STATUTORY INSTRUMENTS

1975 No. 1108

HOUSING, ENGLAND AND WALES

The Slum Clearance (Retention of Buildings) (Compensation Notice) Order 1975

Made - - -	1*st July* 1975
Laid before Parliament	15*th July* 1975
Coming into Operation	5*th August* 1975

The Secretary of State for the Environment as respects England and the Secretary of State for Wales as respects Wales, in exercise of the powers conferred on them by section 115(11) of the Housing Act 1974(**a**) and of all other powers enabling them in that behalf, hereby make the following order:—

Citation, commencement and interpretation

1.—(1) This order may be cited as the Slum Clearance (Retention of Buildings) (Compensation Notice) Order 1975 and shall come into operation on 5th August 1975.

(2) The Interpretation Act 1889(**b**) shall apply for the interpretation of this order as it applies for the interpretation of an Act of Parliament.

Prescribed form of compensation notice

2. The form set out in the Schedule to this order, or a form substantially to the like effect, shall be the form to be used for the purposes of section 115(4) of the Housing Act 1974.

(Article 2)

SCHEDULE

HOUSING ACT 1974

NOTICE OF PARTICULARS OF AMOUNT OF COMPENSATION PAYABLE ON ASSESSMENT Section 1 OR REASSESSMENT UNDER SECTION 115(2) OR (3) OF THE HOUSING ACT 1974

To

of

*Adapt as appropriate.

being a person entitled to compensation in respect of the following interest in the land comprising the house(s)* hereinafter mentioned:†

†Insert description of interest in respect of which compensation is payable.

Whereas the house(s)* known as , comprised in the Clearance Area 19 , is/are* [(a)* listed building(s)* which, by virtue of section [110] [111] of the Housing Act 1974 is/are* no longer to be demolished]

Strike out words in square brackets which are inapplicable.

(**a**) 1974 c. 44.

(**b**) 1889 c. 63.

[subject to the
Rehabilitation Order 19 (which became operative on 19)
and is/are*, by virtue of Schedule 10 to the Housing Act 1974 (as substituted by section 17(4) of and Schedule 5 to the Housing Rents and Subsidies Act 1975), no longer to be demolished];

And Whereas the said interest is now to be treated as appropriated to the purposes of Part V of the Housing Act 1957;

[And Whereas, under section 115(2) of the said Act of 1974, compensation for the compulsory acquisition of the said interest falls to be [assessed] [re-assessed] in accordance with the provisions applying to a compulsory acquisition under the said Part V;]

[And Whereas, under section 115(3) of the said Act of 1974, compensation for the acquisition of the said interest, which was acquired by agreement, falls to be assessed and paid in accordance with the provisions applying to a compulsory acquisition under the said Part V as if the acquisition of the interest were a compulsory acquisition;]

Now Therefore Take Notice that the particulars of the amount of compensation payable by the Council in accordance with those provisions are set out in the Schedule to this Notice.

SCHEDULE

	£
Particulars of the amount of compensation payable in accordance with the provisions applying to a compulsory acquisition under Part V of the Housing Act 1957:	
Amount(s)* previously paid:	
Sum now payable by virtue of section 115 of the Housing Act 1974:	

Dated 19 .

Signed

NOTES

1. The interest referred to in this notice was acquired on the basis that the above-mentioned house(s)* was/were* unfit for human habitation and would be demolished. Now that the house(s)* is/are* no longer to be demolished you are entitled to compensation equal to the full compulsory purchase value of the interest assessed on a new basis, but any amount or amounts previously paid in respect of the acquisition of the interest will be deducted. The Schedule to the Notice sets out the amount which the Council consider is the proper full compulsory purchase value of the interest assessed on the new basis. It also shows the amount or amounts previously paid, if any, which must be deducted, and the sum which is now payable.

2. The figures shown in the Schedule do not include any interest which may have been paid or may be payable. The sum payable by virtue of section 115 of the Housing Act 1974 carries interest at the prescribed rate from the time of entry by the Council, or from vesting of the interest in the land, whichever is the earlier, until payment.

3. If you accept the above particulars of the new amount, you should inform the Council of that fact within 21 days from service of the Notice. If you do not so inform them, or if you inform them that you disagree with the amount stated, the question of disputed compensation will be referred to the Lands Tribunal.

4. The Council will reimburse professional fees reasonably incurred in obtaining advice on the assessment or reassessment of compensation set out in the Notice.

Anthony Crosland,
Secretary of State for the Environment.

1st July 1975.

John Morris,
Secretary of State for Wales.

1st July 1975.

EXPLANATORY NOTE

(*This Note is not part of the Order.*)

This Order prescribes the form of notice to be served by housing authorities under section 115(4) of the Housing Act 1974 where compensation is payable in accordance with section 115(2) or (3) of that Act.

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