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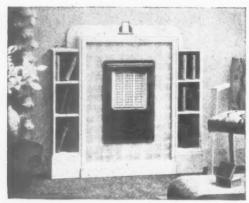
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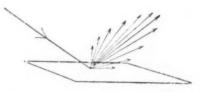
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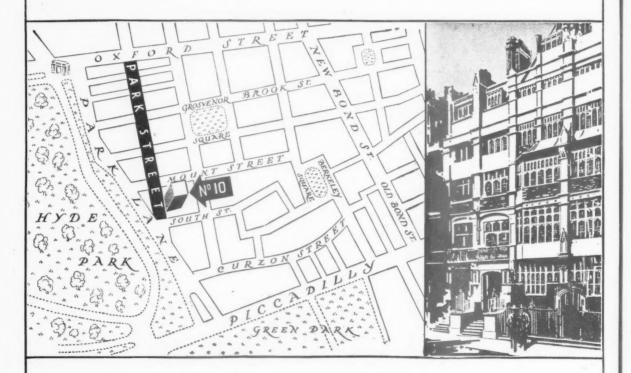
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Although the illustrations on this page only tell half the story—that of appearance—they do show how drab, stained and disfigured walls can be made clean, bright and attractive and, on this score alone, 'Snowcem' will more than justify its use when war-time drabness is finished with.

The photographs show (1) a pair of houses with rough cast exteriors owned by Tettenhall Urban District Council; (2) after treatment; (3) a block of U.D.C. houses at Maltby; (4) the same with the old pebble dash stripped and the houses re-rendered with Portland cement rendering and painted.

(5) a house at Great Meadows, Prestbury; (6) after broken white 'Snowcem' had been applied to cement rendering; (7) a small industrial canteen at Brentford; (8) after 'Snowcem' had been applied to lime plaster on concrete blocks.

The last two illustrations are included to show that 'Snowcem' is equally suitable for interior decoration.

It is, incidentally, ideal in factories or farm buildings where hygiene and light are of paramount importance.

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Waterproof
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ST. SWITHUN'S SCHOOL. WINCHESTER. Main Staircase.

Architects: Mitchell & Bridgwater, A. A. R.I. B.A.



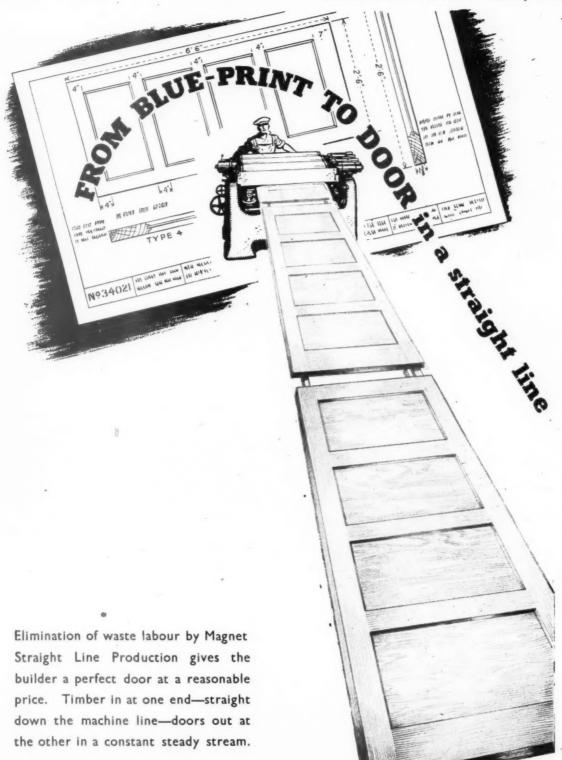
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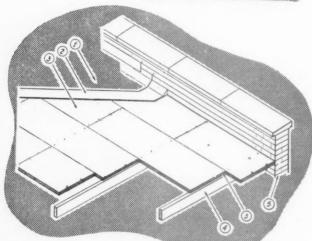
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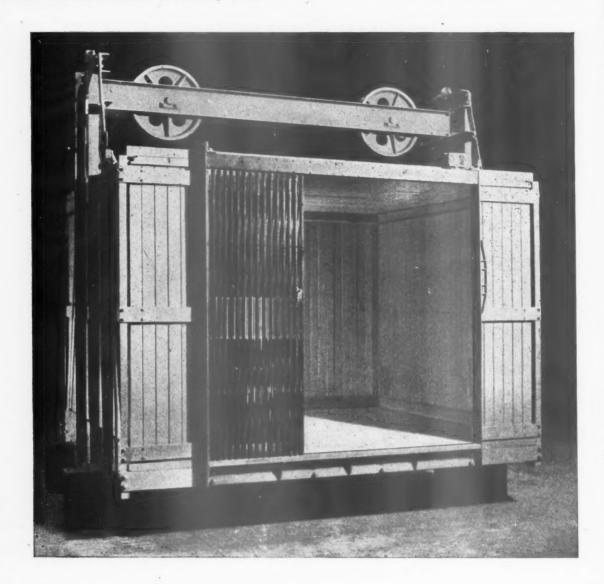
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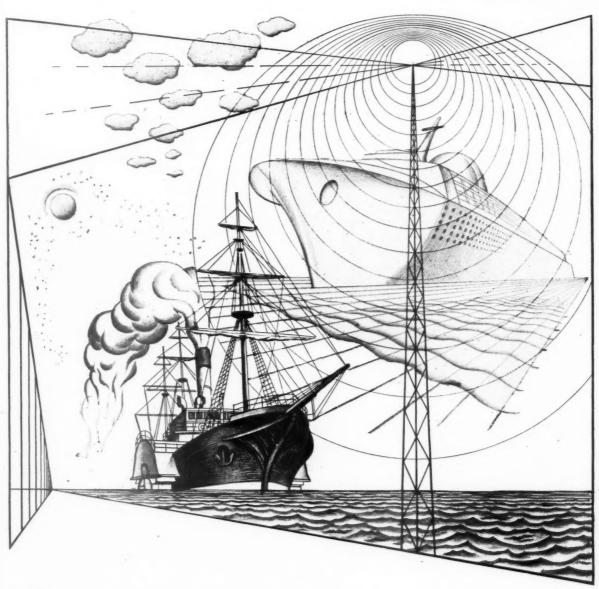


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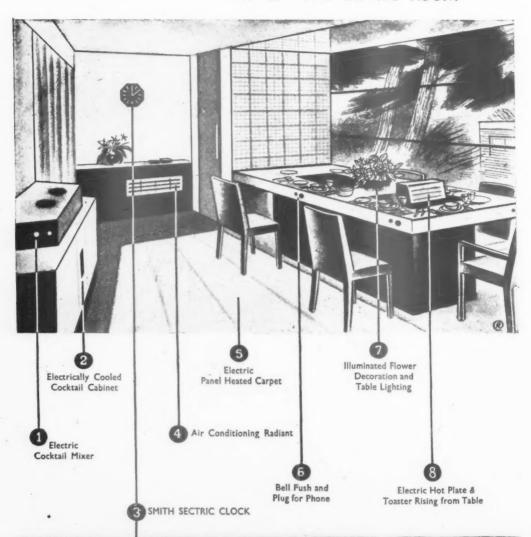
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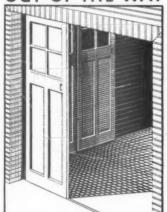
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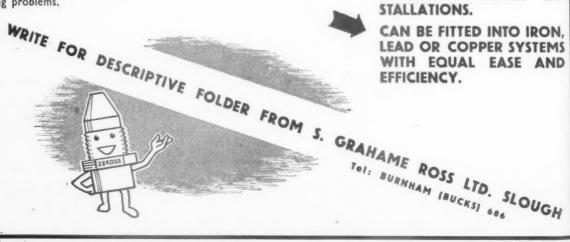
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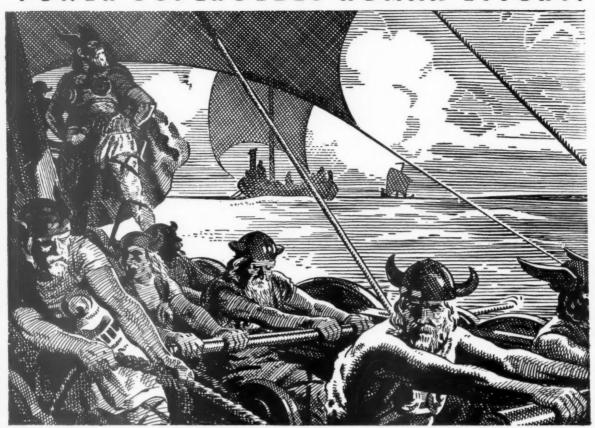
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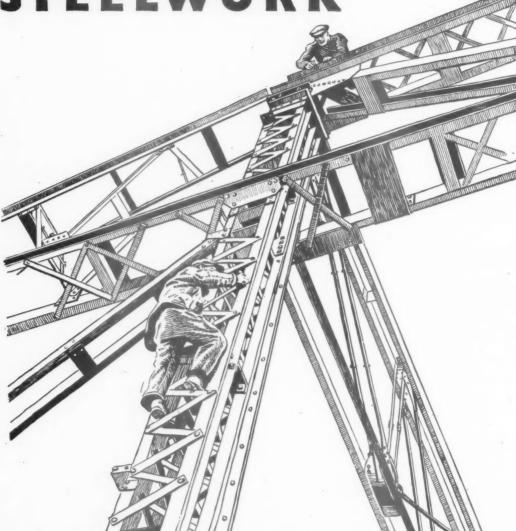
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DIARY FOR FEBRUARY MARCH AND APRIL

Titles of exhibitions, lectures and papers are printed in italics. In the case of papers and lectures the authors' names come first. Sponsors are represented by their initials as given in the glossary of abbreviations on the front cover.

CHESHUNT. When We Build Again. Exhibition. (Sponsor, TCPA). Feb. 28-Mar. 10

HASLINGDEN. The English Town: Its Continuity and Development. Exhibition. (Sponsor, TCPA). Town and Country Planning Association Conference, Mar. 24. Speakers, R. L. Reiss and W. Dobson Chapman, Vice-President TCPA.

MAR. 22-APR. 7 MAR. 22-APR. 7

LICHFIELD. The English Town: Its Continuity and Development. Exhibition. (Sponsor, TCPA). The Town and Country Planning Association is holding a Conference on the last day of the Exhibition. Speaker, F. J. Osborn. FEB. 12-17

LONDON. Sir Alfred Clapham. At the Courtauld Institute of Art, 20, Portman Square, W.1. 1.15 p.m. FEB. 8

H. S. Goodhart-Rendel. The Work of the late Sir Edwin Lutyens. At 66, Portland Place, W.1. (Sponsor, RIBA.) 5.30 p.m.

Wing-Commander T. R. Cave-Browne-Cave. Camouflage for the Concealment of Civil Factories. (Francis Cobb Lecture). At the Royal Society of Arts, John Adam Street, Adelphi, W.C.2. (Sponsor, RSA). 5.30 FEB. 14

Sir Kenneth Clark. Architecture in 15th Century Italian Paintings. At the Courtauld Institute of Art. 20, Portman Square, W.1. FEB. 15

John Coolidge. Vignola. At the Court-auld Institute of Art, 20, Portman Square. At the Court-1.15 p.m. FEB. 22

Conference on Atmospheric Pollution. Joint conference of the Institute of Fuel and the National Smoke Abatement Society. At the Institution of Electrical Engineers, Savoy Vietoria Embankment, London, W.C.2. Chairman, morning session, Sir Lawrence Chubb, Hon. Treasurer, National Smoke Abatement Society. Opening of Conference by Major Gwilym Lloyd George, M.P., Minister of Fuel and Power. Chairman, afternoon session, Dr. E. W. Smith, President of the Institute of Fuel.

F. N. Sparkes and A. F. Smith. The Concrete Road; a Review of Present-day Knowledge and Practice. At the Institution of Civil Engineers, Great George Street, Westminster, S.W.1. (Sponsor, Institution of Civil Engineers). 5.30 p.m. Feb. 27

Federation of Master Builders. Luncheon Meeting preceding Fourth Annual General Meeting. At the Connaught Rooms, Great Queen Street, W.C.2. Guest of honour, Sir Malcolm Trustram Eve, K.C. 1.15 p.m. FEB. 27

Professor E. P. Stebbing. Erosion and Water Supplies. At the Royal Society of Arts, John Adam Street, Adelphi, W.C.2. (Sponsor, RSA). 1.45 p.m. FEB. 28

F. Longstreth Thompson. An Outline Plan for a Region. At Caxton Hall, Caxton Street, S.W.1.' (Sponsor, TPI). 6 p.m.

National Housing and Town Planning Conference. At the Central Hall, Westminster, London, S.W.1. The Conference will consider some of the more important problems confronting local authorities in post-war re-construction in England and Wales, and construction in England and Wales, and will be similar in character to the conference held in Westminster in October, 1943. Ladies are specially invited. The Minister of Health (Mr. H. U. Willink) will address the Conference on March 2, and it is hoped that the Minister of Town and Country Planning (Mr. W. S. Morrison) will find it possible to address the conference on March 1. Following is the preliminary pro-1. Following is the preliminary programme:—March 1: Chairman, Alderman P. J. M. Turner, J.P. (Sheffield), Chairman of the National Housing and Town Planning of the National Housing and Town Flanning Council. General Subject: Planning for Post-War Reconstruction. March 2: Chairman, M. Lindsay Taylor, Town Clerk of Southall, Middlesex, and Vice-Chairman of the National Housing and Town Planning Council. General Subject: Housing the Nation.

