(iii) if the journey is by steamer cabin fare may be allowed.

2.—(1) Where no railway, steamer, or other public conveyance is available, and a person necessarily travels

(*a*) by hired conveyance the allowance shall be the amount actually and reasonably incurred for the hire of the conveyance provided that where two or more persons attend from the same place only one hire shall be allowed unless it appears to the paying officer that it was necessary to hire more than one conveyance; or

(*b*) by private motor car, the allowance shall be not exceeding 6d. a mile each way, or by motor-cycle not exceeding 2d. a mile each way.

(2) Where a public conveyance is available and a person, for private reasons, uses his own motor car or other means of transport, only the fare of such public conveyance shall be allowed

3. In this Schedule the expression "paying officer" means the person by whom the amount of a payment is to be ascertained and paid under Section 25 of the Act.

LAND, ACQUISITION OF, ENGLAND

The Compulsory Purchase of Land Regulations, 1949

1949 No. 507

Made - - - - 22nd March, 1949

M.H. 108750

The Minister of Health, in exercise of the powers conferred on him by the First Schedule to the Acquisition of Land (Authorisation Procedure) Act, 1946(**a**), and of all other powers enabling him in that behalf, hereby makes the following regulations :—

1. These regulations may be cited as the Compulsory Purchase of Land Regulations, 1949, and shall come into operation on the first day of May, 1949.

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

3. The forms set out in the Schedule hereto or forms substantially to the like effect shall be the forms to be used after the coming into operation of these regulations for the purpose of the First Schedule to the Acquisition of Land (Authorisation Procedure) Act, 1946, in the cases to which those forms are applicable.

4. The Compulsory Purchase of Land Regulations, 1946(**c**), and the Compulsory Purchase of Land Amendment Regulations, 1947(**d**), are hereby revoked.

(**a**) 9 & 10 Geo. 6. c. 49. (**b**) 52 & 53 Vict. c. 63.
(**c**) S.R. & O. 1946 (No. 573) I, p. 937. (**d**) S.R. & O. 1947 (No. 121) I, p. 1234.

THE SCHEDULE

List of Forms

Form No. 1. Form of compulsory purchase order not providing for expedited completion.

Form No. 2. Form of advertisement of the making of a compulsory purchase order not providing for expedited completion.

Form No. 3. Form of notice to owners, lessees and occupiers of the making of a compulsory purchase order not providing for expedited completion, otherwise than on behalf of a parish council.

Form No. 4. Form of notice to owners, lessees and occupiers of the making of a compulsory purchase order on behalf of a parish council.

Form No. 5. Form of notice of confirmation, or making by acquiring Minister, of compulsory purchase order not providing for expedited completion.

Form No. 6. Form of compulsory purchase order providing under s. 39 of the Town and Country Planning Act, 1947, for expedited completion.

Form No. 7. Form of advertisement of the making of a compulsory purchase order providing under s. 39 of the Town and Country Planning Act, 1947, for expedited completion.

Form No. 8. Form of notice to owners, lessees and occupiers of the making of a compulsory purchase order providing under s. 39 of the Town and Country Planning Act, 1947, for expedited completion.

Form No. 9. Form of notice of confirmation of compulsory purchase order providing under s. 39 of the Town and Country Planning Act, 1947, for expedited completion.

Form No. 10. Form of advertisement of granting of certificate under Part III of First Schedule to the Acquisition of Land (Authorisation Procedure) Act, 1946.

Form No. 1

Form of Compulsory Purchase Order not providing for Expedited Completion

(*a*) *The* *Act* 1 , *and the Acquisition of Land (Authorisation Procedure) Act,* 1946

[*The* *Act(s),* 1]

The hereby make the following order:

1. Subject to the provisions of this order the said are, under section of the Act, 1 , hereby authorised to purchase compulsorily [on behalf of the parish council of] for the purpose of (*b*) the land which is described in the (*c*)[first] schedule hereto and is delineated and coloured on the map prepared in duplicate, sealed with the common seal of the said and marked " Map referred to in the Compulsory Purchase Order 19 ". One duplicate of the map is deposited in the offices of the said and the other is deposited in the offices of the (*d*)

(*e*)[2. For the purposes of this order section 133 of the Lands Clauses Consolidation Act, 1845, shall not be incorporated with the enactment under which the foregoing purchase is authorised.]

