1963 CHAPTER 17

Town and Country Planning Act 1963

ARRANGEMENT OF SECTIONS

Section

1. Amendments relating to development comprised in Town and Country Planning Act 1962, Schedule 3.
2. Amendments relating to development comprised in Town and Country Planning (Scotland) Act 1947, Schedule 3.
3. Financial provision.
4. Short title, commencement, construction and citation.

SCHEDULE—Condition treated as applicable to rebuilding and alterations.

An Act to make further provision with respect to development comprised in Schedule 3 to the Town and Country Planning Act 1962 and Schedule 3 to the Town and Country Planning (Scotland) Act 1947.

[10th July 1963]

BE IT ENACTED by the Queen'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:—

Amendments relating to development comprised in Town and Country Planning Act 1962, Schedule 3.

1.—(1) In any case where the value or depreciation in value of an interest in land falls to be determined on the assumption that planning permission would be granted for development of any class specified in Schedule 3 to the Town and Country Planning Act 1962, it shall be further assumed, as regards development of any class specified in paragraph 1 or paragraph 3 of that Schedule (rebuilding and alteration of existing buildings), that such permission would be granted subject to the condition set out in the Schedule to this Act; and in determining—

(*a*) for the purposes of section 123 (2) of the said Act of 1962, whether and to what extent the value of an interest in land affected by a planning decision is less than it would have been if the permission had been granted or granted unconditionally ; and

(*b*) for the purposes of section 129 of that Act, whether the conditions for the service of a purchase notice are fulfilled,

no account shall be taken of any prospective use which would contravene the said condition.

(2) In the application of the said Schedule 3 for the purposes of any determination to which subsection (1) of this section

applies and for the purposes of section 123 (1) of the said Act of 1962, paragraph 3 of that Schedule shall be construed as not extending to works involving any increase in the cubic content of a building erected after the appointed day (including any building resulting from the carrying out of such works as are described in paragraph 1 of that Schedule); and paragraph 7 (extension of use) shall not apply to any such building.

(3) For the purposes of sections 113 and 114 of the said Act of 1962, so far as applicable (by virtue of section 122 of that Act) to compensation calculated under section 118 of that Act as amended by this section, the expression " new development " shall include—

(*a*) any development to which subsection (1) of this section applies which is carried out otherwise than subject to the condition set out in the Schedule to this Act; and

(*b*) any development excluded by subsection (2) of this section from Schedule 3 to that Act;

but except as aforesaid nothing in this section affects the meaning of that expression in that Act, or any determination to be made for the purposes of Part VI of that Act.

(4) In relation to a building erected after the appointed day, being a building resulting from the carrying out of any such works as are described in paragraph 1 of the said Schedule 3, any reference in that Schedule or in the Schedule to this Act to the original building is a reference to the building in relation to which those works were carried out and not to the building resulting from the carrying out of those works.

(5) For the purposes of this section, so far as applicable to any determination of existing use value as defined by section 134 (5) of the said Act of 1962, references to Schedule 3 to that Act, and to paragraphs 1, 3 and 7 of that Schedule, shall be construed as references to Schedule 3 to the Town and Country Planning Act 1947, and to the corresponding paragraphs of that Schedule.

Amendments relating to development comprised in Town and Country Planning (Scotland) Act 1947, Schedule 3.

2.—(1) In any case where the value or depreciation in value of an interest in land falls to be determined on the assumption that planning permission would be granted for development of any class specified in Schedule 3 to the Town and Country Planning (Scotland) Act 1947 as amended by any enactment, it shall be further assumed, as regards development of any class specified in paragraph 1 of Part I or paragraph 1 of Part II of that Schedule (rebuilding and alteration of existing buildings), that such permission would be granted subject to the condition set out in the Schedule to this Act; and in determining for the purposes of section 18(1) of the said Act of 1947 whether and to what extent the value of an interest in land affected by a planning decision is

less than it would have been if the permission had been granted or granted unconditionally, no account shall be taken of any prospective use which would contravene the said condition.

(2) Where, for the purpose of determining whether the conditions specified in paragraphs (*a*) to (*c*) of section 17 (1) of the said Act of 1947 (purchase notices) are fulfilled in relation to any land, any question arises as to what is or would in any particular circumstances be a reasonably beneficial use of that land, then, in determining that question for that purpose, no account shall be taken of any prospective use of that land which would involve the carrying out of development of any class not specified in Schedule 3 to that Act or which would involve any contravention of the condition set out in the Schedule to this Act.

(3) In the application of the said Schedule 3 for the purposes of any determination to which subsection (1) or subsection (2) of this section applies and for the purposes of section 18 (1) of the said Act of 1947, paragraph 1 of Part II of that Schedule shall be construed as not extending to works involving any increase in the cubic content of a building erected after the appointed day (including any building resulting from the carrying out of such works as are described in paragraph 1 of Part I of that Schedule); and paragraph 6 of Part II of that Schedule shall not apply to any such building.