MAR. 1-2

Lord Westwood. Industrial Relations. (Amulree Memorial Lecture). At the Royal Society of Arts, John Adam Street, Adelphi, W.C.2. (Sponsor, RSA). 1.45 p.m. MAR. 14

MALVERN. When We Build Again. Exhibition and Film. (Sponsor, TCPA, in collaboration with Messrs. Cadbury Bros.). The English Town: Its Continuity and Development. Exhibition. (Sponsor, TCPA). Town and Country Planning Association Conference, Mar. 17. Mar. 10-19

MIRFIELD, YORKS. The English Town: Its Continuity and Development. Exhibition. (Sponsor, TCPA). FEB. 25-MAR. 9 S TOCKTON. When We Build Again. Exhibition. At the Gas Showrooms, Stockton. (Sponsor, TCPA.) FEB. 8-14

THURSDAY, No. 2611.		FEBRUARY 8, Vol.			
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Though no feature in the JOURNAL is without value for someone, there are often good reasons why certain news calls for special emphasis. The JOURNAL'S starring system is designed to give this emphasis, but without prejudice to the unstarred items which are often no less important.

* means spare a second for this, it will probably be worth it.

** means important news, for reasons which may or may not be obvious.

Any feature marked with more than two stars is very big building news indeed.

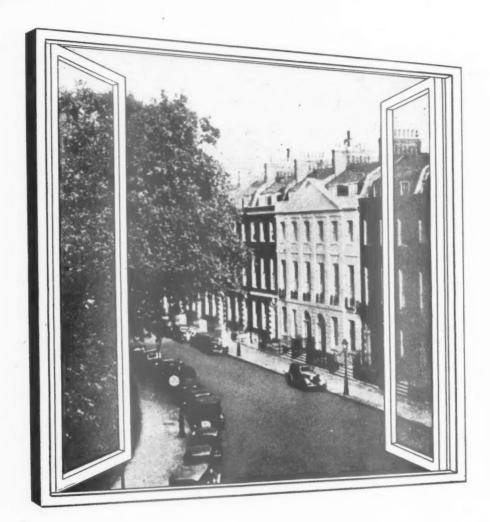
In the first year after the war a HUNDRED THOUSAND HOUSES ARE TO BEBUILT.—Mr. Willink. ARE

Mr. Willink, Minister of Health, told a conference of councils in London: We estimate that there is an immediate need for 1,000,000 more houses. The Governnor 1,000,000 more houses. The Government has adopted a short-term programme of 100,000 houses of permanent construction to be built, or to be in course of building, at the end of the first year after the defeat of Germany, and a further 200,000 to be built or building at the end of the second year. second year.

Speaking at a Consistory Court in Carlisle Cathedral the Chancellor of the diocese of Carlisle, Mr. H. H. King raised objection to the placing of PERSONAL WAR ME-MORIALS IN CHURCHES.

Mr. King said: Churches are erected for the primary purpose of divine worship and to introduce anything into a church which does not assist that purpose is a misuse of the house of God. It is quite inappropriate to house of God. It is quite inappropriate to use the walls of a church as a private record office for the cataloguing of genealogical details of those parishioners who can afford to pay for the privilege. There will be cases where, by common consent, a separate record should be made of someone who has been an outstanding example to others, but all our people alike have proved themselves so splendid that such cases must be exceptional.





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CALAMITY BECOMES A PLANNING OPPORTUNITY. [From TVA: Democracy on the March' by David E. Lilienthal, Chairman of the Tennessee Valley Authority (Penguin Books).] Because of the breadth of the underlying purpose, towns were not simply paid money damages for streets that would be inundated by the waters of the reservoirs and thereupon marked off the list of "headaches." What happened in the little city of Guntersville in northern Alabama is an instance. The back waters of Guntersville Dam would cover a number of streets in the business section of this cotton-farmer trading centre. A considerable readjustment of the streets and business life of the community was inevitable. It was not easy for the city to face the change, but, long before the waters rose, TVA planning technicians were consulting with the city and state officials. Out of this consultation came a Guntersville City Planning Commission, and later a city zoning ordinance (the first in that part of the state), subdivision controls, and a major street plan. The deep water front at the city's centre made Guntersville a port through which today large tonnages of freight pass. Under the town's new plan, the industrial uses of the waterfront are separated from the recreational uses, and this city, extending in a long peninsula into the broad blue waters of Guntersville Lake, is today one of the most attractive small cities in Alabama. What at first seemed a calamity was turned into an opportunity, and a community sense of direction has resulted that continues to bear fruit.

The Royal Academicians, give admirable—though possibly unintended—support to the architectural qualities of the Government's wartime programme of AGRI-CULTURAL COTTAGES.

This opinion is expressed by Sir E. T. Campbell, Parliamentary Private Secretary, Ministry of Health, in a letter to *The Times* with regard to a previous letter in the same newspaper from nine Royal Academicians who said: Reduce this eighteenth-century house to 900 sq. ft. and add popular fittings, and it will be far better than most of those erected as experiments all over the country (see AJ, January 4, page 1, and January 25, page 73). In his letter Sir E. T. Campbell continues: The majority of these cottages are built to designs founded on the accompanying type plan (one of several issued by the Minister of Health for the guidance of the local authorities), which is similar to that of the Royal Academicians' eighteenth-century model in its essential features, that is to say, in the retention of the balanced elevation achieved by a central front door and stairway. The The plan is not. of course, the same; but on an over-all reduction it may not be possible or desirable to retain the same number and disposition of rooms. Mr. Willink has had a detailed comparison made between the two plans, which may interest your readers. If eighteenth-century plan were reduced on square feet—and it must be remembered that the stairs and other parts cannot be materially reduced—the rooms shown as kitchen, dining-room, sittingroom, and nursery would become impossibly small—they would have areas of 57, 90, 98, and 107 square feet respectively. By reducing the number of rooms, however, reasonable plan would be produced reasonable plan would be produced, generally similar to the Ministry of Health plan, which, at 900 square feet, gives kitchen, living-room, and parlour of 80, 180, and 110 square feet. Sir Giles Gilbert Scott, R.A., in a letter to *The Times*, says: The letter from some Royal Academicians criticizing the planning of the Northolt experimental houses has been misunderstood by those who point out that a plan cannot by those who point out that a plan cannot be reduced proportionately in all its parts, which is, of course, obvious. The letter from the Parliamentary Secretary to the Ministry of Health not only shows a correct appreciation of the point made in the Academicians' letter, but confirms it, and illustrates one excellent adaptation, for rural cottages, of the general lines of the eighteenth-century model; there are also other variations on the same lines, but we do not find them at Northolt, which is the reason for the letter of which I was one of the signatories. Endless varieties of elevational treatment are possible, but it is to be hoped that these will not fall below the standard set by the eighteenth-century example, which possesses the subtleties that are so characteristic of buildings erected under the influence of a live tradition, and which are lacking in most modern examples.

At the suggestion of the RIBA an all-party PARLIAMENTARY ARCHITECTURAL COMMITTEE has been set up composed of members of the House of Lords and the House of Commons.

At the suggestion of the President and members of the War Executive Committee of the Council of the RIBA, an all-

Lords and the House of Commons.

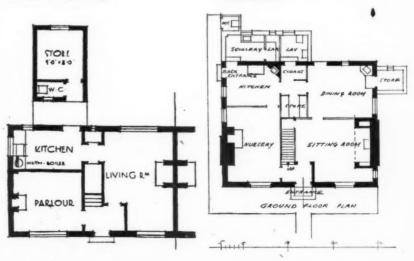
At the suggestion of the President and members of the War Executive Committee of the Council of the RIBA, an all-party Committee of Members of both Houses of Parliament has recently been set up to discuss architectural questions from time to time. At the first meeting on January 18, Mr. E. H. Keeling (Conservative Member for Twickenham), Mr. Arthur Duckworth (Conservative Member for Shrewsbury), and Mr. Arthur Jenkins (Labour Member for Pontypool) were appointed Chairman and Hon. Secretaries respectively.

The death has occurred of Sir Reginald Rowe who FELL FROM A WINDOW IN LONDON.

A verdict of accidental death was recorded at the Westminster inquest recently on Sir Reginald Rowe, aged 76, formerly undertreasurer of Lincoln's Inn, who fell from his bedroom window in Lincoln's Inn. He had been Chairman of the Improved Tenements Association since 1900, and was President and Chairman, National Federation of Housing Societies, and Managing Governor of the Old Vic and Sadler's Wells. He originated and organized the scheme for recreating Sadler's Wells, and rowed for Oxford v. Cambridge in 1889-92.

America is to build and send thirty thousand PREFABRICATED HOUSES TO BRITAIN.

The houses are to meet the immediate needs of bombed-out people and will be built subject only to the availability of timber and other building materials. The transaction will be handled through Lend-Lease, according to an agreement reached in Washington between British Government representatives and officials of the Foreign Economic Administration.



The Royal Academicians give admirable—though possibly unintended—support to the architectural qualities of the Government's wartime programme of agricultural cottages, says the Parliamentary Private Secretary to the Minister of Health. See news item on this page. The MOH plan is shown on the left, the Royal Academicians' on the right.

15

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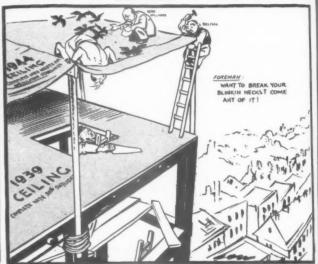
& Kirk











TheBlimpery Bush

The progress through Parliament of the Town and Country Planning Bill, 1944, as Low's cartoons above so well show, was, at times, seriously impeded by the luxuriant growth of the twin flowers "comp." and "bett." which flourish in the intricate foliage of the blimpery bush. "Comp." proved to be particularly obstructive and it was only by a superhuman

effort and by adding further complications that the Bill got round it and became an Act. On pages 115-xxxvi there is a commentary on the Act by J. B. Wikeley, who clarifies some of its intricacies. This commentary along with that on the 1943 Act (A.J., 14.10.43, p. 270) by the same author should prove useful to all architect-planners.

The Department of Scientific and Industrial Research is helping builders, architects and engineers to cope with difficult problems involved in the full repair and restoration of WAR DAMAGED OR NEGLECTED buildings, by the free issue through its Building Research Station of a series of leaflets. Those already published or in preparation cover the repair of structural steel or brick-work; reinforced concrete columns; paint-work on wood or steel; the repair of stucco, rendering and internal plaster, including its decoration, the removal of oil or smoke

stains from walls; the repair of roofs and stains from walls; the repair of roots and floors of various types. Among the problems considered are: how to lift back a roof which has been moved by blast from its proper position on its walls; how to get rid of camouflage paint; how to deal with dry-rot in deserted houses; and the points to watch in redecorating a house which has become damp through damage or neglect. Many of the recommendations are based on. Many of the recommendations are based on tests or repairs already carried out and on the experience of Government Departments, local authorities and others who have brought special problems to the notice of the Building Research Station. Many leading consultants have assisted in drawing up the leaflets which may be obtained free of charge on application to the Director, Building Research Station, Garston, Herts. Envelopes should be marked R.D.B. in the top left-hand corner.

Our monster towns become MONSTROShave ITIES - Rev. P. Gliddon.

In his parish magazine the Rev. P. Gliddon, vicar of Shoreham, Kent, writes: The idea that large towns are the centre of cheerful activity and good fellowship can only exist in the minds of those who have not lived in them. What fellowship is there in a block of flats in which all tenants are so mortally afraid of all other tenants presuming on their friendship that they carefully avoid knowing any of them? It may be pretty pestilential to discover the way people in villages criticize their neighbours, but at least they recognize that they have neighbours to discuss. The future of this vicar of Shoreham, Kent, writes: The idea neighbours to discuss. The future of this country is likely to be hammered out in the villages and smaller townships.

Bill got there is a ifies some at on the or should

owns TROS-Gliddon. P. Gliddon,

The idea of cheerful only exist e not lived there in a ants are so enants prethey career the way neighbours, they have ure of this out in the

Prepared by Sir Patrick Abercrombie (Consultant), Mr. John Owens (City Engineer) and Mr. H. Anthony Mealand (Town Planning Officer) A PLAN FOR BATH issued last Thursday, is a master plan providing for an. evolutionary programme of evolutionary programme of orderly progressive development for the next fifty years. The plan is based on the "community of Bath," consisting of 14 "neighbourhoods" and 13 parishes or parts of parishes fringing the present city boundary. This total area is 20,990 acres, with an existing normal population of 78,500. An optimum population of 81,000 is suggested, which allows for a future natural increase of 2,500. This tion of 81,000 is suggested, which allows for a future natural increase of 2,500. This increase and the "overspill" from reducing dense pockets within the city will be redistributed in this "community of Bath." The central city area of 148.8 acres is divided into ten "precincts," which idea is again exemplified in the conception of "neighbourhood" units for housing. Fundamental to the plan is the reshaping of the existing road system. The outer "ring" idea not being applicable, East-West (London-Bristot) through traffic is to be segregated north of the central city area by a double carriageway arterial road, while segregated north of the central city area by a double carriageway arterial road, while Bristol-Salisbury-Southampton through traffic is by-passed to the south-west. The most striking feature of the internal road plan is an inner circle for major local traffic, on to which radial approach roads converge. This ring practically encircles the ancient city centre—containing the Abbey, Pump Room and Guildhall—along the line of the old mediæval walls, thus making it a "precinct" free from main streams of traffic. Similarly a much larger area—Wood's Town, comprising central Georgian Bath and including Milsom Street, the Royal Crescent, the Circus and the the Royal Crescent, the Circus and the Paragon—is preserved from traffic intrusion, the new East-West arterial road subserving to this end. The plan, in the form of a joint report of 80,000 words, is subsequently to appear in illustrated book form. It is being presented in a draft stage to the public in the form of an exhibition of maps, drawings, diagrams and models, prepared by the staffs of the City Engineer's, and Town Planning departments. A unique feature is a large model showing the central city area with existing buildings in detail and block representations of the proposed developments.