(*f*)[3. In relation to the foregoing purchase section 77 of the Railways Clauses Consolidation Act, 1845 [and sections 78 to 85 of that Act as originally enacted and not as amended for certain purposes by section 15 of the Mines (Working Facilities and Support) Act, 1923] [is] [are] hereby incorporated with the enactment under which the said purchase is authorised, subject to the modifications that (*g*)

(*h*)[4. The land which is described in the second schedule to this order and coloured on the map hereinbefore referred to, being land which is to be given in exchange for the land described: (*i*) [as] in the first schedule hereto, shall, as from the date on which this order becomes operative or as from the date on which the land for which it is to be given in exchange, or any of it, is vested in the said , whichever is the later, vest in the persons by whom the said land was held immediately prior to its vesting in the said , subject to the like rights, trusts and incidents as attached thereto, and the said land shall thereupon be discharged from the rights, trusts and incidents to which it was previously subject.]

5. This order may be cited as the Compulsory Purchase Order, 19 .

(*c*)[FIRST] SCHEDULE

Number on map (1)	Quantity, description and situation of the land (2)	Owners or reputed owners (3)	Lessees or reputed lessees (4)	Occupiers (other than tenants for a month or less period than a month) (5)
(*j*)				

[SECOND SCHEDULE

(*k*)

]

Given under the common seal of the the day of in the year nineteen hundred and

Notes

(*a*) Insert short title of Act authorising compulsory purchase. Where the purpose of acquisition indicated in article 1 of the order is conferred by an Act or Acts other than the Act authorising compulsory purchase, the short or collective title of the Act or Acts conferring the function should be set out in the sub-heading.

(*b*) The description of the purpose should be precise, and, if possible, in the terms of the statutory provision, but not merely by reference thereto.

(*c*) Omit " first " if article 4 is omitted.

(*d*) Insert the name of the confirming authority.

(*e*) This article should be omitted in the case of an order under the Housing Act, 1936, and is optional in other cases.

(*f*) This article may be omitted or may be inserted with or without the reference to sections 78 to 85.

(*g*) The modifications required should be indicated, e.g., by the provision— " references in the said [section] [sections] to the company shall be construed as references to the said and that references to the [railway or] works shall be construed as references to the land authorised to be purchased and any buildings or works constructed or to be constructed thereon."

(*h*) Omit if unnecessary.

(*i*) Omit if the whole of the land described in the first schedule falls within paragraph 11 in the First Schedule to the Act of 1946. If inserted, the map numbers of the land falling within paragraph 11 should be inserted.

(*j*) Col. (1) need not be completed where the order relates only to one parcel of land. Where there are two or more parcels they should be numbered 1, 2, etc. on the map and referred to accordingly in column (1). Cols. (3) (4) and (5) need not be completed in the case of any land in respect of which the confirming authority has dispensed with service on owners, lessees and occupiers under paragraph 3(1)(*b*) of the First Schedule to the Act of 1946.

(*k*) Insert description of land to be given in exchange. Omit schedule if article 4 is omitted.

FORM No. 2

FORM OF ADVERTISEMENT OF THE MAKING OF A COMPULSORY PURCHASE ORDER NOT PROVIDING FOR EXPEDITED COMPLETION

(*a*) *The* *Act*, 1 ,
and the Acquisition of Land (Authorisation Procedure) Act, 1946

[*The* *Act(s)*, 1]

Notice is hereby given that the in exercise of the powers conferred on them by the above-mentioned Acts on the day of 19 , made a compulsory purchase order entitled the which is about to be submitted to the for confirmation, authorising them to purchase compulsorily for the purpose of(*b*) the land described in the schedule hereto.

A copy of the order and the map referred to therein have been deposited at(*c*) and may be seen there at all reasonable hours.

Any objection to the order must be made in writing and addressed to (*d*) before the(*e*) day of 19 , and should state the grounds of objection.

SCHEDULE

(*f*)

Dated the day of 19

[Town Clerk] [Clerk of the Council] [Secretary].

Notes

(*a*) The heading and sub-heading should be in the form in which they are included in the order.

(*b*) The notice should be in the terms of the order.

(*c*) The place of deposit must be " within the locality ".

(*d*) Insert name and address of confirming authority.

(*e*) Insert date at least 21 days from the first publication of the notice.

(*f*) Insert description of land comprised in the order. Such description need not be in the form of the schedule to the order, but must be in a form from which persons interested can readily asertain whether their land is included.

FORM No. 3

FORM OF NOTICE TO OWNERS, LESSEES AND OCCUPIERS OF THE MAKING OF A COMPULSORY PURCHASE ORDER NOT PROVIDING FOR EXPEDITED COMPLETION, OTHERWISE THAN ON BEHALF OF A PARISH COUNCIL

(*a*) *The* *Act*, 1 ,
and the Acquisition of Land (Authorisation Procedure) Act, 1946

[*The* *Act(s)*, 1]

Take notice that the in exercise of the powers conferred on them by the above-mentioned Acts on the day

of 19 , made a compulsory purchase order entitled the which is about to be submitted to the for confirmation, authorising them to purchase compulsorily for the purpose of (*b*) the land described in the schedule hereto.

