Alphabetical Index to Advertisers

For Appointments (Wanted or Vacant), Competitions, Open, Drawings, Tracings, etc., Educational Legal Notices, Miscellaneous Property and Land Sales—*see* pages xxx and xxxii.

The economies of reinforced concrete in FOUNDATIONS

Article Number Eight in a new series on the principles and practice of reinforced concrete construction. It is suggested that each article should be cut out and kept in a personal file for this series and for other information relating to reinforced concrete construction.

Do you draw a line at ground level and leave what is below to your Engineer? When planning the superstructure do you keep one corner of your mind on your foundations? Every pound weight of material saved above ground means less load on the foundations and therefore cheaper subground construction. The Architect has many alternative materials for his superstructure but in a modern permanent and fireproof building, none gives so low a dead weight as reinforced concrete. There is however no alternative to reinforced concrete for foundations and other construction below ground level, but with such foundations allied with the reinforced concrete superstructure, you have not only a structure that is in all respects a complete monolithic unit but one in which the total load imposed on the ground is reduced to a minimum.

Clients naturally want value for money spent and also naturally like to see what is being obtained for this money. Subground work is hidden work although essential to the stability of a structure. Consistent with safety it therefore behoves the Architect to practise the maximum economy below ground as elsewhere and the most obvious direction to effect this economy is by saving steel weight by incorporating works-hardened steel reinforcement.

Architects should ask their technical assistants to prepare an unbiased report for them to show what economies can be effected on any particular scheme by using works-hardened steel reinforcement, especially in the form of square twisted bars. Not only is a considerable saving effected as a result of the high strength of this material with even a higher factor of safety than ordinary mild steel—but further economies in both labour and material accrue from the high degree of continuous adhesion between the concrete and the square twisted bar. Additional savings may also arise from the smaller overall size of the bar required to give the required area of steel and the corresponding reduction in the amount of concrete cover. Taking all these matters into consideration, and apart from any saving due to reduction of dead load on the superstructure, it is normally possible to save in foundations, retaining walls and similar subground construction some 30 per cent. of steel reinforcement and a corresponding substantial reduction in the amount of concrete compared with similar foundations reinforced with plain round mild steel bars.

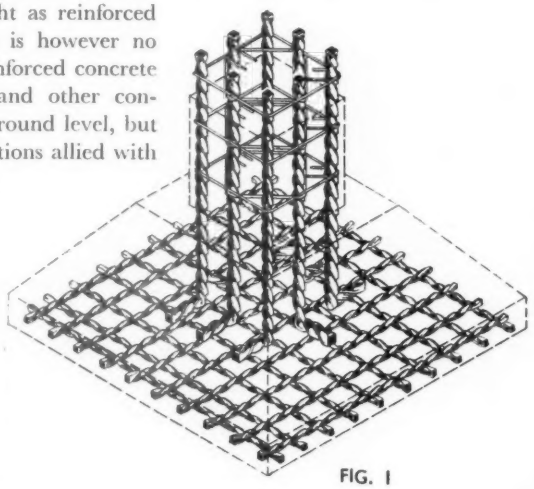
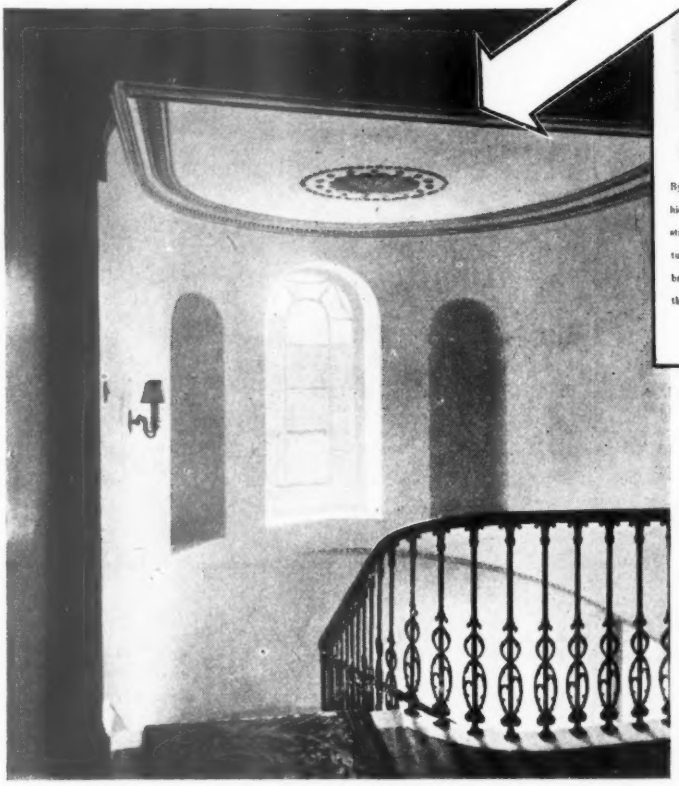