A scheme has been submitted to the Ministry of Town and

Country Planning for a NEW TOWNSHIP IN SURREY.
Land near Three Bridges and Lingfield, Surrey, is to be developed for post-war housing. The northern portion of Horne Park Estate, near Newchapel Corner, has been sold to the General Counties Development Trust Limited formed to develop the ment Trust, Limited, formed to develop the land. The trust has the option of taking over the rest of the estate running to the main road between Three Bridges and Lingfield. A scheme for development has been submitted to the Ministry of Town and Country Planning, providing for the building of a small township, on both sides of the existing airfield, to house a minimum of 2.500 people. The scheme, purely a private enterprise, aims at providing a shopping centre, hotel, millage hall, playing fields, nursing home and clinic and a model farm. A scheme for development has been model farm.

A WARTIME BILL OF FARE

THE Town and Country Planning Bill, which had a long and, in its final stages, an intensely political passage through Parliament, is a curious and baffling mixture of proposals old and new. Its effects on the kind of planning recognized as such by the man in the street are by no means obvious; yet they may be very considerable. The Bill was fought doggedly by the Local Authorities as being inadequate, mean, confusing and bureaucratic. Yet it gives them enormous powers, and Exchequer assistance—quite additional to the Block Grant and to specific subsidies-of something like six hundred million pounds. In spite of Lord Latham's trenchant criticisms, the Local Authorities, in the end, welcomed the passing of the Act. And this will do more than anything else to help the new Ministry of Town and Country Planning towards the status which it ought to have; but has not vet achieved—that of the Central Planning Authority. The citizen, who is not a member of his local council, nor

an official, is still likely to be puzzled over the main paradox of the Act. Though it gives powers to purchase both wardamaged land and obsolete areas of blighted property to be replanned as a whole, yet the Government grant extends only to the former and not to the latter. This strengthens the average man's rather natural disinclination to believe that the present Government means to do anything really serious about reconstruction.

As an owner, on the other hand, particularly of a cottage or a shop, or even a ground-rent in an area of war-damage, the citizen feels not only puzzled but injured. There is little doubt that the compensation clauses are hard; but they are no harder than many another deprivation caused by the war, and they are insignificant compared with the sacrifice of life and of human futures which the war has entailed. As Mumford pointed out in his article on London* "... urban England cannot be rebuilt within a reasonable time without the existing landowners having to take a loss. . . .

The only question is whether the change is to be fraudulently accomplished, as in Germany after the last war, or whether it is to be honestly managed on the principles of normal commercial bankruptcy, by persuading the creditors to take a fraction of the original land values."

To the planner and the architect the Act is in parts encouraging, in others bewildering. From his point of view, some definite tasks emerge from the medley of provisions and powers which the Act contains. In the first place, the powers cannot be secured except on the basis of a plan. This does not mean, in the early stages, a statutory planning scheme, but a plan in outline showing the main objectives in mind, the general zoning, the areas for prior release for development, the road improvements, the reservations. Such a plan should have an economic and demographic background, but it will

^{*} On the Future of London, Lewis Mumford, Architectural Review, January, 1945.

have to be drafted in terms of suggestions for, and restrictions on, land-use.

Secondly, the Local Authorities will have to work out central area reconstruction in three dimensions—if not in four. They will have to prepare block plans and detailed zoning within the blocks. They will have to make up their minds on road widths, heights of buildings, the location of shops, the creation of small open spaces and the definition of areas of special architectural control. This means architectural planning. Thirdly, the Act contains quite extraordinary provisions for the preservation of buildings of historic and architectural interest. Not only is Section 17 of the 1932 Act strengthened; but the Minister of Town and Country Planning is entitled to make lists of all such buildings, send them to the appropriate Local Authorities, and thus secure that those buildings shall not be privily or hastily demolished without his Department, the Local Authority, and the watchful amenity societies having a chance to do something about it. In these and many other respects the Act states the planning implications, but says nothing of the standards of planning to be aimed at. The Interim Development Act of 1943, was said to be the hors d'œuvres; the present Act is a bigger assortment of dishes of the same kind. Evidently we shall have to wait until after the war for the full table d'hôte.



The Architects' Journal
War Address: 45, The Avenue, Cheam, Surrey
Telephone: Vigilant 0087-9

 \mathcal{N} O T E S

T O P I C

GLOAG RIDES AGAIN

Talking of rockets—and sooner or later everybody does—Mr. Gloag has launched again. Scarcely has he located the Missing Technician, and tapped him smartly into place between client and ad. man, when he's off again like the White Queen through the forest of architectural history, shedding facts and dates and opinions like shawls and pins.

The quarry this time is the English House.* The speed of the chase is breakneck, the hunter is indefatigable. Anglo - Saxon, Roman, Mediæval, Georgian-the periods flash by like railway stations. As we hurtle past we are given glimpses not only of houses but of furniture, costumes and kitchen equipment. "Have we got there yet?" pants the reader breath-"Got there?" shouts Mr. Gloag over his shoulder, "we passed it hours ago." Faster and faster we go till we sink exhausted at the terminus-Mr. Jellicoe's war-workers' housing. Something of an anti-climax this, perhaps, but the journey has been long, and we need a rest.

The familiar scene has not been distorted by the speed at which we passed it, and our guide's hand is firm and expert. "Don't get it right, just get it written," is not the motto of our Mr. Gloag. No Gloa-baloney here. Quotations are annotated, references are properly listed. There is an index and a bibliography.

There is little new in the story for architects, but we are reminded of

many forgotten facts, and meet such unremembered personalities as Gerald de Barri, the mediæval news-chroniclist, Fitz Ailwyne, author of London's first Building Act (1189), and Sir Edward Coke (Elizabeth's Attorney-General), who anticipated Dr. Johnson's remark, which is implied in the book's title.

The Englishman's Castle is lavishly illustrated by Marjory Whittington, an artist whose style of architectural drawing is described by the publishers—groping for a word—as "unconventional." They could hardly have chosen a less suitable adjective.

There are sixteen chapters, sixteen colour plates, and the book costs sixteen shillings. Let Palinurus in his unquiet grave work *that* one out.

CONTACT

Since Focus died and Task became an irregular visitor, architectural students' magazines have become as rare as taxis. All the more welcome then to Contact, a magazine issued by the Leicester School of Architecture, and just coming up for the second time. It is a lively little paper, edited by a committee which has few inhibitions, and possesses that rare quality in the student-journalist—a strong sense of humour.

Visiting lecturers are criticized ruthlessly, as are fellow students, the Government's housing policy, and the school premises ("the radiator in Room 77 has at last been mended by putting a bucket under it"). There are reports of school activities and student prejudices, articles on building and on post-war prospects. Books are reviewed and addresses given.

Altogether Contact is another worthy sample of Leicester's energy and good sense. Three hundred years ago Evelyn described that city as "old, ragged and despicably built." Evidently if Leicester-trained architects are given a chance to work with the lively City Engineer on his post-war plans, Evelyn's words will be well avenged. It is not insignificant, is it, that Leicester has chosen the Arcon for its temporary house allocation from MOH?

^{*} The Englishman's Castle by John Gloag (Eyre and Spottiswoode, 16s. 0d.).

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Three English interiors. Top, a Norman hall; centre, a Mid-Victorian drawing room; bottom, a William Morris Room. From The Englishman's Castle, reviewed by Astragal this week.

PCETS' CORNER

THREE MOUTHFULS

I'm Barlow! I'm Uthwatt! I'm Scott!

We're cold now, but once we were hot. For Sunday's roast joint we were really a

Straight from the oven of urgent reform, Steaming with tasty political storm, Succulent, piping, and socially warm, But the Government just wouldn't eat up its dinner. #

> I'm Barlow! I'm Uthwatt!
> I'm Scott!

Barlow stew when its eaten straight out of the pot

Makes cold population an excellent meal With a flavour that's simply surprising; But if left overnight and allowed to congeal Its apt to be unappetising.

Uthwatt mutton when served hot on Sunday can smell In a way which conveys via the sensitive

nose A prospect serene and inviting:

But if left until Monday experience shows The odour's not quite so exciting.

Scott's Beef of Old England when ready and

Suggests by its flavour a dream that is near To Parnassus and all the perfections: But when its left standing its flavour, I fear, Is suggestive in other directions.

I'm Barlow! I'm Uthwatt! I'm Scott!

We're cold now, but once we were hot. But no doubt in the future Lord Woolton will try

To mince us and serve us by some other name Like Meat Balls or Spam Pie or Rissoles

And if all these efforts are useless and vain He'll just turn us into The Old Cottage Pie.

I'm Barlow! I'm Uthwatt! I'm Scott!

EDWARD LEWIS

AA PANTOMIME

The pre-war AA Pantomime was a very professional affair. Familiar West End gadgets were well to the fore; slick lighting, compères in evening dress, jazz bands, books of words, and a real box office complete with insistent but unanswered telephone and a pert girl clerk taking bookings for a full seven performances in the Christmas week. It was sad when evacuation to Barnet swept all that away, but on the other hand the one-evening wartime panto did revive that most valuable quality in all student theatricals, a real and ringing spontaneity. Spontaneity, that gay and gracious creature, essence of all that in the theatre, in architecture, and in all the arts, is diverting or divine. Whatever fun it may be for the AA Students, who have this term returned to their old home in Bedford Square, to return also to their fullscale pantomime of peace, let us hope that this precious something will remain. **ASTRAGAL**



LETTERS

A Potential Planner

Scot

C. Gingell, Capt., R.E.

The TPI Examination

-Having (like Astragal's Joint Town Planning Final examination held in London, it is with diffidence that I venture to express opinions upon certain

venture to express opinions upon certain unsatisfactory aspects thereof.

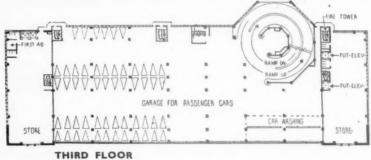
Astragal's correspondent described the conditions under which the examination was conducted fairly, if mildly. They were just about as nerve racking as they could be, what with alerts almost continuously and constant imminent danger warnings, concentration was purely a question of being blessed with a phlegmatic outlook of which I for one am not passessed possessed.

Many of my fellow victims informed me Many of my fellow victims informed me that there were periods when they found the physical act of writing difficult. Prior to receiving the first Paper on Monday morning, we were informed by the invigilator that should we be disturbed by the doodlebugs, extra time would be allowed. It was soon evident that neither the invisitator his consistent page the conditions. the invigilator, his assistant, nor the candidates were in the least bit interested in the benefits of this concession, and were certainly not in the mood to stay one moment longer in that room than was necessary.

The stupid part about the whole business is that the examination could have been switched quite easily to any one of the big provincial cities, Birmingham, Liverpool, Manchester, Leeds, Sheffield, etc.—they are not villages and could have absorbed easily the 150 to 200 persons concerned.

USA PARKING SOLUTION





AZUO SI AMBIRANI

FUT MEZZ

STORES

STORES

GROUND FLOOR



This car-parking and store building by the Ballinger Company in the centre of Philadelphia, is not an architectural masterpiece, but it does represent an interesting solution of a big urban problem. It has a parking area for 600 cars on the second and third floors and on the roof. Ground and first floors are rented out as stores. An octagonal tower contains the service ramps, and is accessible from an alley at the back of the building. At the foot of the tower is a petrol station, and on the fourth floor are car-washing facilities. The flat roof may later serve for helicopter landings. Top, the broad divided ramp. Above, ground and third floor plans. Left, the roof.

Following the Government's warning, most conferences and examinations fixed in London were cancelled or switched to the Provinces; for instance, candidates for the RIBA Final held about the same time had the option of sitting in Edinburgh, and many did.

many did.

Four months after the examination (an interminable period) official notification arrived informing me tersely that the Board regrets, etc., to be followed with a spot of cold comfort which said "should you desire to submit yourself for re-examination next year, you can do so by taking the whole of the examination (seven papers), including a two months' set piece of planning.

of the examination (seven papers), including a two months' set piece of planning. Nearly all other professional bodies allow for credits and relegations in individual subjects, candidates being allowed to resit the relegated subjects. This is customary with the Medical Colleges, the Municipal and Counties Engineers and the Royal Institute of British Architects, and I make no apology for suggesting that a concession of this nature is due in this case.

I also take the view that to ask unsuccessful candidates to prepare another set piece, subject to the previous one being satisfactory, is unreasonable.

Finally, I would call the Board's attention to something which caused a great deal of unfavourable comment. That was lack of anonymity. Of the various examinations I have had to take both at school and the University, this is only one I can remember where candidates have been instructed to disclose their identities by printing in capital letters their names on each examination paper. It is usual to use numbers, which, by the way, is the practice followed by the RIBA.

A POTENTIAL PLANNER

Airports In The Future

SIR,—As an architect in close touch with airport design I read with interest your leading article. Reference is rightly made to the proposed London and Blackpool schemes, but why no mention of an airport in Scotland, already in existence, which would serve our most exacting trans-Atlantic needs in excellent fashion.

