorily unless, on the date on which the compulsory purchase order authorising the acquisition is made, one or more of a number of conditions is fulfilled. One of these (contained in subsection (3)(*b*)) is that in the current development plan, or in any proposals submitted by a local planning authority for altering or adding to the plan, the land is defined or otherwise indicated in such manner as is prescribed by regulations made for the purpose.

These regulations prescribe the manner of indication by reference to various proposals shown on maps prepared for the purposes of the current development plan—authority for which is contained in Part II of (and in Parts I to III of Schedule 1 to) the Town and Country Planning (Development Plans) Regulations 1965, and in the corresponding provisions of the Town and Country Planning (Development Plans for Greater London) Regulations 1966.

The Regulations apply to England and Wales.

(**a**) S.I. 1965/1453 (1965 II, p. 4274). (**b**) S.I. 1966/48 (1966 I, p. 82).