

Town and Country Planning Act 1990: Blight Notice

TOWN AND COUNTRY PLANNING ACT 1990

Blight Notice

To East West Rail Company ⁽¹⁾

At BLIGHT TEAM, EWR Co, The Quadrant, Elder Gate, Milton Keynes, MK9 1EN. ⁽²⁾

I/We of⁽³⁾

HEREBY GIVE YOU NOTICE under section 150(1) (and by virtue of section 158)⁽⁴⁾ of the Town and Country Planning Act 1990 ("the Act") as follows:--

1. I am/We are entitled to the interest described in Schedule 1⁽⁵⁾ to this Notice in the property described in Schedule 2⁽⁶⁾ to this Notice.
2. The whole/Part of⁽⁷⁾ that property is blighted land within paragraph(s) ⁽⁸⁾ of Schedule 13 to the Act.

3. My/Our interest in that property qualifies for protection under Chapter II in Part VI of the Act because

(EITHER)

the property is (part of)⁽⁹⁾ a hereditament whose annual value does not exceed the amount prescribed for the purposes of section 149(3)(a) of the Act and I am an owner-occupier/we are owner-occupiers of that hereditament.

(OR)

the property is (part of)⁽⁹⁾ a hereditament and I am a resident owner-occupier/we are resident owner-occupiers of that hereditament.

(OR)

the property is (part of)⁽⁹⁾ an agricultural unit and I am an owner-occupier/we are owner-occupiers of that unit.

4. (1) *(EITHER)* I/We have made reasonable endeavours to sell my/our interest in that property, and details of those attempts are set out in (Schedule 3 to/the letter accompanying)⁽¹⁰⁾ this Notice. *(OR)* The powers of compulsory acquisition relevant for the purposes of paragraph 21/22 of Schedule 13 to the Act remain exercisable⁽¹¹⁾.

(2) In consequence of the fact that (part of)⁽¹²⁾ the hereditament/agricultural unit was, or was likely to be, comprised in blighted land, I/we have been unable to sell my/our interest except at a price substantially lower than that for which it might reasonably have been expected to sell if no part of the hereditament/unit were, or were likely to be, comprised in blighted land.

5⁽¹³⁾ The (part of the)⁽⁹⁾ agricultural unit in which my/our interest subsists contains land which is not blighted land as well as land which is, and the land which is not blighted land is not reasonably capable of being farmed, either by itself or with other relevant land, as a separate agricultural unit.

6. I/We therefore require you to purchase my/our interest in

(EITHER)

the property described in Schedule 2 to this Notice⁽¹⁴⁾.

(OR)

so much of the property described in Schedule 2 to this Notice as is blighted land⁽¹⁵⁾.

SCHEDULE 1

The Interest to which this Blight Notice Relates

SCHEDULE 2

The Property to which this Blight Notice Relates

SCHEDULE 3

*Details of Attempts to Sell the Interest to
which the Blight Notice Relates*

Dated

Signed

(Solicitor/Surveyor/Land Agent, of

on behalf of)(16)

NOTES

1. Insert name of the appropriate authority.
2. Insert address of the appropriate authority.
3. Give full name(s) and address(es) of claimant(s).
4. Delete unless this notice relates to an agricultural unit and a claim and requirement under section 158(2) of the Act are to be included.
5. Schedule 1 should contain a description of the interest of the claimant, a list of any mortgages to which that interest is subject with the names and addresses of the mortgagees, and a list of any other incumbrances affecting the interest.
6. The boundaries of the property should normally be clearly marked on a plan annexed to the Blight Notice.
7. Use "Part" instead of "The whole" if only some of the land is blighted land.
8. Insert relevant paragraph number(s).
9. Delete unless the interest is in only part of the hereditament or unit.
10. Delete as appropriate.
11. The second alternative may be used only if paragraph 2 of this notice refers to paragraph 21 or 22 of Schedule 13 to the Act.
12. Delete unless only part of the property is blighted land.
13. Use this paragraph (and the reference to section 158 at the top of the notice - see Note 4 above) only to make a claim under section 158(2).
14. Use if the property is a hereditament, or is an agricultural unit and paragraph 5 has been included.
15. Use if the property is an agricultural unit but paragraph 5 has been deleted.
16. If this notice is signed by an agent, insert here full name and address of agent or firm, and name(s) of claimant(s).