FIG. 1

TOWARDS A NEW ENVIRONMENT



These Walls are of Paristone and Glastone.

PRESIDENT OF THE R.I.B.A.—1990

By the time this young man arrives in his dominion, ideas which are now stirring in the more advanced architectural and technical minds — ideas for bringing universal improvement into the living conditions of British people — will be on the way to complete realisation. What a lifetime to be born into! We congratulate today's children, for they will inherit the fruits of seeds which we and other pioneer spirits like ourselves are sowing

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To attempt to forecast in detail the next development in architectural design would be futile. All we know is that conditions will never revert to what they were, and that human needs, both material and spiritual will be crying out for satisfaction as never before. To an ever greater extent, it must be recognised that houses should be made for people, not people for houses—that design must express the living, growing organism of society, and in materials readily available. This will mean the wide use of new materials and the development of new techniques; much hard thinking, close research and deep insight; in fact an extension of the kind and quality of activity that is being pressed forward by Gyproc technicians to-day.

★ ★ ★

During a war there are not many opportunities for experimenting, but we have made the fullest use of such opportunities that were open to us. Our own technicians, working in collaboration with a committee of architects, are investigating the use of pre-fabricated units in relation to housing, incorporating pre-fabricated Gyproc products. The results may be revolutionary.

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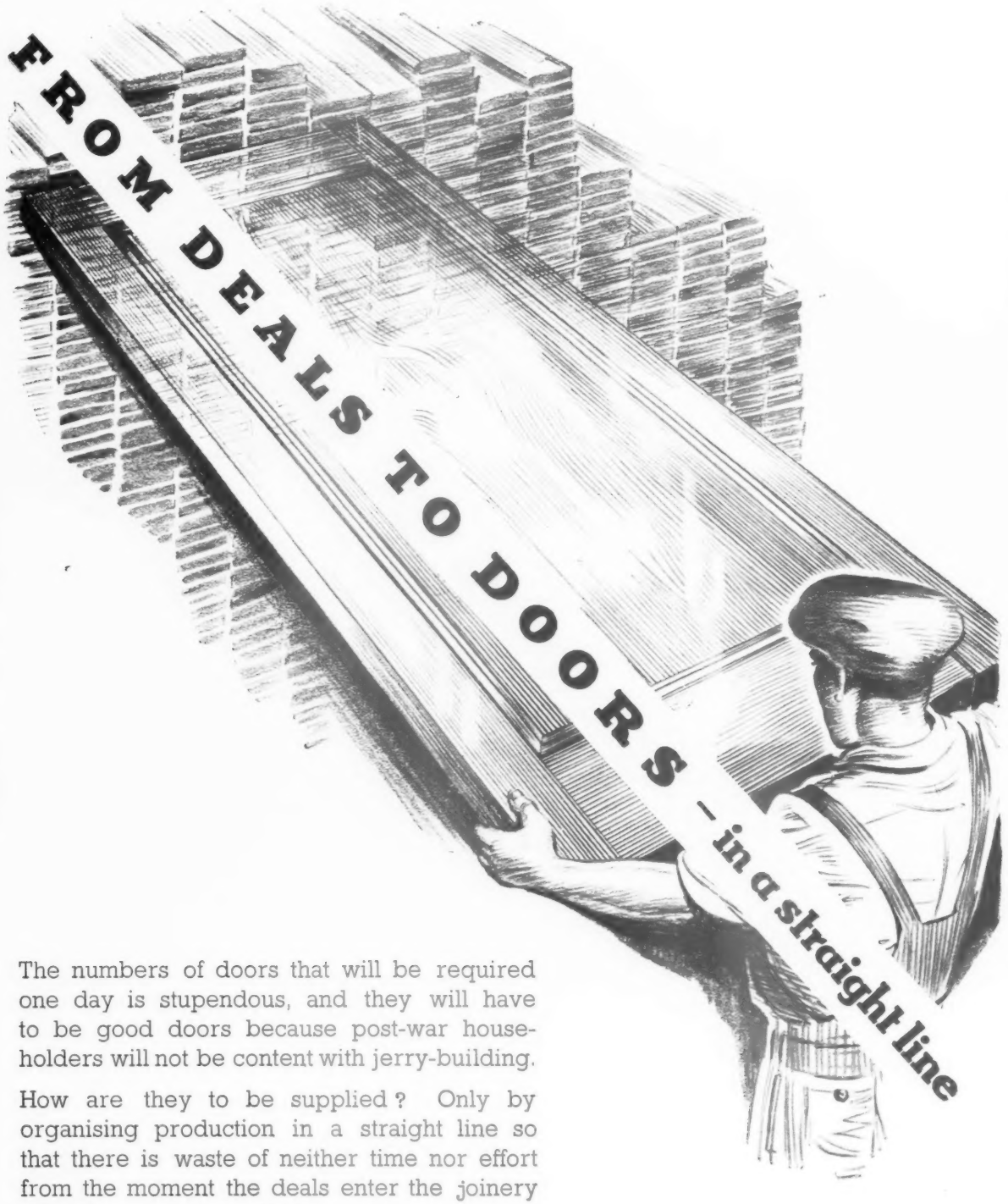