A copy of the order and the map referred to therein have been deposited at(*c*) and may be seen there at all reasonable hours.

(*d*)[Under s.41 of the Town and Country Planning Act, 1947, any person having an interest in any building included in the order may, within 28 days after the service of this notice, apply to a court of summary jurisdiction for the petty sessional division or place within which the building is situated for an order staying further proceedings on the compulsory purchase order, and if the court is satisfied that reasonable steps are being taken for properly preserving the building they must make an order accordingly. Any person aggrieved by the decision of the court of summary jurisdiction may appeal against that decision to a court of quarter sessions.

Subject to any action under the said section 41 the position is as set out in the following paragraph].

If no objection is duly made by an owner, lessee or occupier (except tenants for a month or any less period than a month), or if all objections so made are withdrawn, or if the confirming authority is satisfied that every objection duly made (*e*)[either] relates exclusively to matters which can be dealt with by the tribunal by whom the compensation is to be assessed [or amounts in substance to an objection to the provisions of the development plan defining the proposed use of the land comprised in the order or any other land], the confirming authority may, if it thinks fit, confirm the order with or without modifications. In any other case where an objection has been duly made by an owner, lessee or occupier (other than a tenant for a month or less) the confirming authority is required, before confirming the order, either to cause a public local inquiry to be held or to afford to the objector an opportunity of appearing before and being heard by a person appointed by the confirming authority for that purpose, and may then, after considering the objection and the report of the person who held the inquiry or the person appointed as aforesaid, confirm the order with or without modifications.

Any objection to the order must be made in writing and addressed to (*f*) before the(*g*) day of 19 , and should state the grounds of objection.

SCHEDULE

(*h*)

Dated the day of , 19 .

[Town Clerk] [Clerk of the Council] [Secretary].

Notes

(*a*) The heading and sub-heading should be in the form in which they are included in the order.

(*b*) The notice should be in the terms of the order.

(*c*) The place of deposit must be " within the locality ".

(*d*) Insert where order is made under s. 41 of the Town and Country Planning Act, 1947.

(*e*) Omit words in square brackets if land is not designated in a development plan as subject to compulsory acquisition.

(*f*) Insert name and address of confirming authority.

(*g*) Insert date at least 21 days from the service of the notice.

(*h*) Insert description of land comprised in the order. Such description need not be in the form of the schedule to the order, but must be in a form from which persons interested can readily ascertain whether their land is included.

FORM NO. 4

FORM OF NOTICE TO OWNERS, LESSEES AND OCCUPIERS OF THE MAKING OF A COMPULSORY PURCHASE ORDER ON BEHALF OF A PARISH COUNCIL

The Local Government Act, 1933, *and the Acquisition of Land (Authorisation Procedure) Act*, 1946

(*a*) [*The* *Act(s)*, 1]

Take notice that the county council of in exercise of the powers conferred on them by the above-mentioned Acts on the day of 19 , made a compulsory purchase order entitled the which is about to be submitted to the Minister of Health for confirmation authorising them to purchase compulsorily on behalf of the parish council of for the purpose of (*b*) the land described in the schedule hereto.

A copy of the order and the map referred to therein have been deposited at (*c*) and may be seen there at all reasonable hours.

If no objection is duly made by an owner, lessee or occupier (except tenants for a month or any less period than a month), or if all objections so made are withdrawn, the Minister is required, if he is satisfied that all the proper notices have been published and served, to confirm the order with or without modifications. If objection is duly made by an owner, lessee or occupier (other than a tenant for a month or less) but the Minister is satisfied that the objection (*d*)[either] relates exclusively to matters which can be dealt with by the tribunal by whom the compensation is to be assessed [or amounts in substance to an objection to the provisions of the development plan defining the proposed use of the land comprised in the order or any other land], the Minister may confirm the order with or without modifications. In any other case the Minister is required, before confirming the order, either to cause a public local inquiry to be held or to afford to the objector an opportunity of appearing before and being heard by a person appointed by the Minister for that purpose, and may then, after considering the objection and the report of the person who held the inquiry or the person appointed as aforesaid, confirm the order with or without modifications.

Any objection to the order must be made in writing and addressed to the before the (*e*) day of 19 , and should state the grounds of objection.

SCHEDULE

(*f*)

Dated the day of , 19 .

Clerk of the County Council.

Notes

(*a*) The sub-heading should be in the form in which it is included in the order.

(*b*) Insert purpose as stated in order.

(*c*) The place of deposit must be " within the locality ".

(*d*) Omit words in square brackets if land is not designated in a development plan as subject to compulsory acquisition.

(*e*) Insert date at least 21 days from the service of the notice.

(*f*) Insert description of land comprised in the order. Such description need not be in the form of the schedule to the order but must be in a form from which persons interested can readily ascertain whether their land is included.