When They Return

Sir.—I would like to draw further attention to the letter by Mr. Donald A. Goldfinch under the heading When They Return. A review of the local government appointments advertised during the past few months fully confirms his statements.

The fact that many City or county architects, deputies, chief architects and similar

appointments are now being filled is a very bitter pill to swallow for the many local government architects, now in the Forces, who would normally apply for such posts. One County Council in a recent advertisement did state that applications would be considered from members of HM Forces, but in acknowledging the receipt of an application they rightly pointed out the difficulties that arose in its consideration. These difficulties are fully appreciated, but the fact remains that good posts are being filled whilst many suitable and rightful applicants are in the Forces, and there is obvious cause for concern. Making temporary appointments is a possible solution, but there is always a tendency, once a post has been filled, to avoid a further disturbance. I fully agree with Mr. Goldfinch's suggestion that representation to the Government should be sought to include applicants serving in the Forces, when it is absolutely essential that an appointment should be made.

India

C. GINGELL, CAPT. R.E.

stomary unicipal

> This Act received the Royal Assent on the 17th November, 1944, Al-though its main provisions deal with "blitzed" and "blighted" areas and land acquisition, it does contain some useful planning provisions. For a commentary on the 1943 Act by the same author, see the Journal for 14.10.43, p. 270.

> > Concerns the making of declaratory orders defining "areas of exten-sive war damage" and overspill.

Minister may shorten period for applications.

Procedure.

1st Schedule.

Authorizes purchase of land which is the subject of an order under 1st Section.

And of other war damaged land in certain circumstances.

(To be read with 1st and 2nd Schedules.)

Owners' right to require the authority to purchase his interest.

This Act covers a great variety of subjects and refers to many other Acts. It deals mainly with the acquisition and development of land and not with the form and content of planning schemes. Yet its background is a planning background, and there is evident in all its provisions an underlying intention to make good planning possible and to widen the opportunities for its effective exercise. Only when Planning Authorities begin to declare their " areas of extensive war damage"-and the land outside them required for taking care of the population and industry evacuated from them -will it be recognized how largely the whole procedure is based on the preparation of plans, both in outline and in detail, and their submission to the Minister of Town and Country Planning. The two main powers in the Act are: (i) those conferred on local Planning Authorities to purchase land in "blitzed" and "blighted" areas, and if necessary outside them, by a procedure which, though complicated to read, is in effect quicker and simpler than that under previous Acts of this kind; (ii) those making the Authorities ground landlords of the purchased land, and enabling them to lease it for private development or to develop it themselves. As regards finance the Act is important in that it makes an outright grant for two years, equal to the interest on capital spent on acquiring and developing "blitzed" areas and their associated overspill, together with partial grants of the same nature for various periods up to 13 years. Secondly it fixes the price to be paid for general public acquisition of land, for a period of five years ahead.

COUNTRY TOWN AND PLANNING

by J. B. Wikeley, M.Eng., A.M.Inst.C.E., Barrister-at-Law

section 1

The Government resisted the effort to bring obsolete development under the same heading as war damage areas and SECTION 1 relates only to an "area of extensive war damage."

The Minister is empowered to make an order in respect of land which has sustained war damage together with adjacent land, declaring such land to be subject to compulsory purchase where he is satisfied that the land should be re-developed as a whole. An application by a local planning authority

must be made to the Minister within 5 years from a date to be appointed by the Minister.

By SUB-SECTION 2 a similar order may be made in respect of land required for "overspill" purposes. The scope of the sub-section has been much widened by the definition of "re-location" of population or industry or for replacement of an open space" and land required for housing, industry and a wide variety of public services may, by this section, be made subject to compulsory purchase.

SUB-SECTION 3—Although applications for an order under this section may be made up to 5 years from the appointed date the Minister may, having regard to circumstances, shorten the period to not less than 2 years in respect to any local planning authority. Before doing so he must notify his intention and afford the authority an opportunity of being heard.

SUB-SECTIONS 4-12 describe the procedure to be followed in making applications to the Minister and in the making of orders. The authority shall not make an application within two months of publishing notice of intention to consider the question.

A map and statement is to accompany the application and where the Minister is satisfied of the expediency of making an order, the authority must publish a notice by Gazette and local advertisement and serve notice upon such persons as the Minister may specify.

If objection is made, the Minister may give the objector an opportunity to be heard, or may hold a public local inquiry or may, if he considers himself sufficiently informed on the subject of the objection, make a decision without investigation.

Where an order has been made, notice must be published by Gazette and local advertisement and served upon certain persons.]

section 2

This section gives powers to the local planning authority to purchase compulsorily land which is an "area of extensive war damage" or is land required for re-location and in respect of which an order has been made under SECTION 1.

An order must be made by the authority and confirmed by the Minister in accordance with Part I of the 2nd Schedule. The provisions of the 1st Schedule apply where objection is made to the order. SUB-SECTION 2—In addition, authority is given for the compulsory purchase of war damaged land in respect of which no order has been made under Section 1 if the Minister is satisfied that its acquisition by the authority is necessary to deal with the damage however it may be decided to develop the land and that postponement of the acquisition would be prejudicial to the public interest.

In all cases application for confirmation of compulsory purchase orders must be made within 3 years of the date appointed under Section 1 (1).

SUB-SECTION 3 empowers, with the consent of the Minister, the acquisition, by agreement, of war damaged or overspill land. Ministerial consent would not be necessary where an authority had other powers of purchase for the purpose required.

SUB-SECTION 4-An owner of land to which an order under Section 1 or sub-section (2) of this Section has become operative may, after 5 years from the date appointed, give notice to the planning authority and if within 3 months the acquisition of his interest has not become obligatory or the

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authority has not offered to purchase it, at a price to be agreed, his interest is deemed to be excluded

But if the land has not suffered war damage or has been made "capable of reasonably beneficial use" the Minister may direct that the notice shall be of no effect. (See also Section 11.)

section 3

SUB-SECTION 1—A highway authority may be authorized by this section compulsorily to acquire land required for the construction or improvement of a road necessary for the proper development of a war damaged area or to provide access to an overspill area, such land being outside those areas, The procedure as to compulsory acquisition is set out in the 2nd Schedule.

SUB-SECTION 2-The Minister of War Transport may be similarly authorized by an order made by him, in respect of land required for the construction or improvement of a road needed to

supersede a part of a trunk road.

SUB-SECTION 4—A highway authority or the Minister of War Transport may enter into an agreement with the owner of frontage to a road imposing restrictive control over the development of the land. The authority is put in the position of a covenantee having an interest in adjoining land and covenants will be enforceable against the covenantor's successors in title (but see Section 84 Law of Property Act, 1925).
SUB-SECTION 5—A compulsory purchase order is not to be confirmed where (a) the purchase

would be requisite only for the purpose of controlling development and (b) every owner has entered is willing to enter into an agreement or is bound by an agreement provided for under this section.

SUB-SECTION 6—A highway authority may acquire by agreement, with the consent of the Minister, land which they could compulsorily acquire under this section.

sections 4 - 8

In SECTION 4, power is given to purchase land designated under Section 1 for the public service or for the purpose of the Post Office. The procedure for purchase by a government department is set out in Part II of the 2nd Schedule to the Act.

In SECTION 5, provision is made for the Minister to make grants towards loan charges in respect

of the acquisition and clearing of designated land.

SECTION 6 enables a local planning authority to contribute towards the expenses of a highway authority incurred in the acquisition of land or the carrying out of road construction or improvement works in connection with war damaged or re-location areas.

SECTION 7 sets out conditions as to the making of grants under the last two preceding sections. In SECTION 8, the planning authority is required to submit quinquennially to the Minister a financial statement on their redevelopment schemes. Where a net gain is shown certain payments may have to be applied in repayment of grants made to the authority.

section 9

The preceding sections refer to redevelopment to be undertaken in consequence of extensive war damage. This section brings in land of another type, i.e., areas of bad layout and obsolete development " blighted " areas.

Where the Minister is satisfied that, owing to conditions of bad layout and obsolete development, it is requisite that an area should be laid out afresh and redeveloped as a whole he may confirm, in accordance with Part I of the 2nd Schedule, a compulsory purchase order made by the planning

A compulsory purchase order may include land adjacent to land where bad layout exists and also land outside the administrative area of the authority if contiguous or adjacent to a "blighted" area

within the area of the authority.

SUB-SECTION 2—Land required for the re-location of population and industry can similarly be acquired. For this purpose "any land which ought in the opinion of the Minister to be made available" may be acquired wherever situated.

SUB-SÉCTION 3-Provision is also made for compulsory purchase of land by a highway authority and the Minister of War Transport where required for purposes mentioned in SECTION 3 (1).

SUB-SECTION 4—The Minister of Works or the Postmaster-General may make compulsory purchase orders in respect of land coming within the scope of this section or of land adjacent to such land

SUB-SECTION 5-A planning authority or a highway authority may acquire by agreement land which they could be authorized to acquire compulsorily by this section.

SUB-SECTION 6—The provisions of Section 6 (1) and (2) apply, mutatis mutandis, to contributions

by a planning authority to expenses incurred by a highway authority.

It will be noted that in the case of "blighted" land there is no preliminary stage as in Section 1 where land is designated. Here a public inquiry, if any, is held on an application for confirmation of the compulsory purchase order: in the case of war damaged land such an inquiry may be held at either stage but provision is made for regulations to provide for contemporaneous procedure.

section 10

A wide authority is given under this section to planning authorities to purchase compulsorily land required for planning purposes. The procedure is laid down in the 2nd Schedule to the Act and the scope for the compulsory acquisition of land is widened beyond that authorized by the 1932 Act. Land can be acquired-

(a) as a site for development of any class to secure a proper balance of development.

(b) for use as a public open space or playing field.

Refers to land required for roads (a) Outside war damage

areas. (b) For providing access to overspill areas.

Agreements as to control of land may be made between highway authority and owners.

Areas of bad layout and obsolete development may be acquired compulsorily.

And likewise land, wherever situated, for re-lo-

The process of acquisition is not so speedy in this case.

Wide authority for purchase of land for planning purposes.

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32 Act.

Imposes an obligation on LPA to purchase war damaged land when ID application is refused.

Owner of war-damaged land may require the LPA to buy it.

Minister may in certain circumstances direct that notice shall not take effect.

Power of postponement under S. 2 (2) of T & CP (ID) Act, 1943, qualified.

Reasonably beneficial use.

Allows land to be purchased by the authority of the area in which the land is instead of the authority "promoting" the development.

(c) for development in substitution for land on which such development cannot be allowed consistently with proper planning.

(d) for providing accommodation for residential or business purposes, for persons who would be likely to come to the area of the authority, or a particular part of the area, if accommodation elsewhere is not provided and whose location in the area of the authority, would be inconsistent with proper planning.

But the authority will not be authorized to acquire land to meet a requirement under (a), (c) or (d) if the Minister is satisfied (i) that circumstances do not render it expedient in the public interest that the land should be acquired by the planning authority, (ii) that some other person is able and willing to meet the requirement and (iii) that the land is available on reasonable terms.

SUB-SECTION 2—The planning authority may purchase compulsorily under this section :

(a) land in, or near, an area of war damage in their area, which for the purpose of re-development, ought to be dealt with together with land as to which an order under S. (1) or S.2 (2) is in operation.

(b) land which will be required in the course of redevelopment of a war damage area in their area or of nearby land for the purpose of the re-location of population or industry.

SUB-SECTION 3—Land in the area of the authority which is derelict and likely to remain so may be compulsorily purchased with a view to bringing it into use.

SUB-SECTION 4—With the consent of the Minister land may be acquired by agreement in certain cases.

section 11

This section was introduced after the second reading of the Bill and imposes an obligation to purchase war damaged land where permission to develop is refused.

The Treasury will certify the time or times at which the making good of war damage has become practicable in the case of buildings of any description. If an interim development application is made, after the time so certified, in respect of land "incapable of reasonable beneficial use" and which before damage contained buildings of the description in question and (a) permissions is refused or granted for a period shorter than that applied for, and

(b) apart from interim development control the development could be lawfully carried out and there is no alternate development for which permission would be granted so as to render the land capable of reasonably beneficial use,

an owner of the land may, within 6 months, require the authority to purchase his interest and from the date of the notice the authority shall be deemed to have served a notice to treat under a compuisory purchase order.

SUB-SECTION 2—Where such notice is given to a planning authority they must notify the Minister who may—(a) if he considers permission to have been wrongly refused, direct that a favourable decision be given and that the notice shall not take effect.

(b) if satisfied that the notice is not validly given, direct that it shall not take effect.

(c) if satisfied as to the benefit which would accrue to the owner from the land in its original state or if alternate development would be permitted, direct that the notice shall not take effect or take effect only in respect of part of the land.

(d) if satisfied, having regard to the probable ultimate use of the land, that it is expedient so to do, direct that the notice to treat shall be deemed to have been served by the county council in lieu of the planning authority.

Where the Minister proposes to give a direction under this sub-section he shall give notice to the persons concerned and afford such persons an opportunity of being heard.

SUB-SECTION 3—In regard to an application for permission to develop land which is incapable of reasonably beneficial use in consequence of war damage, the power to postpone consideration of the application under Section 2 (2) of The Town and Country Planning (Interim Development) Act, 1943—

(a) shall not be exercisable where the application is made after the time certified under sub-section 1.

(b) where the application is made before such time shall not be exercisable so as to postpone it beyond such time.

SUB-SECTION 4—The provisions of sub-sections 1 and 2 apply *mutatis mutandis* to applications for consent to development made under an operative scheme.

for consent to development made under an operative scheme.