(4) For the purposes of section 30 of the Town and Country Planning (Scotland) Act 1954, so far as applicable (by virtue of section 43 of that Act) to compensation under section 20 of the Town and Country Planning (Scotland) Act 1947 as amended by this section, the expression " new development " shall include—

(*a*) any development to which subsection (1) of this section applies which is carried out otherwise than subject to the condition set out in the Schedule to this Act; and

(*b*) any development excluded by subsection (3) of this section from Schedule 3 to the said Act of 1947;

but except as aforesaid nothing in this section affects the meaning of that expression in the said Act of 1954, or any determination to be made for the purposes of Part II of that Act.

(5) In relation to a building erected after the appointed day, being a building resulting from the carrying out of any such works as are described in paragraph 1 of Part I of the said Schedule 3, any reference in that Schedule or in the Schedule to this Act to the original building is a reference to the building in relation to which those works were carried out and not to the building resulting from the carrying out of those works.

Financial provision.

3. There shall be defrayed out of moneys provided by Parliament any increase attributable to the provisions of this Act in the sums payable out of moneys so provided under any other enactment.

Short title, commencement, construction and citation.

4.—(1) This Act may be cited as the Town and Country Planning Act 1963.

(2) This Act shall be deemed to have come into force on 25th February 1963, but shall not affect—

(*a*) any determination arising out of a notice to treat served before that date, or served at any time in respect of a purchase notice or notice under section 139 of the Town and Country Planning Act 1962 or section 38(2) of the Town and Country Planning (Scotland) Act 1959 which was served before that date;

(*b*) any other determination under the said Act of 1962 or the Town and Country Planning (Scotland) Act 1947 in respect of or arising out of a purchase notice served before that date;

(*c*) any claim for compensation under section 118 or section 123 of the said Act of 1962 or under section 18(1) or section 20 of the said Act of 1947 which arose before that date;

and in relation to any time before 1st April 1963 any reference in this Act to an enactment contained in the said Act of 1962 shall be construed as a reference to the corresponding enactment repealed by that Act.

(3) This Act, in its application to England and Wales, shall be construed as one with the Town and Country Planning Act 1962; and that Act and this Act may be cited together as the Town and Country Planning Acts 1962 and 1963.

(4) This Act, in its application to Scotland, shall be construed as one with the Town and Country Planning (Scotland) Acts 1947 to 1959; and those Acts and this Act may be cited together as the Town and Country Planning (Scotland) Acts 1947 to 1963.

SCHEDULE

Sections 1 and 2.

CONDITION TREATED AS APPLICABLE TO REBUILDING AND ALTERATIONS

1. Where the building to be rebuilt or altered is the original building, the amount of gross floor space in the building as rebuilt or altered which may be used for any purpose shall not exceed by more than ten per cent. the amount of gross floor space which was last used for that purpose in the original building.

2. Where the building to be rebuilt or altered is not the original building, the amount of gross floor space in the building as rebuilt or altered which may be used for any purpose shall not exceed the amount of gross floor space which was last used for that purpose in the building before the rebuilding or alteration.

3. In determining under this Schedule the purpose for which floor space was last used in any building, no account shall be taken of any use in respect of which an effective enforcement notice has been or could be served or, in the case of a use which has been discontinued, could have been served immediately before the discontinuance.

4. For the purposes of this Schedule gross floor space shall be ascertained by external measurement; and, where different parts of a building are used for different purposes, floor space common to those purposes shall be apportioned rateably.

Table of statutes mentioned in this Act

Short Title	Chapter
Town and Country Planning Act 1947 ...	10 & 11 Geo. 6. c. 51.
Town and Country Planning (Scotland) Act 1947	10 & 11 Geo. 6. c. 53.
Town and Country Planning (Scotland) Act 1954	2 & 3 Eliz. 2. c. 73.
Town and Country Planning (Scotland) Act 1959	7 & 8 Eliz. 2. c. 70.
Town and Country Planning Act 1962 ...	10 & 11 Eliz. 2. c. 38.

1963 CHAPTER 18

Stock Transfer Act 1963

ARRANGEMENT OF SECTIONS

Section
1. Simplified transfer of securities.
2. Supplementary provisions as to simplified transfer.
3. Additional provisions as to transfer forms.
4. Interpretation.
5. Application to Northern Ireland.
6. Short title and commencement.

SCHEDULES:
Schedule 1—Stock Transfer Form.
Schedule 2—Brokers Transfer Form.

An Act to amend the law with respect to the transfer of securities. [10th July 1963]

BE IT ENACTED by the Queen'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:—