FORM NO. 5

FORM OF NOTICE OF CONFIRMATION, OR MAKING BY ACQUIRING MINISTER, OF COMPULSORY PURCHASE ORDER NOT PROVIDING FOR EXPEDITED COMPLETION

(*a*) *The* *Act*, 1 .
and the Acquisition of Land (Authorisation Procedure) Act, 1946

[*The* *Act(s)*, 1 .]

Notice is hereby given that in exercise of the powers conferred on [him] [them] by the above-mentioned Acts on the day of , 19 , [confirmed] [with modifications] [made] a compulsory purchase order entitled the [submitted by the] [on behalf of the parish council of].

The order as [confirmed] [made] provides for the purchase for the purpose of(*b*) of the land described in the (*c*)[first] schedule hereto. [By a direction given under section 45 of the Town and Country Planning Act, 1947, consideration of the order, so far as it relates to the land described in the second schedule hereto, has been postponed until].

A copy of the order as [confirmed] [made] by the [Minister] [Ministers] and of the map referred to therein have been deposited at(*d*) and may be seen there at all reasonable hours.

(*e*)[The order as [confirmed] [made] becomes operative on the date on which this notice is first published, but if application is made to the High Court under paragraph 15 of the First Schedule to the Acquisition of Land (Authorisation Procedure) Act, 1946, within a period of six weeks from that date by any person aggrieved by the order the Court may, by interim order, suspend the operation of the order either generally or in so far as it affects any property of the applicant, and may, if satisfied that the authorisation granted by the order is not empowered to be granted or that the interests of the applicant have been substantially prejudiced by any requirement of the said Schedule or of any regulation made thereunder not having been complied with, quash the order either generally or in so far as it affects any property of the applicant].

[The order as [confirmed] [made], being subject to special parliamentary procedure, will become operative as provided by the Statutory Orders (Special Procedure) Act, 1945. Except in a case where the order is confirmed by an Act of Parliament under section 6 of that Act, if application is made to the High Court under paragraph 15 of the First Schedule to the Acquisition of Land (Authorisation Procedure) Act, 1946, within a period of six weeks from the date on which the order becomes operative as aforesaid by any person aggrieved by the order the Court may, by interim order, suspend the operation of the order either generally or in so far as it affects any property of the applicant, and may, if satisfied that the authorisation granted by the order is not empowered to be granted or that the interests of the applicant have been substantially prejudiced by any requirement of the said Schedule or of any regulation made thereunder not having been complied with, quash the order either generally or in so far as it affects any property of the applicant.]

(*c*)[FIRST] SCHEDULE

Land comprised in the order as [confirmed] [made].

[SECOND SCHEDULE

Land in respect of which consideration of the order has been postponed.]

Dated the day of , 19 .

[Town Clerk] [Clerk of the Council] [Secretary].

Notes

(*a*) The heading and sub-heading should be in the form in which they are included in the order as [confirmed] [made].

(*b*) The notice should be in the terms of the order as [confirmed] [made].

(*c*) Omit the words in square brackets where inappropriate.

(*d*) The place of deposit should be within the locality.

(*e*) This paragraph or the following one, whichever is appropriate, should be inserted.

FORM No. 6

FORM OF COMPULSORY PURCHASE ORDER PROVIDING UNDER S. 39 OF THE TOWN AND COUNTRY PLANNING ACT, 1947, FOR EXPEDITED COMPLETION

The Town and Country Planning Act, 1947, *and the Acquisition of Land (Authorisation Procedure) Act*, 1946

The hereby make the following order:—

1. Subject to the provisions of this order the said are, under section [38] [43] of the Town and Country Planning Act, 1947, hereby authorised to purchase compulsorily for the purpose of(*a*) the land which is described in the (*b*)[first] schedule hereto and is delineated and coloured on the map prepared in duplicate, sealed with the common seal of the said and marked "Map referred to in the Compulsory Purchase Order, 19 ." One duplicate of the map is deposited in the offices of the said and the other is deposited in the offices of the Minister of Town and Country Planning.

(*c*)[2. For the purposes of this order section 133 of the Lands Clauses Consolidation Act, 1845, shall not be incorporated with the enactment under which the foregoing purchase is authorised.]

(*d*)[3. In relation to the foregoing purchase section 77 of the Railways Clauses Consolidation Act, 1845, [and sections 78 to 85 of that Act as originally enacted and not as amended for certain purposes by section 15 of the Mines (Working Facilities and Support) Act, 1923] [is] [are] hereby incorporated with the enactment under which the said purchase is authorised, subject to the modifications that(*e*)

4. Application is hereby made to the Minister of Town and Country Planning for a direction that the provisions of the Sixth Schedule to the Town and Country Planning Act, 1944 (as amended by the Town and Country Planning Act, 1947, and set out in the Eleventh Schedule thereto) providing for expedited completion of purchase shall apply to this order as respects [the whole of the land comprised herein] [so much of the land comprised herein as is hatched on the map].