SUB-SECTION 5—"Reasonably beneficial use" is defined. Land is incapable of reasonably beneficial use if incapable of being as beneficially used after suffering war damage as it was immediately before. Land is deemed to have been rendered capable of reasonably beneficial use if it has been brought, or alternative development would bring it, into a state as to make it capable of being as beneficially used as it was before sustaining war damage.

SUB-SECTION 7—Contributions under Section 10 (4) of the Town and Country Planning Act, 1932, are to be taken into account.

SUB-SECTION 8—Any question arising under paragraph (b) of sub-section 1 is to be determined by the Minister: any question under sub-section (5) by the War Damage Commission.

section 12

Where an authorization to the compulsory purchase of land outside the area of the local planning authority could be given under the preceding sections such authorizations may in lieu of being given to the "promoting authority" be given to the local planning authority (the "area authority") in whose area the land is situated.

SUB-SECTION 2—The area authority and the promoting authority may enter into an agreement to be approved by the Minister as to the use of the land.

SUB-SECTION 3—Before giving an authorization to the area authority the Minister is to consult the promoting authority to give them an opportunity to negotiate an agreement as aforesaid and the Minister may himself impose terms as to matters which would be dealt with in such an agreement.

SUB-SECTION 5—The area authority may, with the consent of the Minister, acquire by agreement land which could be acquired compulsorily under this Section.

section 13

Land held by statutory undertakers "comparable with the generality of land" is subject to the provisions of the preceding sections but Section 13 introduces modifications for land held by them for the purpose of the carrying on of the undertaking.

SUB-SECTION 2-Whether land is held for the purpose of carrying on the statutory undertaking

is to be determined by the Minister and the appropriate Minister.

SUB-SECTION 3—Where a compulsorily purchase order is proposed to be made in respect of land and a statutory undertaker makes to the appropriate Minister representation that it is land to which this section applies and it is so determined the order shall not be made or shall be made so as to exclude such land.

SUB-SECTION 4—A compulsory purchase order of land to which this section applies may be authorized by an order made by the Minister and the appropriate Minister, in the case of a purchase by a planning or highway authority, under Part I of the 3rd Schedule, or in the case of a purchase by a Minister by an order made by that Minister and the appropriate Minister under Part II of the 3rd Schedule.

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Where, however, objection is made by the statutory undertaker any order made is provisional and is of no effect until confirmed by Parliament.

SUB-SECTION 5—In respect of a compulsory purchase order under Section 2 (1) or Section 4 of land to which an order under Section 1 of the Act applies :—

(a) Sub-section 3 of this section does not have effect unless the statutory undertakers made representations within the time allowed for objections to an order under Section 1.

(b) where such a representation is made the Minister and the appropriate Minister may make an order, which is provisional only, taking the land out of sub-section 3.

SUB-SECTION 6—The provisions of the 4th Schedule apply to the assessment of compensation.

section 14

Restrictions are placed upon the compulsory purchase of commons, open spaces and garden allotments. Any order made in respect of such land shall be provisional only until confirmed by Parliament except where the appropriate Minister is satisfied and so certified—

(a) that there will be a suitable exchange of land; or

(b) that the land is required for the widening of an existing public highway and the giving of land in exchange is unnecessary in the interests either of the persons entitled to the rights in the land or of the public.

SUB-SECTION 2—A planning authority may appropriate for the purposes of Part I of the Act land held by them being a common, open space or allotments (including land which is specially regulated by any enactment) other than Green Belt land as defined in the Green Belt (London and Home Counties) Act, 1938. The appropriation is by order confirmed by the Minister and subject to confirmation by Parliament.

SUB-SECTION 3—The Minister may give public notice of an intention to certify under subsection 1 and afford opportunities for objections and representations and, having regard to such representations, where he considers it expedient, hold a public local inquiry.

SUB-SECTION 4—The planning or highway authority must publish by Gazette and local advertise-

ment the giving of a certificate under this Section.

SUB-SECTION 5—Where land to which this section applies has been purchased compulsorily or appropriated, the authority may be authorized in accordance with the provisions of the appropriate section to purchase compulsorily or by agreement land for giving in exchange for the land purchased or appropriated.

SUB-SECTION 6—The appropriate Minister may make a vesting order in respect of land given in exchange under sub-section (1).

section 15

This section deals with the purchase of on-licensed premises. Before such premises are purchased the authority may undertake to pay a contribution to the compensation authority in the event of the renewal of the licence being refused. After purchasing such premises the authority may intimate their willingness to surrender the licence and the compensation authority, if satisfied that if not surrendered the licence might have been dealt with as a redundant licence, shall contribute out of the compensation fund a sum not exceeding that which would have been payable on the refusal of the renewal of the licence.

section 16

This section is of great importance and refers to the validity of orders.

No order made under Section 1 (designation of land), a compulsory purchase order or a certificate or order under Section 14 shall be questioned in legal proceedings except on the grounds of ultra vires, i.e., that such order is not within the powers conferred by the Act or that the requirements of the Act

Land held for statutory undertakings may be acquired compulsorily by the procedure of the 3rd Schedule, but "operational" land may be excluded from the CPO.

CPO's on commons, open spaces, etc., are provisional only unless certified by appropriate Minister.

Commons, etc., held by LI'A may be appropriated.

Land may be purchased to give in exchange.

Contributes where licensed premises purchased.

The validity of an order may be questioned only on the grounds of *ultra vires*.

or of regulations made thereunder have not been complied with. The Minister is consequently the sole arbiter of merit and fact.

An order becomes operative on the date on which the making or confirmation of the order is first published.

An appeal on the grounds of ultra vires lies to the High Court and must be made within 28 days of the date last mentioned.

The Court may-

(a) suspend the operation of the order; and

(b) if not within the powers of the Act or if the interests of the appellant have been substantially prejudiced by non-observance of any requirement of the Act, quash the order.

SUB-SECTION 4—An order which is provisional only and of no effect until confirmed by Parliament is taken out of this section; being in effect an Act of Parliament it is not subject to challenge in the Courts

section 17

An order under Section 1 or a compulsory purchase order under this part of the Act must be registered in the local land charges register and it is the duty of the purchasing authority or the authority on whose application an order under Section 1 has been made, to notify the officer of the authority keeping the register. Such orders are consequently void against a purchaser for money or money's worth unless registered.

section 18

The Lands Clauses Acts and the Acquisition of Land (Assessment of Compensation) Act, 1919 are applied to Part I of this Act subject to modifications. This section also introduces a procedure for "expedited completion" with respect to compulsory purchase orders made under the Act, including orders in respect of land held by statutory undertakers authorized under S. 13 (4). Where the order contains an application for a direction and where the Minister is satisfied that it is requisite that the land should be vested in the purchasing authority before the effluxion of time needed for the service of notices to treat, he may direct that the 6th Schedule shall apply to the order and notices to treat are thereby deemed to have been served.

SUB-SECTION 4-An order may provide that certain enactments relating to minerals shall be incorporated.

section 19

SECTION 19 relates to the disposal or appropriation of land held by a planning authority for the purposes of the Act.

SUB-SECTION 2-Land may be disposed of in order to secure development needed for the proper planning of the area.

SUB-SECTION 3-Land may also be appropriated by the authority for any purpose for which they are authorized by any enactment to acquire land.

SUB-SECTION 4—The consent of the Minister is necessary to any disposal or appropriation and such consent will not be given to the sale of the freehold or to a lease of more than 99 years unless he is satisfied that there are exceptional circumstances making such disposal expedient.

SUB-SECTION 6-The powers of disposal are to be exercised so as to give an opportunity to obtain accommodation on the land to those persons who were living or carrying on business thereon.

SUB-SECTION 7—The Minister has a power of direction as to disposal of land to any person to whom the planning authority have refused to dispose or with whom they are unable to reach agreement. The Minister will consult with the Authority and the person concerned and normally the Authority will not be required to dispose of land for a consideration less than the best which can be reasonably

SUB-SECTION 8-In exercising powers under this Section regard must be had to preserving features of special architectural or historic interest and the Minister will not consent to the disposal or appropriation of land comprising a building included in a list compiled under S. 42 unless

(a) the preservation of the building is secured by conditions; or

(b) particulars are published by Gazette and local advertisement and the Minister is satisfied that the purpose which the planning authority seek to secure ought in the public interest to be carried out although the preservation of the building is incompatible with it.

section 20

With the consent of the Minister a planning authority may, notwithstanding any legal incapacity, erect buildings or construct works on land held by them for purposes of Part I of the Act apart from buildings or works for which statutory powers exist or could be conferred upon any person.

SUB-SECTION 3-But the consent of the Minister will not be given if it appears to him that any other person is able and willing to carry out the work at the requisite time.

SUB-SECTION 4—The Minister may direct the authority to advertise their proposal. SUB-SECTION 5—Power is also given to the authority to repair and maintain buildings and works on land to which this section applies.

SUB-SECTION 6-Sub-section 8 of the last section applies mutatis mutandis to operations under this section.

Orders under Section 1 and CPO's must be registered as local land charges.

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Regard to be had to preservation of buildings of architectural or historic interest.

efusal of Land may be developed in spite of legal incapa-city of LPA.

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SUB-SECTION 7—A planning authority may with the consent of the Minister arrange with an authorized association as defined by S. 35 of the 1932 Act to carry out operations which the authority

could themselves carry out under this section.
SUB-SECTION 8—The authority given by this section is not absolute and any person injuriously affected has his remedy at law.

section 21

Power is conferred upon the highway authority to construct new roads needed for any purpose of this Part of the Act.

section 22

Easements and other servitudes are extin-guished where land acquired under the Act is developed if such development conforms with planning control.

The erection of buildings or carrying out of works on land acquired under the Act, whether done by the Authority or by any other person, if conforming with planning control, is to be deemed to be authorized by the Act notwithstanding an interference with any easement or restriction as to user (e.g. right of way or right of light). The owner is entitled to compensation.

SUB-SECTION 2-The liability of any other person to pay compensation is enforceable against

the planning authority if that person fails to discharge his liability.

SUB-SECTION 3—For the purposes of this section development is deemed to "conform with planning control" if in accordance with an interim development order or a permission granted under such an order or the provisions of an operative scheme. Anything done by an interim development authority or by a responsible authority under a scheme is to be treated as conforming with planning control if done in accordance with consent granted under this Act.

SUB-SECTION 4—This section does not authorize an act or omission by a planning authority or any corporate body in contravention of a limitation imposed by its constitution nor is any act or omission authorized, other than those mentioned in sub-section (1), i.e. an interference with a servitude, to take away the remedies by injunction or damages, of any person.*

The statutory definition of "servitude" is restrictive to rights "annexed to land."

* Metropolitan lums Board r. Hill (1881) 6 A.C. 193.

Extinguishment of public rights of way.

Extinguishment of pri-

vate rights of way and

other rights.

section 23

The Minister is empowered to extinguish public rights of way over land acquired and held by a planning or highway authority for the purposes of the Act.

SUB-SECTION 2—The Minister must publish a notice of his intention to make an order and serve a like notice on the planning and highway authorities. Objections may be made within 28 days and the provisions of the 1st Schedule apply thereto.

section 24

Upon the completion of a compulsory purchase order under this part of the Act all private rights of way are extinguished and the rights of laying apparatus on, under or over the land are likewise extinguished and the apparatus vests in the purchasing authority except in the case of such rights and apparatus vested in a statutory undertaking.

This section will apply subject to any direction given by the purchasing authority before the completion of the purchase and to any agreement made between the authority and the person in whom the

right or apparatus vests.

Any person suffering loss through the operation of this section is entitled to compensation.

section 25

In respect of land acquired and held for the purposes of the Act the holding authority may serve a notice upon any statutory undertaking having a right of way or right of laying apparatus on, over or under the land or having apparatus thereon that such right shall be extinguished or that the apparatus shall be removed at the end of the period specified in the notice.

SUB-SECTION 2—The undertaker may serve a counter-notice within 28 days and where such notice is served on a planning or highway authority such authority may apply (sub-section [4]) to the Minister and the appropriate Minister for an order embodying the provisions of their notice, with or without modification. The Minister and the appropriate Minister may, if they think fit, afford the undertaker an opportunity of objecting to the application and, after consideration of any objection, afford the undertaker and the authority an opportunity of appearing and being heard and may then make an order with or without modification.

SUB-SECTION 5-Where a counter-notice is served on a Minister, he and the appropriate Department may make an order after affording opportunity to the undertaker to be heard.

SUB-SECTION 7-Where an objection is made to an order made under sub-section 4 or 5, the order shall be provisional only and of no effect until confirmed by Parliament.

SUB-SECTION 8-Compensation is payable in respect of the extinguishment of any right under this Section.

Subject to counternotice.

Rights of way as to ap-

paratus of statutory un-

dertakers may be extin-

guished by notice.

section 26

The powers and duties of a statutory undertaker may be extended or modified by an order of the Minister and the appropriate department in order-

(a) to secure the provision of services which would otherwise not be provided, for any purpose for which a planning authority may acquire land; or

(b) to facilitate any adjustment of the undertaking necessitated by the acquisition of land in

Gives powers to statutory undertakers to carry out work ex-peditiously; but may require them to carry out such works.

which an interest was held by the undertaking or by the extinguishment of a right under Section 23 or by a decision of an interim development authority on an application for permission to develop land held by the undertaking or by a revocation or modification of an interim development permission.

SUB-SECTION 3—A representation for such an order is made by the undertaker who must publish such notice and particulars as he may be directed and if objection is made in the prescribed manner, the provisions of the 1st Schedule apply.