The numbers of doors that will be required one day is stupendous, and they will have to be good doors because post-war householders will not be content with jerry-building.

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IN war time reinforced concrete has been successfully employed to protect vital points of the railway system and to effect rapid repairs to bridges, viaducts, and tunnels, damaged by enemy action. One of the essentials of the post-war period will be the co-ordination and development of all forms of the country's transport. Reinforced concrete, which was rapidly becoming the chosen material for all railway construction before the war, will be called upon to contribute to the development of British railways by providing new station buildings for handling goods, tunnel linings for suburban systems, and cross-over bridges for the elimination of main line bottlenecks and one-level junctions.

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WITH WHICH IS INCORPORATED THE BUILDERS' JOURNAL AND THE ARCHITECTURAL ENGINEER IS PUBLISHED EVERY THURSDAY BY THE ARCHITECTURAL PRESS (PUBLISHERS OF THE ARCHITECTS' JOURNAL, THE ARCHITECTURAL REVIEW, SPECIFICATION, AND WHO'S WHO IN ARCHITECTURE)
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The Editor will be glad to receive MS. articles and also illustrations of current architecture in this country and abroad with a view to publication. Though every care will be taken, the Editor cannot hold himself responsible for material sent him.

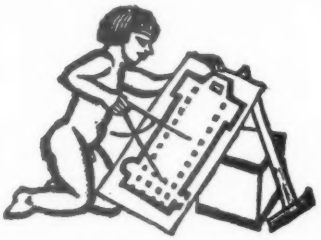
THURSDAY, SEPTEMBER 10, 1942. NUMBER 2485: VOLUME 96

PRINCIPAL CONTENTS

The fact that goods made of raw materials in short supply owing to war conditions are advertised in this JOURNAL *should not be taken as an indication that they are necessarily available for export.*

Owing to the paper shortage the JOURNAL, *in common with all other papers, is now only supplied to newsagents on a "firm order" basis. This means that newsagents are now unable to supply the* JOURNAL *except to a client's definite order.*