(*f*)[5. For the purposes of the said Sixth Schedule a long tenancy which is about to expire shall be a tenancy having a period to run longer than a year from the date mentioned in sub-paragraph (2) of paragraph 1 of that Schedule and expiring on or before the day of , 19 .]

(*g*)[6. The period of is hereby substituted for the period of two months for the purposes of the operation of sub-paragraph (2) of paragraph 3 of the said Sixth Schedule.]

(*h*)[7. The land which is described in the second schedule to this order and coloured on the map hereinbefore referred to, being land which is to be given in exchange for the land described (*i*)[as]

in the first schedule hereto, shall, as from the date on which this order becomes operative or as from the date on which the land for which it is to be given in exchange, or any of it, is vested in the said , whichever is the later, vest in the persons by whom the said land was held immediately prior to its vesting in the said , subject to the like rights, trusts and incidents as attached thereto, and the said land shall thereupon be discharged from the rights, trusts and incidents to which it was previously subject.]

8. This order may be cited as the Compulsory Purchase Order, 19 .

(*b*)[FIRST] SCHEDULE

Number on map	Quantity, description, and situation of the land	Owners or reputed owners	Lessees or reputed lessees	Occupiers (other than tenants for a month or less period than a month)
(1)	(2)	(3)	(4)	(5)
(*i*)				

[SECOND SCHEDULE

(*k*)

Given under the common seal of the the day of in the year nineteen hundred and

Notes

(*a*) The description of the purpose should be precise, and, if possible, in the terms of the statutory provision, but not merely by reference thereto.

(*b*) Omit " first " if article 7 is omitted.

(*c*) This article is optional.

(*d*) This article may be omitted or may be inserted with or without the reference to sections 78 to 85.

(*e*) The modifications required should be indicated, e.g. by the provision— " references in the said [section] [sections] to the company shall be construed as references to the said and that references

to the [railway or] works shall be construed as references to the land authorised to be purchased and any buildings or works constructed or to be constructed thereon ".

(*f*) Insert this article only where it is intended to preclude the application of sub-paragraph (1) of paragraph 1 of the Sixth Schedule to " long tenancies about to expire."

(*g*) Insert this article where it is desired to take advantage of the proviso to paragraph 3 (2) of the Sixth Schedule.

(*h*) Omit if unnecessary.

(*i*) Omit if the whole of the land described in the first schedule falls within paragraph 11 in the First Schedule to the Act of 1946. If inserted, the map numbers of the land falling within paragraph 11 should be inserted.

(*j*) Col. (1) need not be completed where the order relates only to one parcel of land. Where there are two or more parcels they should be numbered 1, 2, etc. on the map and referred to accordingly in col. (1). Cols. (3), (4) and (5) need not be completed in the case of any land in respect of which the confirming authority has dispensed with service on owners, lessees and occupiers under paragraph 3 (1) (*b*) of the First Schedule to the Act of 1946.

(*k*) Insert description of land to be given in exchange. Omit schedule if article 7 is omitted.

FORM NO. 7

FORM OF ADVERTISEMENT OF THE MAKING OF A COMPULSORY PURCHASE ORDER PROVIDING UNDER S. 39 OF THE TOWN AND COUNTRY PLANNING ACT, 1947, FOR EXPEDITED COMPLETION

The Town and Country Planning Act, 1947, *and the Acquisition of Land (Authorisation Procedure) Act*, 1946

Notice is hereby given that the in exercise of the powers conferred on them by the above-mentioned Acts on the day of 19 , made a compulsory purchase order entitled the
which is about to be submitted to the Minister of Town and Country Planning for confirmation, authorising them to purchase compulsorily for the purpose of(*a*) the land described in the schedule hereto.

Application is included in the order for a direction that the provisions of the Sixth Schedule to the Town and Country Planning Act, 1944 (as amended by the Town and Country Planning Act, 1947, and set out in the Eleventh Schedule thereto) providing for expedited completion of purchase shall apply to the order as respects [the whole of the land comprised therein] [so much of the land comprised therein as is hatched on the map referred to therein]. The general effect of such application of the Sixth Schedule is set out below, but reference should be made to the Sixth Schedule itself for its precise operation.

(*a*) The Lands Clauses Acts and the Acquisition of Land (Assessment of Compensation) Act, 1919, as applicable to the purchase, would have effect as if notices to treat had been served on the date on which the order is registered in the register of local land charges. In the case of certain small interests notices would not be deemed to have been served.

(*b*) The said would be able, as from a date fixed by the Sixth Schedule [and by a provision in the order] to execute a declaration designating an area and stating their intention to enter on and take possession of land in such area at the expiration of a period specified in the declaration and that such land would at the expiration of such period vest in the said .