SUB-SECTION 5—A local planning authority may also make representations that an order as respects any statutory undertaking is expedient for the provision or extension of services.

SUB-SECTION 6—An order made under this Section is of no effect until confirmed by Parliament.

section 27

Where the fulfilment of an obligation is rendered impracticable by the compulsory purchase of land in which an undertaking had an interest or by the extinguishment of a right or a requirement to remove apparatus and the appropriate Minister is so satisfied, he and the Minister may by order direct that the undertaker shall be relieved of the fulfilment of the obligation either absolutely or with qualifications.

SUB-SECTION 2—Notice of a representation to the appropriate Minister in this behalf must be published or served as directed and if objection is made the provisions of the 1st Schedule will apply

SUB-SECTION 4—Where objection is made an order made under this section shall be of no effect until confirmed by Parliament.

section 28

Any consecrated land (including buildings) which has been acquired or appropriated under Part I of the Act may be used—

(a) by the authority or any other person for any use conforming with planning control; or
(b) in the case of land acquired by the Minister, by him, or on his behalf, for any purpose for which he acquired the land,

notwithstanding any restriction imposed by statute or under ecclesiastical law.

SUB-SECTION 2—Any use of land, consecrated or not which at the time of acquisition included a place of religious worship or the site thereof shall be subject to prescribed requirements as to the removal of human remains and the disposal of monuments and, in the case of consecrated land, to requirements to be prescribed so long as the place of worship remains on the land.

SUB-SECTION 4—Any land, whether consecrated or not, consisting of a burial ground and acquired for the purposes of the Act may be used notwithstanding statutory restrictions but this sub-section is not to have effect in the case of land which has been used for burials until the prescribed requirements with respect to the removal of human remains and the disposal of monuments have been complied with.

SUB-SECTION 5—This section recites the provisions to be included in regulations made for the purposes of sub-sections 2 and 4.

SUB-SECTION 6—No faculty is required for removals and reinternments in accordance with these regulations and S. 25 Burial Act, 1857, will not apply.

SUB-SECTION 8—Nothing in this section is to be construed as authorizing any act on the part of the authority in contravention of any limitation imposed by virtue of its constitution and the legal remedies of any person against the authority are preserved.

section 29

Land forming part of an open space, common or fuel or garden allotment and acquired under the Act may be used, including buildings thereon, notwithstanding anything in any enactment relating to the land, if conforming with planning control or for any purpose for which a Minister has acquired the land.

SUB-SECTION 2—The provisions of sub-section 8 of S. 28 apply in like manner to operations under this section.

section 30

When carrying out redevelopment of land acquired under the Act which involves displacing persons living thereon, it is the duty of the authority, in-so-far as other accommodation is not available on reasonable terms, to secure such accommodation in advance.

SUB-SECTION 2—Section 137 Housing Act, 1936 which imposes an imperative re-housing obligation is not to have effect in relation to an acquisition under this part of the Act.

SUB-SECTION 3—Where the Minister certifies that the possession of a house is immediately required for the purposes for which it was acquired the Rent Restrictions Acts 1920 to 1939 shall not prevent the authority from obtaining possession.

SUB-SECTION 4—Where any building is required for the purposes for which it was acquired, whatever the value or the rent of the building, possession may be obtained under the Small Tenements Recovery Act, 1838 at any time after the tenancy of the occupier has expired or been determined.

SUB-SECTION 5—A reasonable allowance may be paid towards the removal expenses of a displaced person, and to a person carrying on a business who is displaced such an allowance may be paid towards the loss he will sustain by reason of the disturbance.

Statutory undertakers may secure relief from obligations rendered impracticable.

Consecrated land can be used for planning purposes.

Subject to regulations.

Comprehensive regulations are provided in respect of burial grounds.

Commons, open spaces, etc., may be developed notwithstanding restrictions, once they are purchased or appropriated.

There is a duty on the authority to provide accommodation for displaced persons.

Rent Restrictions Acts not to apply to certificate of Minister.

Small Tenements Recovery Act applies to all buildings.

Compensation for disturbance may be paid.

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section 31

Planning authorities to furnish information of their proposals to Minister, on request.

Extension of Minister's powers under S 6 (2), T & CP (ID) Act, 1943.

It is the duty of a planning authority to furnish to the Minister, on request, such particulars of their planning proposals, as he may direct, to enable him to consider the exercise of any jurisdiction conferred on him by this part of the Act as e.g. the confirmation of a compulsory purchase order.

SUB-SECTION 2—The power of the Minister under S. 6 Town and Country Planning (Interim

Development) Act, 1943 to require an Interim Development Authority to submit particulars of interim development applications is hereby extended to include information as to such applications to enable him to consider the exercising of any of his functions under that Act.

section 32

An interim development authority shall not carry out development other than development permitted by the order and a responsible authority shall not carry out development other than development which is permissible under the scheme without the consent of the responsible authority, without the consent of the Minister.

SUB-SECTION 2—If such development is carried out without the consent of the Minister or his conditions or limitations have not been complied with, he may direct the authority to take such steps as he considers requisite and his directions are enforceable by mandamus. Before giving such directions the Minister will give the authority an opportunity of being heard.

SUB-SECTION 4-Under the 1932 Act, the provisions of a planning scheme do not apply to land held by statutory undertakers except in-so-far as they consent. A planning authority carrying on a statutory undertaking is deemed to have consented to the application of the scheme unless and until they notify the Minister that they withhold the consent.

SUB-SECTION 5-The Minister may make regulations as to the consents under this section. Regulations have already been made for a period of 6 months during which time the consent of the Minister is not required unless he by notice requires an application to be made to him. Regulations of a more permanent character are to be made.

IDA or RA must obtain Minister's consent to

carry out in its own area development for which private owner would need permission. Sanctions enforceable by mandamus.

LPA carrying on statutory undertaking.

SR and O 1309 (1944).

section 33

Where a resolution to prepare or adopt a planning scheme revoking or varying an operative scheme has taken effect or the Minister proposes to make a revoking scheme, then if it appears to the Minister expedient

(a) for securing that development prohibited by the scheme may be carried out; or

(b) for securing that development permitted by the scheme may be controlled

he may by order suspend the provisions of the existing scheme.

SUB-SECTION 2—An order under this section must be registered in the local land charges register. SUB-SECTION 3—When an existing scheme is suspended the provisions of the Town and Country Planning Acts as to interim development control shall apply from the date of the registration of the order.

section 34

The following three sections apply to interim development applications by statutory undertakers in respect of land which is used for the purpose of the carrying on of the undertaking or in which an interest is held for that purpose.

Whether land is land to which this section applies shall be determined by the Minister and the appropriate Minister.

Land held by the undertakers not coming within the scope of this section is subject to normal interim development control.

Special provisions for land used by statutory undertakers.

section 35

Where a person carrying on a statutory undertaking appeals to the Minister against a decision of an interim development authority or an application is referred to the Minister, the decision shall be given by the Minister and the appropriate Minister.

Where loan sanction of a Government department or the Electricity Commissioners is required the consent of the Minister and the appropriate Minister need not be given until such sanction has

SUB-SECTION 2—Where the Ministers propose to refuse permission or grant it subject to conditions, they must notify the person carrying on the undertaking who may make application within 28 days for the decision to be embodied in an order.

SUB-SECTION 3—Such an order is provisional only and of no effect until confirmed by Parliament. SUB-SECTION 4—The provisions of the Town and Country Planning Acts apply to a decision given hereunder as if it were a decision of the Minister so that it is, subject to the preceding sub-section,

SUB-SECTION 5-Compensation is recoverable under the first part of the 4th Schedule, in respect of a refusal or a permission granted subject to conditions.

rendered impracticable by a decision under this section. SUB-SECTION 7—An interim development permission cannot be given for a limited period only

SUB-SECTION 6-Section 27 of the Act applies in respect to obligations of the undertakers

A resolution to prepare a revoking scheme and an order by the Minister may reimpose interim development control.

Appeals by statutory undertakers against ID

decisions.

The undertaker may require the decision to be embodied in a provisional order.

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ID permissions may be revoked or modified, and of obligations under

The power to postpone ID applications by statutory undertakers is not exercisable after five

development orders may exclude per-mission in particular areas or particular cases.

Certain public enactments may be suspended by an IDO.

And the Minister may suspend them.

Functions of joint committees extended.

Agricultural buildings brought within planning

Minister to compile a list of buildings of special architectural or historic interest.

LA may by order prevent the alteration or extension of an historic building.

section 36

Interim development permissions may be revoked or modified by the application of S. 4 of the 1943 Act under certain conditions:

(a) consent to the order revoking or modifying the permission shall be given by the Minister and the appropriate Minister.

(b) the power of the Minister to make an order shall be exercised by the Minister and the appropriate Minister :

(c) where it is proposed to give such a consent or make such an order the Ministers shall give the undertaker an opportunity of objecting;

(d) where objection is made to a consent an order shall be made which is subject to confirmation

(e) where objection is made to an order it shall be subject to confirmation by Parliament.

(f) compensation is recoverable in accordance with Part I of the 4th Schedule.

SUB-SECTION 2—Section 27 applies in relation to the relief from obligations rendered impracticable by the revocation or modification of a permission.

section 37

The power to postpone consideration of an interim development application under S. 2 of the 1943 Act shall not be exercisable in respect of applications to develop land to which Section 34 applies made after 5 years from the commencement of this Act or to such an application so as to postpone consideration beyond such date.

SUB-SECTION 2—Where a power to postpone arises, the statutory undertaker may require that it be exercisable by the Minister and the appropriate Minister in lieu of the interim development

section 38

Under Section 10 of the 1932 Act, the Minister may make interim development orders, which automatically permit certain types of development. By this section power is given for enabling directions to be given under the order, by the Minister or the interim development authority, to exclude from such general permissions development in any particular area or any particular development.

section 39

Section 10 (8) of the 1932 Act provides that an interim development order may authorize the suspension of local Acts, orders, byelaws and regulations. This power is extended to include enactments in certain public Acts.

SUB-SECTION 2-The Minister may, in order to secure proper planning development, by order relax any enactment as provided by the said Section 10 (8) as amended by this Section.

section 40

The functions of joint committees formed under the 1932 Act is extended to include "the keeping in review of planning schemes, whether operative or not" and the preparation of a varying scheme.

section 41

The exemption of agricultural buildings from planning control no longer applies with the repeal of S. 12 (3) of the 1932 Act.

Any agricultural building erected before the commencement of this Act is protected as an existing building.

section 42

The Minister may compile lists of buildings of special architectural or historic interest for the guidance of local authorities in their planning functions.

SUB-SECTION 2—A copy of the list is to be deposited with the clerk of the local planning authority and where that authority is not a county borough council, with the clerk of the county council.

SUB-SECTION 3—As soon as a building has been included in or excluded from the list, the Minister is to serve a notice to that effect on every owner and occupier of the building.

section 43

By Section 17 of the 1932 Act, a local authority may by order prohibit the demolition of a building of architectural or historic interest. Power is now given to direct that, without the consent of the authority, such a building shall not be altered or extended.

SUB-SECTION 2—An order may be varied by a subsequent order.
SUB-SECTION 3—An order giving such a direction shall not be made or confirmed unless the

buildings Designated not to be demolished or altered before notice given to LPA when an order under S 17, 1932 Act may then be made.

Penalties may be imposed for contraventions of order or of subsection 5.

LA may purchase historic buildings: (a) by agreement, (b) compulsorily.

Appeals from decision in respect of design and external appearance may lie to Minister.

Protects the rights of owners of war-damaged buildings as "existing building" or "existing under the 1932 uses Act.

Permissions for limited periods under operative schemes may be given during the war period.

At the end of the period the position is as if no permission had been anted.

authority or the Minister, as the case may be, are satisfied that the character of the building would be seriously affected.

SUB-SECTION 4—An order is not normally to take effect until approved by the Minister and the owner of the building has a right of appeal to the Minister in respect of the refusal of the authority to revoke or vary an order.

SUB-SECTION 5-No building included in the list compiled under the last section and not being a building as respects which an order is in force, shall be demolished or altered or extended seriously to affect the character thereof unless at least 2 months' notice of the proposed work has been given to the planning authority.

Work urgently necessary in the interests of safety or health or to preserve the building may be

carried out and notice given as soon as may be after the necessity for the work arises.

SUB-SECTION 6—Where a notice under the preceding section is given the planning authority shall send a copy to the Minister, the county council and such bodies as may be specified by the Minister. SUB-SECTION 7—Any person on whom notice has been served carrying out work in contravention of an order under Section 17, and any person carrying out work in contravention of sub-section 5 of

this section is liable to pecuniary penalties on summary conviction. SUB-SECTION 9-A local authority having power to make an order under Section 17-

(a) may, with the consent of the Minister, acquire the building and contiguous land by agreement.
(b) if an order under Section 17 is in force as respects the building and it appears that reasonable steps will not be taken to maintain it, may be authorized to purchase compulsorily the

building and contiguous land by an order in accordance with Part I of the 2nd Schedule. SUB-SECTION 10-Power is given to the authority to maintain buildings acquired under this section and to dispose of them subject to the provisions of Section 19 of the Act.