A copy of the order and the map referred to therein have been deposited at (*b*) and may be seen there at all reasonable hours.

Any objection to the order must be made in writing and addressed to the Minister of Town and Country Planning, (*c*) before the (*d*) day of 19 , and should state the grounds of objection.

SCHEDULE

(*e*)

Dated the day of 19 .

[Town Clerk] [Clerk of the Council] [Secretary].

Notes

(*a*) The notice should be in the terms of the order.

(*b*) The place of deposit must be " within the locality ".

(*c*) Insert address.

(*d*) Insert date at least 21 days from the first publication of the notice.

(*e*) Insert description of land comprised in the order. Such description need not be in the form of the schedule to the order, but must be in a form from which persons interested can readily ascertain whether their land is included.

FORM NO. 8

FORM OF NOTICE TO OWNERS, LESSEES AND OCCUPIERS OF THE MAKING OF A COMPULSORY PURCHASE ORDER PROVIDING UNDER S. 39 OF THE TOWN AND COUNTRY PLANNING ACT, 1947, FOR EXPEDITED COMPLETION

The Town and Country Planning Act, 1947, and the Acquisition of Land (Authorisation Procedure) Act, 1946

Take notice that the in exercise of the powers conferred on them by the above-mentioned Acts on the day of 19 , made a compulsory purchase order entitled the which is about to be submitted to the Minister of Town and Country Planning for confirmation, authorising them to purchase compulsorily for the purpose of (*a*) the land described in the schedule hereto.

Application is included in the order for a direction that the provisions of the Sixth Schedule to the Town and Country Planning Act, 1944 (as amended by the Town and Country Planning Act, 1947, and set out in the Eleventh Schedule thereto) providing for expedited completion of purchase shall apply to the order as respects [the whole of the land comprised therein] [so much of the

land comprised therein as is hatched on the map referred to therein]. The general effect of such application of the Sixth Schedule is set out below, but reference should be made to the Sixth Schedule itself for its precise operation:—

(*a*) The Lands Clauses Acts and the Acquisition of Land (Assessment of Compensation) Act, 1919, as applicable to the purchase, would have effect as if notices to treat had been served on the date on which the order is registered in the register of local land charges. In the case of certain small interests notices would not be deemed to have been served.

(*b*) The said would be able, as from a date fixed by the Sixth Schedule [and by a provision in the order] to execute a declaration designating an area and stating their intention to enter on and take possession of land in such area at the expiration of a period specified in the declaration and that such land would at the expiration of such period vest in the said

A copy of the order and the map referred to therein have been deposited at (*b*) and may be seen there at all reasonable hours.

If no objection is duly made by an owner, lessee or occupier, (except tenants for a month or any less period than a month) or if all objections so made are withdrawn, or if the Minister is satisfied that every objection duly made (*c*)[either] relates exclusively to matters which can be dealt with by the tribunal by whom the compensation is to be assessed [or amounts in substance to an objection to the provisions of the development plan defining the proposed use of the land comprised in the order or any other land], the Minister may, if he thinks fit, confirm the order with or without modifications. In any other case where an objection has been duly made by an owner, lessee or occupier (other than a tenant for a month or less) the Minister is required, before confirming the order, either to cause a public local inquiry to be held or to afford to the objector an opportunity of appearing before and being heard by a person appointed by the Minister for that purpose, and may then, after considering the objection and the report of the person who held the inquiry or the person appointed as aforesaid, confirm the order with or without modifications.

Any objection to the order must be made in writing and addressed to the Minister of Town and Country Planning,(*d*)
before the(*e*) day of 19 , and should state the grounds of objection.

SCHEDULE

(*f*)

Dated the day of , 19

[Town Clerk] [Clerk of the Council] [Secretary].

Notes

(*a*) The notice should be in the terms of the order.

(*b*) The place of deposit must be " within the locality ".

(*c*) Omit words in square brackets if land is not designated in a development plan as subject to compulsory acquisition.

(*d*) Insert address.

(*e*) Insert date at least 21 days from the service of the notice.

(*f*) Insert description of land comprised in the order. Such description need not be in the form of the schedule to the order, but must be in a form from which persons interested can readily ascertain whether their land is included.

FORM NO. 9

FORM OF NOTICE OF CONFIRMATION OF COMPULSORY PURCHASE ORDER PROVIDING UNDER S. 39 OF THE TOWN AND COUNTRY PLANNING ACT, 1947, FOR EXPEDITED COMPLETION

The Town and Country Planning Act, 1947, and the Acquisition of Land (Authorisation Procedure) Act, 1946

Notice is hereby given that the Minister of Town and Country Planning [and] in exercise of the powers conferred on [him] [them] by the above-mentioned Acts on the day of , 19 , confirmed [with modifications] a compulsory purchase order entitled the submitted by the

The order as confirmed provides for the purpose of(*a*) of the land described in the (*b*)[first] schedule hereto. [By a direction given under section 45 of the Town and Country Planning Act, 1947, consideration of the order, so far as it relates to the land described in the second schedule hereto, has been postponed until].

The order as confirmed contains a direction that the provisions of the Sixth Schedule to the Town and Country Planning Act, 1944 (as amended by the Town and Country Planning Act, 1947, and set out in the Eleventh Schedule thereto) providing for expedited completion of purchase shall apply to the order as respects [the whole of the land comprised therein] [so much of the land comprised therein as is hatched on the map referred to therein].

Any person entitled to claim compensation in respect of any of the land to which the Sixth Schedule applies, or in respect of any interest in any such land, is invited to give information to the on a form which may be obtained from of his name and address and of the land and interest in question.

Provision as to entry upon and the vesting of the said land is contained in sub-paragraph (4) of paragraph 3 of the Sixth Schedule. At any time or from time to time after this order becomes operative as indicated below, but not earlier than the expiration of from the date on which this notice is first published, the said may execute a declaration designating an area consisting of the whole or any part of the land to which the Sixth Schedule applies and stating

(*a*) their intention to enter on the land in the designated area and take possession thereof at the expiration of such period, not being less than fourteen days, as may be specified therein, from the date on which the service on occupiers of the land in the designated area of a notice of the effect of the declaration is completed, and

(*b*) that the land in the designated area is to vest in the said at the expiration of that period.

At the expiration of the period specified in such declaration from the date aforesaid (i) the right to enter on and take possession of the land in the designated area will vest in the said without previous consent or compliance with sections 84 to 90 of the Lands Clauses Consolidation Act, 1845, and (ii) the land in the designated area will vest in the said in the manner indicated in the Sixth Schedule, but the said will be liable to pay the like compensation and interest as would have been payable if the provisions of the 1845 Act had been complied with.

There [is an exception] [are exceptions] from the position indicated in the preceding paragraph, viz:—

[(*a*)] in the case of a tenancy for a year or from year to year or any less interest, the right of entry is not exercisable and the vesting of the land in the

said is subject to the tenancy during its subsistence, but without prejudice to any power of the said under the Lands Clauses Acts to require a tenant to give up possession.

[(*b*) in the case of certain tenancies granted for a greater interest in relation to which provision is made in the order the right of entry is not exercisable unless or until the said have served notice to treat in respect thereof, and have thereafter served a notice on every occupier of any of the land in which the tenancy subsists describing the land to which the notice relates and stating their intention to enter on and take possession thereof at the expiration of such period, not being less than fourteen days, from the date on which the notice is served as may be specified therein, and that period has expired, and the vesting of the land in the said is subject to the tenancy until the expiration of that period or the cesser of the tenancy, whichever first occurs].

(*c*)[Where the land as respects which the Sixth Schedule applies comprises part only of a house, building or manufactory, or of a park or garden belonging to a house, paragraph 4 of the Sixth Schedule provides that if at any time after the coming into operation of the order and before the making of the declaration hereinbefore referred to as respects the said part, a notice in that behalf is served upon the said by any person having an interest therein in respect of which a notice to treat would otherwise be deemed to have been served, no notice to treat shall be deemed by virtue of the Sixth Schedule to have been served in respect of any interest in the said part, and, as from the giving of the notice, the order shall have effect in relation to such part as if the Sixth Schedule had not applied thereto.]

A copy of the order as confirmed by the Minister[s] and of the map referred to therein have been deposited at(*d*)
and may be seen there at all reasonable hours.

(*e*)[The order as confirmed becomes operative on the date on which this notice is first published, but if application is made to the High Court under paragraph 15 of the First Schedule to the Acquisition of Land (Authorisation Procedure) Act, 1946, within a period of six weeks from that date by any person aggrieved by the order the Court may, by interim order, suspend the operation of the order either generally or in so far as it affects any property of the applicant, and may, if satisfied that the authorisation granted by the order is not empowered to be granted or that the interests of the applicant have been substantially prejudiced by any requirement of the said Schedule or of any regulation made thereunder not having been complied with, quash the order either generally or in so far as it affects any property of the applicant.]

[The order as confirmed, being subject to special parliamentary procedure, will become operative as provided by the Statutory Orders (Special Procedure) Act, 1945. Except in a case where the order is confirmed by an Act of Parliament under section 6 of that Act, if application is made to the High Court under paragraph 15 of the First Schedule to the Acquisition of Land (Authorisation Procedure) Act, 1946, within a period of six weeks from the date on which the order becomes operative as aforesaid by a person aggrieved by the order the Court may, by interim order, suspend the operation of the order either generally or in as far as it affects any property of the applicant, and may, if satisfied that the authorisation granted by the order is not empowered to be granted or that the interests of the applicant have been substantially prejudiced by any requirement of the said Schedule or of any regulation made thereunder not having been complied with, quash the order either generally or in so far as it effects any property of the applicant.]