SUB-SECTION 11-Works specified by the Minister as required to maintain a building the subject of an order under Section 17 and which is settled land are deemed to be works to which capital money may be applied.

section 44

Under Section 12 of the 1932 Act it is provided that where a planning scheme enables a responsible authority to regulate the design or external appearance of buildings an appeal against a decision of the authority shall lie to a court of summary jurisdiction or a special tribunal. This section amends the said section to have effect that, if the scheme so provides, the appeal shall be to the Minister.

section 45

Section 19 of the 1932 Act provides that compensation cannot be excluded in respect of a refusal to permit the erection of a new building on the site of a building destroyed within the preceding 2 years. This protection is extended in respect of buildings destroyed or demolished during the war period to cover a period of 2 years from the end of the war period or from the date of the coming into operation of the scheme, whichever is the later.

SUB-SECTION 3-The proviso to Section 53 of the 1932 Act provides that no subsequent use of a building is to be deemed to be an "existing use" if the existing use has been discontinued for a period of 18 months. No account is to be taken of a discontinuance during the war period caused

(a) war damage

(b) possession of the building having been taken under emergency powers;

(c) any arrangement for the concentration of production approved or ordered by the Board of Trade:

(d) the whole-time service in the armed forces or civil defence services of the occupier.

(e) circumstances as may be prescribed or by reason of the refusal of the Minister on appeal, of an interim development application to resume that use.

SUB-SECTION 4—" The war period" ends with the expiration of the Emergency Powers (Defence)

Act, 1939.

section 46

"Temporary permission" or permission for a limited period can now be given in respect of interim development applications. Such permissions do not appear consonant with the conception of an operative scheme.

By this section, however, during the war period a responsible authority may give a permission for a limited time if-

(1) having regard to the purposes for which the development is required and to the prevailing circumstances it is desirable to grant the permission; but

(2) it is inexpedient in the interests of the scheme that the development should be permitted without limit of time.

Such permissions may be extended in time if application is made before the expiration of the original

SUB-SECTION 2-At the expiration of the period specified the provisions of the Acts and of the scheme apply as if permission had not been granted and the person then entitled to possession may be deemed to be in default.

SUB-SECTION 3-Where, during the war period, a "temporary permission" purports to have been granted the provisions of the preceding sub-section are to apply.

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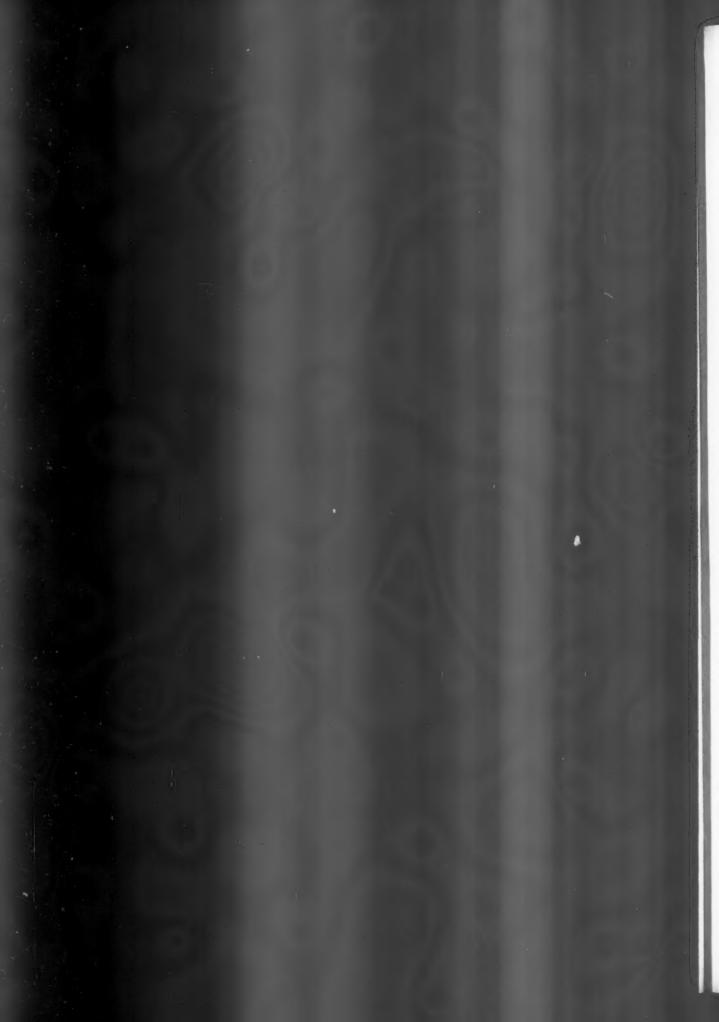
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sections 47-56 miscellaneous provisions relating to part I

Loans.

Housing Subsidies.

Entry for surveying and valuing.

Local Inquiries.

Ecclesiastical property.

Notification to WD Commission required in case of war damaged land.

Service of Notices.

Definition of "local planning authority."

County council or joint committee may have delegated power to act under Section 1.

Provisions as to London.

Compensation is to be based upon 1939 values where land is purchased compulsorily for public purposes.

An owner-occupier is entitled to a reasonable supplement of compensation not exceeding 30 per cent. of the 1939 value. SECTION 47 empowers the Public Works Loan Commissioners to make loans to a local planning authority for the discharge of their functions under the Act.

SECTION 48 extends Section 1, Housing (Financial Provisions) Act, 1938 to enable subsidies to be paid in respect of houses provided as replacements of unfit houses contained in war damaged areas (S. 1 (1)) or in areas of obsolete development (S. 9 (1)).

SECTION 49 excludes any authority in the Act for the execution of works below HWOST.

SECTION 50 gives a power of entry on to land to officers of the Valuation Office for the purpose of survey and valuation.

SECTION 51 enables the Minister to hold local inquiries to which the Local Government Act, 1933 S. 290 (2) to (5) will apply.

SECTION 52 provides that where the fee simple of any ecclesiastical property is in abeyance it shall be treated as being vested in the Ecclesiastical Commissioners. Where a notice other than a notice to treat is served in respect of ecclesiastical property a like notice shall be served on the Ecclesiastical Commissioners.

SECTION 53 enacts that where a notice to treat is served in respect of land which has suffered war damage which has not been made good, the War Damage Commission shall be notified. If the purchase is effected by the expedited completion procedure the Commission shall be notified when the order is registered in the local land charges register. An agreement to purchase an interest in such land in respect of which compulsory purchase has been authorized must be notified to the Commission.

SECTION 54 sets out the ways in which notices may be served.

SECTION 55 defines "local planning authority." It is, for the city of London, the common council of the city as respects the county of London, the London County Council and elsewhere the councils of county boroughs, municipal borough councils, urban and rural district councils.

A county district council may relinquish to a county council its powers and duties under Section 1 of this Act. A joint committee appointed under the 1932 Act may have delegated power to carry out the functions of the said Section 1.

A local planning authority, county council or joint committee making an application under Section 1 of the Act may include land in the neighbourhood of their appropriate area of control.

SECTION 56—The Minister may, on the application of the London County Council, direct that the council of a Metropolitan borough shall be the local planning authority in respect of specified land which is the subject of an order under Section 1 of the Act or of an authorized compulsory purchase order.

This section also gives powers of appropriation of land to the common council of the city of London.

part II sections 57-62

This part of the Act refers to compensation in connection with the acquisition of land for public purposes and it is to be noted that its provisions apply to the compulsory purchase of an interest in land by a government department or a local or public authority and that they are not restricted in their application to the purchase of land under the provisions of this Act.

SECTION 57

Compensation for the compulsory purchase of land, for damage sustained by severance of the land purchased from other land held therewith or otherwise affecting such other land, and in respect of land injuriously affected by works executed on acquired land shall, except in the case of compensation assessed in accordance with rules of the Acquisition of Land (Assessment of Compensation) Act, 1919, be assessed as follows:—

The value of the interest or the amount of damage where a notice to treat is served within 5 years from the commencement of the Act shall be ascertained by reference to prices current at 31st March, 1939 on the assumption that the land at that date was in the condition in which it in fact is at the date of the notice to treat.

SUB-SECTION 2—In certain cases the above rule is subject to the provisions of the 7th Schedule. SUB-SECTION 3—Compensation for disturbance is not to be assessed at any greater amount than that which would have been assessed if this section had not been enacted.

SECTION 58

Where a person entitled to compensation is an owner-occupier of a building or of agricultural property he is entitled to an additional sum as may be reasonable in the circumstances.

SUB-SECTION 2—In the case of a building the maximum sum shall be—

(a) where the interest is the fee simple, 30 per cent. of the value of the building assessed on 1939 prices;

(b) where the interest is a tenancy, the value of the tenancy assessed on prices 30 per cent. greater than those in 1939 less the value of the tenancy assessed on 1939 prices.

SUB-SECTION 3—In the case of agricultural property the maximum sum shall be the value of the interest assessed on prices 30 per cent. greater than those in 1939 on the assumption that the property was subject to a permanent restriction to use as agricultural property less the value of the interest assessed on 1939 prices.

SUB-SECTION 4—The building or property shall be assumed to have been at the 31st March, 1939 in a condition in which it in fact was at the date of the notice to treat.

Definition of owneroccupier.

- SUB-SECTION 5-An owner-occupier within the meaning of this section is one who-
 - (a) is in occupation at the date of the notice to treat; or
 - (b) in the case of property damaged and unfit for occupation, was in occupation at the date of the damage; or
 - (c) in the case of property of which possession has been taken by statutory powers, was in occupation when possession was so taken: or
 - (d) has a title to enter into occupation or is in a position to obtain the right within 5 years and intended to enter into occupation within 5 years or if the property is damaged and unfit for occupation to cause it to be restored for occupation or to enter into occupation of premises substituted therefor within 5 years.

SECTION 59

Where, after the 31st March, 1939 and before the date of the notice to treat, land which is the subject of compensation has been improved by the erection of a building thereon or by improvements to buildings or to agricultural land, there is to be an additional sum as compensation, by way of addition to the value by reference to 1939 prices, as may be reasonable having regard to the cost of the improvements or to any cost thereof out of public funds.

SECTION 60—Any claim to supplemental compensation, in default of agreement is to be referred to an arbitrator but—

- (a) a county court has jurisdiction to determine whether a claimant is an "owner-occupier"; and
- (b) in lieu of the provisions of the Acquisition of Land Act, 1919, an arbitrator may and if so directed by a county court judge shall, state in the form of a special case for that court any question of law.

SUB-SECTION 3—The figure of 30 per cent. may by order made by the Treasury and approved by resolution of each House of Parliament be amended.

SUB-SECTION 4—A person otherwise entitled to supplemental compensation under the two preceding sections is entitled to the greater to the exclusion of the other.

SECTION 61—The assessment of compensation for the compulsory purchase of land valued by the War Damage Act, 1943 is governed by the provisions of the 8th Schedule.

SECTION 62—Where entry on to land is made before compensation is paid, the rate of interest is to be 4 per cent. or such other rate as may be prescribed by regulations made by the Treasury.

sections 63-66

These sections deal with the method of making regulations and define expressions used in the Act

THE SCHEDULES

first schedule

This Schedule deals with objections to-

- (a) a declaratory order under Section 1—war damage area:
- (b) a proposed order under Section 23—extinguishment of highway;
- (c) an order under Section 26 or 27—powers of statutory undertakers;
- (d) a compulsory purchase order, under Sections 2, 3, 4, 9 and 10.

It should be noted that objections must be made within the time specified in the notice and be in writing setting out the grounds thereof.

If the objection relates to compensation or if in respect of the purchase of land which is the subject of an order under Section 1 and on the grounds that the purchase is unnecessary or inexpedient, it may be treated as irrelevant. Apart from this the Minister may—

(1) make a decision without further investigation if satisfied that he is sufficiently informed;

- (2) give the appellant an opportunity of being heard;
- (3) hold a local public inquiry.

second schedule

Part I sets out the procedure for authorizing the compulsory purchase of land by local planning or highway authorities under Sections 2, 3, 4, 9, 10 and 43. The provisions of the First Schedule apply to objections.

Part II sets out the procedure in respect of orders for compulsory purchase made by a Minister.

third schedule

The provisions for the compulsory purchase of statutory undertaker's land which is "operational" are given here (Section 13). Part I deals with purchases by planning or highway authorities where, if desired by the objector or the authority, the Minister shall afford them an opportunity of being heard. Part II deals with purchases by Ministers.

fourth schedule

Part I deals with the assessment of compensation to statutory undertakers in respect of the compulsory purchase of land (S. 13), the extinguishment of a right (S. 25), the refusal of consent to develop

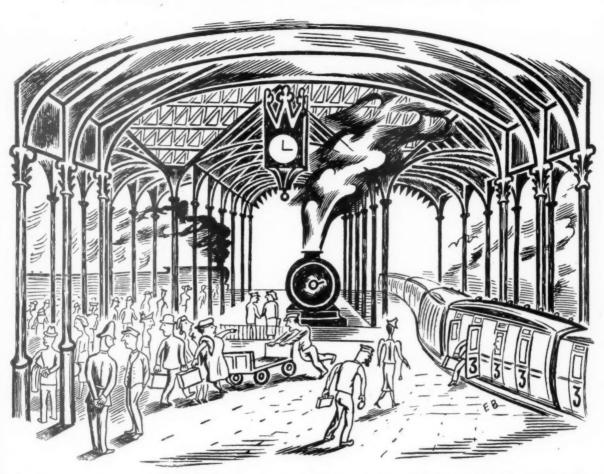
Supplemental compensation is to be paid for improvements.

County court to determine whether claimant is an owner-occupier.

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mpulevelop land or the granting of such consent subject to conditions (S. 35), or the revocation or modification of such consent (S. 36).

Part II deals with the tribunal to be set up for the assessment of compensation.

fifth schedule

Section 18 incorporates in the Act the provisions of the Land Clauses Acts and the Acquisition of Land (Assessment of Compensation) Act, 1919. This schedule sets out modifications of those Acts,

sixth schedule

Sub-section 2 of Section 18 empowers the making of orders "providing for expedited completion." The Schedule describes the procedure for such orders.

Considerable saving of time is effected by the fact that notice to treat is to be deemed to have been served, after the order has been confirmed, on the date on which the order is registered in the local land charges register. Such a notice is not, however, deemed to have been served in respect of a minor tenancy (yearly or less) or for a long tenancy about to expire.

Notice of the confirmation of the order is to be given and (normally) 2 months after the date of the first publication of such notice the purchasing authority may execute a declaration stating their intention to enter on the land designated and declaring it to be vested in the authority at the end of the period specified not being less than 14 days. A notice stating the effect of the declaration is to be served upon every occupier. At the end of the period specified the land will vest in the authority as will a right to enter.

Part II of the schedule contains adjustments to the normal code to meet "expedited completion" procedure.

seventh schedule

This Schedule applies to the assessment of compensation in respect of tenancies of land mentioned in Section 57 (2), i.e., land capable of being redeveloped together with other land, dwelling houses to which the Rent Restriction Acts apply and agricultural holdings. It makes certain adjustments on the 1939 values.

eighth schedule

This schedule contains provisions for the assessment of compensation for the purchase of land valued under the War Damage Act, 1943.

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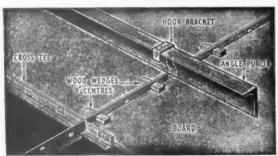


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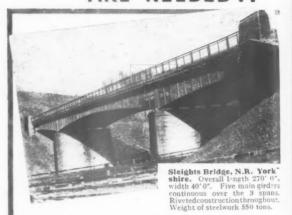
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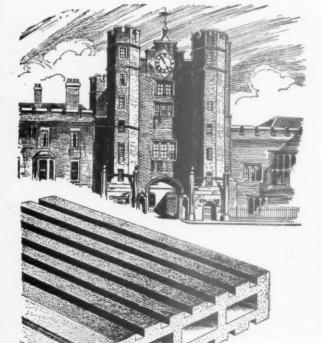
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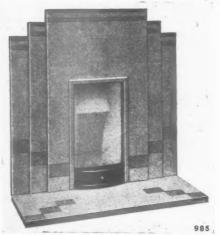
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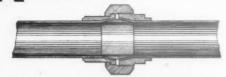
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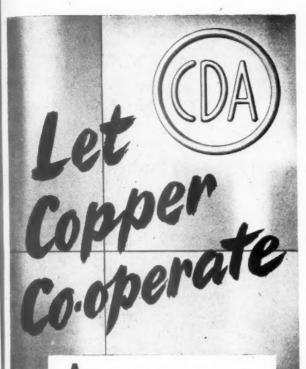
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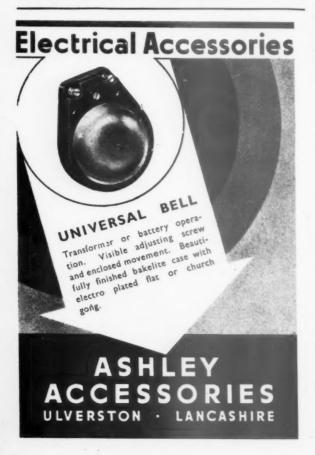
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Further particulars and forms of application obtainable on receipt of stamped addressed envelope from the Clerk to the Governors at the College, Longbridge Road, Dagenham, to whom they should be returned by 17th February.

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Applications are invited for the above appointment at a salary between £375-£420 per annum, according to qualifications and experience, with war bonus (at present £49 8s. per annum), in

war bonus (at present £49 8s. per annum), in addition.
Candidates must be A.R.I.B.A., and should have had Town Planning experience. A Town Planning qualification in addition will be an advantage. The appointment is subject to one month's notice on either side, to the Committee's Sick Pay Scheme, and to the successful candidate contributing to the County Council's Superannuation Scheme. The selected candidate will be required to pass a medical examination before the appointment is confirmed. The candidate will be required to carry out such duties as may from time to time be assigned to him by the Committee or the Planning Officer, and to reside within 5 miles of Torquay.
Applications, stating age of birth, full details of qualifications and experience, details of present and previous appointments, and accompanied by copies of two recent testimenials, must reach me not later than the 24th day of February, 1945.

HERBERT A. HIELD

Town Hall, Torquay, 30th January, 1945.

MARSHLAND RURAL DISTRICT COUNCIL, WISBECH RURAL DISTRICT COUNCIL.

APPOINTMENT OF ARCHITECT.

APPOINTMENT OF ARCHITECT.

Applications are invited from duly qualified persons for the joint appointment of Architect to the two Councils, at a salary of £500 per annum, plus cost of iiving bonus (at present £49 8s. per annum).

The person appointed will not be allowed to engage in private practice, and will be required to provide and maintain a car for the purpose of his duties, for which a travelling allowance will be paid in accordance with the County scale. Applicants must be qualified to advise the Councils on their Post-War Housing programme, and to prepare all plans, quantities, specifications, etc., and to supervise construction.

The appointment will be subject to the provisions of the Local Government Superannuation Act, 1937, and to one month's notice on either side.

Applications endorsed "Architect," stating age, qualifications, details of experience, position regarding military service, together with copies of three testimonials, to be sent to the undersigned by not later than 13th February, 1943.

Canvassing will be a disqualification.

A. W. LAIDMAN,
Clerk to the Councils.
Council Offices, Alexandra Road,
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DURHAM RURAL DISTRICT COUNCIL.

HOUSING ARCHITECT.

Applications are invited by the above Council for the temporary appointment of a qualified Architect for their Post-War Housing Schemes. The salary will be £600 per annum, plus war bonus, which at present is £1 per week. Travelling allowance will be paid in accordance with the Council's scale.

Forms of application can be obtained from the undersigned, and should be returned endorsed "Appointment of Architect" not later than the 21st February, 1945.

FRANK KIRBY, Clerk to the Council.

Byland Lodge, Hawthorn Terrace, Durham. 24th January, 1945.

ISLE OF ELY COUNTY COUNCIL. COUNTY ARCHITECT'S DEPARTMENT.

Applications are invited for the temporary appointment of a SENIOR ARCHITECTURAL. ASSISTANT. Candidates must have a thorough knowledge of architectural practice and the building trades, and be competent to handle works under supervision.

The salary will be at the rate of £400 per annum, plus war bonus, which is now £49 8s, per annum.

The appointment is for a period not exceeding two years, and will be subject to two months notice on either side and the Council's staff Regulations.

The candidate appointed will be required to pass a medical examination.

Canvassing in any form will disquality, and candidates must disclose in writing whether to their knowledge they are related to any member or holder of senior office under the Council.

Applications, giving age, qualifications and experience, accompanied by copies of three recent testimonials, should be sent to the County Architect, County Hall, March, not later than the 10th February, 1945.

R. F. G. THURLOW,

Clerk to the County Council.

County Hall, March. 20th January, 1945

COUNTY OF DENBIGH TOWN AND COUNTRY PLANNING JOINT COMMITTEE.

The above Joint Committee invite applications the following temporary appointments:—

(a) DEPUTY TOWN AND COUNTRY
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num of £475, plus war bonus of £48 10s. per annum.

(b) SENIOR PLANNING ASSISTANT, at a commencing salary of £350 per annum. rising subject to satisfactory service by annual increments of £12 10s. to a maximum of £400 per annum. plus war bonus of £45 10s. per annum. (c) PLANNING ASSISTANT, at a commencing salary of £300 per annum rising subject to satisfactory service by annual increments of £12 10s. to a maximum of £350, plus war bonus of £45 10s. per annum.

(d) DRAIGHTSMAN, at a commencing salary of £250 per annum, rising subject to satisfactory service by annual increments of £12 10s. to a maximum of £275, plus war bonus of £45 10s.

of £45 10s.

Applicants for appointments (a) and (b) shall be Associate Members of the Town Planning Institute by examination, or persons holding the Town Planning Diploma or Certificate of one of the constituent bodies of the Town Planning Joint Examination Board, and must have had experience in a Planning Office, and possess a good knowledge of Architecture.

Applicants for appointment (c) should have had experience in a Regional Planning Office and in the preparation of Regional Surveys and planning proposals.

the preparation of Regional Surveys and planning proposals.

Applicants for appointment (d) must be good colourists and draughtsmen, and be competent to prepare perspective drawings.

Applicants for each of the foregoing appointments must be exempt from Military Service.

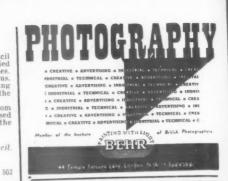
The above Officers are required in connection with the preliminary survey work and the preparation of planning schemes for the Joint Committee's area, and will work under the direction of the Town and Country Planning Officer.

The appointments will be subject to the terms and conditions of service applying to the administrative, technical and clerical officers of the County Council, and will be terminable by one month's notice on either side.

Applications, stating age, qualifications, and full details of experience, accompanied by copies of three recent testimonials, must be sent to me, the undersigned, by not later than Monday, the 19th day of February, 1945.

WILLIAM ROBERTS,
Deputy Clerk to the Joint Committee,

County Offices, Ruthin. 30th January, 1945.



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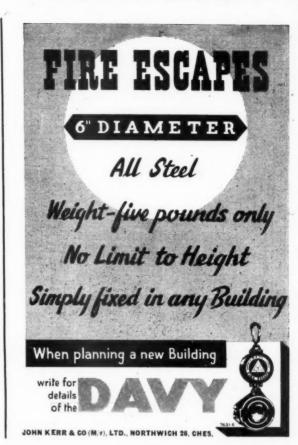


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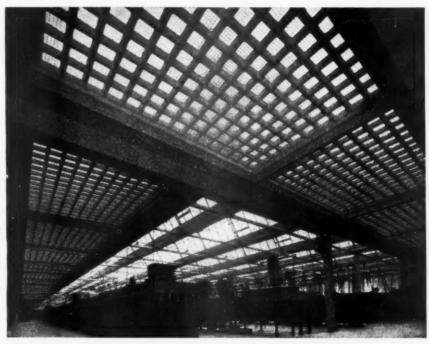
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tives of the several branches of the trade.

Applications, stating age and experience, with particulars of present employment, and accompanied by copies of three recent testimonials, should be sent to the Chief Education Officer, Education Office, Margaret Street, Birmingham, 3, to arrive not later than the first post on Monday, 19th February, 1945. Envelopes should be endorsed "Works Department."

(Sgd. F. D. INNES, Chief Education Officer, 508

Amended Notice.
COUNTY BOROUGH OF GREAT YARMOUTH.

APPOINTMENT OF DEPUTY TOWN PLANNING OFFICER.

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Applications are invited for the above appointment.

The salary scale for the post is £420 per annum, rising by annual increments of £20 to £480 per annum (plus cost-of-living bonus, at present amounting to £49 ss. per annum), and the commencing salary will be fixed according to the qualifications and the experience of the successful candidate.

Applicants should have had experience in the making of preliminary planning surveys, the preparation of statutory planning schemes, interim development. They must have passed the final examination of the Joint Town Planning Examination Board.

The appointment will be subject to one month's notice on either side, and to the provisions of Local Government Superannuation Act, 1937, and the successful candidate will be required to pass a medical examination.

Applications, in writing, stating age, qualifications, experience, present appointment, particulars of previous appointments and position with regard to liability for National Service, accompanied by copies of three recent testimonials, and endorsed "Deputy Town Planning Officer," must reach the under-signed not later than 23rd February, 1945.

Canvassing, either directly or indirectly, will be a disqualification, and candidates must disclose, when making application, whether to their knowledge they are related to any member of, or senior officer of, the Council. A candidate who fails to do so will be disqualified and, if appointed, will be liable to dismissal without notice.

FARRA CONWAY,

Town Hall Great Varmouth

FARRA CONWAY, Town Clerk.

Town Hall, Great Yarmouth.



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APPOINTMENT OF ARCHITECT.

APPOINTMENT OF ARCHITECT.

The above-mentioned Council is about to prepare its post-war housing Scheme, involving the erection of houses throughout the Rural Area, and for that purpose wish to engage the services of an Architect, experienced in laying out Estates and building small Country Cottages. The Council, therefore, invite qualified persons with such experience and who would be willing to act as Architect to the Council to submit their names to the Council and the terms upon which they would be prepared to accept such an appointment. In the first instance, the appointment may be in an advisory capacity only, as some of the lay-out work has already been carried out. Particulars of Scheme will be supplied on request.

Communications, stating qualifications and experience, should be addressed to the Clerk to the Council, Council Officers, Hartley Wintney, Hants.

HENRY C. K. BROADHURST,

Clerk to the Council.

Council Offices, Hartley Wintney.

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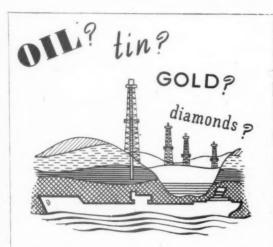
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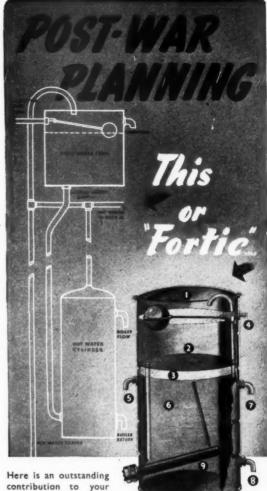


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