(*b*)[FIRST] SCHEDULE

Land comprised in the order as confirmed.

[SECOND SCHEDULE

Land in respect of which consideration of the order has been postponed

]

Dated the day of 19 .

[Town Clerk] [Clerk of the Council] [Secretary].

Notes

(*a*) The notice should be in the terms of the order as confirmed.

(*b*) Omit the words in square brackets where inappropriate.

(*c*) Insert if the land to which the Sixth Schedule is applied comprises part only of a house, building or manufactory or of a park or garden belonging to a house.

(*d*) The place of deposit should be within the locality.

(*e*) This paragraph or the following one, whichever is appropriate, should be inserted.

FORM NO. 10

FORM OF ADVERTISEMENT OF GRANTING OF CERTIFICATE UNDER PART III OF FIRST SCHEDULE TO THE ACQUISITION OF LAND (AUTHORISATION PROCEDURE) ACT, 1946

The Acquisition of Land (Authorisation Procedure) Act, 1946

Whereas the Compulsory Purchase Order, 19 , which has been [submitted by to the for confirmation] [prepared in draft by] includes the land described in the schedule hereto ;

(*a*)[And whereas the said land was acquired by for the purposes of their undertaking and the Minister of is satisfied that [it is used] [an interest is held in it] for the purposes of the carrying on of their undertaking] :

[And whereas the said land [is] [forms part of] [a common] [an open space] [a fuel or field garden allotment] :

[And whereas the said land [is] [forms part of] [is the site of] an ancient monument or other object of archaeological interest] :

Notice is hereby given that the Minister of in exercise of the powers conferred on him by paragraph [10] [11] [12] of Part III of the First Schedule to the above-mentioned Act, has certified(*b*)

A map showing the land to which the certificate relates [and the land proposed to be given in exchange] may be inspected at(*c*) at all reasonable hours.

The certificate becomes operative on the date on which this notice is first published, but if application is made to the High Court under paragraph 15 of the First Schedule aforesaid within a period of six weeks from that date by any person aggrieved by the certificate the Court may, by interim order, suspend the operation of the certificate either generally or in so far as it affects any property of the applicant, and may, if satisfied that the interests of the applicant have been substantially prejudiced by any requirement of the First Schedule aforesaid or of any regulation made thereunder not having been complied with, quash the certificate either generally or in so far as it affects any property of the applicant.

SCHEDULE

(*d*)

Dated the day of 19 .

[Town Clerk] [Clerk of the Council] [Secretary].

Notes

(*a*) Insert the appropriate provision.
(*b*) Insert the terms of the certificate.
(*c*) The place for inspection should be within the locality.
(*d*) Insert description of the land to which the certificate relates.

Given under the official seal of the Minister of Health this twenty-second day of March, nineteen hundred and forty-nine.

(L.S.)

I. F. Armer,
Under Secretary,
Ministry of Health.

LAND, ACQUISITION OF, SCOTLAND

The Compulsory Purchase of Land (Scotland) Regulations, 1949

1949 No. 1888 (S. 126)

Made - - - - *8th October,* 1949
Coming into Operation *1st November,* 1949

In exercise of the powers conferred on me by the First Schedule to the Acquisition of Land (Authorisation Procedure) (Scotland) Act, 1947(**a**), and of all other powers enabling me in that behalf, I hereby make the following regulations:—

1. These regulations may be cited as the Compulsory Purchase of Land (Scotland) Regulations, 1949, and shall come into operation on the 1st day of November, 1949.

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

3. The forms set out in the Schedule hereto or forms substantially to the like effect shall be the forms to be used after the coming into operation of these regulations for the purpose of the First Schedule to the Acquisition of Land (Authorisation Procedure) (Scotland) Act, 1947, in the cases to which those forms are applicable.

4. The Town and Country Planning (Scotland) Act, 1945 (Particulars and Forms of Orders and Notices) Regulations, 1946(**c**), and the Compulsory Purchase of Land (Scotland) Regulations, 1947(**d**), are hereby revoked.

Dated this 8th day of October, 1949.

Arthur Woodburn,
One of His Majesty's Principal Secretaries of State.

St. Andrew's House
Edinburgh.

(**a**) 10 & 11 Geo. 6. c. 42. (**b**) 52 & 53 Vict. c. 63. (**c**) S.R. & O. 1946 (No. 548) I, p. 1645.
(**d**) S.R. & O. 1947 (No. 1685) I, p. 1236.