In common with every other periodical and newspaper in the country, this JOURNAL *is rationed to a small proportion of its peace-time requirements of paper. This means that it is no longer a free agent printing as many pages as it thinks fit and selling to as many readers as wish to buy it. Instead a balance has to be struck between circulation and number of pages. A batch of new readers may mean that a page has to be struck off, and conversely a page added may mean that a number of readers have to go short of their copy. Thus in everyone's interest, including the reader's, it is important that the utmost economy of paper should be practised, and unless a reader is a subscriber he cannot be sure of getting a copy of the* JOURNAL. *We are sorry for this but it is a necessity imposed by the war on all newspapers. The subscription is £1 3s. 10d. per annum.*



from AN ARCHITECT'S *Commonplace Book*

COMPETITION TECHNIQUE. Sir Gilbert Scott concentrated not on the erection of buildings, but on the winning of competitions ; and his mastery of this exacting art was superb. An air of well-being pervades his photograph-like drawings ; the streets before his buildings are thronged with prosperous men, sunshine streams in through his windows ; and if (for human blindness is infinite) his designs were not accepted, Scott knew the precise moment to call an indignation meeting, the precise moment to write to *The Times*. The wonder is that he ever failed. For on one occasion Scott did fail, and his failure was made immeasurably bitter by the greatness of the prize—the new Law Courts. Though the details of Scott's plan exceeded in merit anything that he knew in modern designs, and though he used all his arts to bounce the committee into electing him, he was passed over. There was jealousy, said Scott ; enemies, whom he had innocently supposed not to exist, crept from their lurking places ; and the affair of the Government Offices had alienated even his supporters. But we need not reject the simplest explanation of Scott's failure. The selectors were not a meek and impressionable town council ; they judged the designs on their merits, and Scott's were not the best."

From the Gothic Revival *by Kenneth Clark.*

NEWS

★

An A.A.S.T.A. Discussion Meeting will be held on Friday, September 18, at St. John's Hall, Monck Street (Horseferry Road), Westminster, at 6.45 p.m. Non-members invited. Subject:— "Production Committees for Tanks—why not for Building?" *Opening Speakers:* Mr. Cruikshank (Bovis Ltd.)—"*Consultation on the job—the present position.*" Mr. Jack Ryan, A.U.B.T.W.—"*The viewpoint of the Operative.*" Mr. John Brewster (A.R.I.B.A.)—"*Works Committees* plus *Technicians equal Production Committees.*" *Committees on jobs are a war-time innovation which has come to stay. In the Engineering Industry they already cover production and design, but the present Works Committees on building jobs deal mainly with working conditions. Questions of design and production are the responsibility of technicians. The A.A.S.T.A.'s thesis is that they must see that their voice is heard and that they take full part in this new development in building.*

★★

At a special general meeting of the Federation of Greater London Master Builders, the following resolution was passed:

"That His Majesty's Government instruct its appropriate Departments to revise immediately its present system of allocation of contracts and labour with a view to using to the full the *complete* organisation of the medium and smaller builders."

The honorary degree of Master of Arts of Bristol University has been conferred on Mr. G. D. Gordon Hake, R.W.A., F.R.I.B.A., Principal of the Royal West of England School of Architecture.

New and little known facts about the Theatre Royal, Bristol, were given by Mr. James Ross, the City Librarian, in an address from the stage. The theatre is the oldest of its kind in England with a continuous existence as a playhouse, and public appeals have been made for its preservation.

Mr. Ross said that the theatre was opened in 1766 and had remained open for 176 years. It possessed probably the first semi-circular auditorium in England ; and had the special merit of being a purely local production, as most of the hands employed in its construction were Bristol men. The interior decorations were carried out by Michael Edkins, a man of many parts, who achieved distinction as a painter of porcelain and glass, an actor and a singer, as well as being a good business man. The proscenium doors were unique and at the side of the stage was an old and ingenious apparatus for painting scenery. Prior to 1838 the only place for scene painting was in the roof over the pit. High up in the rafters was an apartment containing a wood trough in a slanting position, down which cannon balls were rolled to represent the sound of thunder. In 1800 a new gallery was erected by raising the back edge of the ceiling and it remains to this day. Mr. Ross appealed that the theatre should not be destroyed or debased and hoped

Mr. Justice Uthwatt

To-day Mr. Justice Uthwatt makes headline news. The final report of the Expert Committee on Compensation and Betterment (of which he is Chairman), invariably referred to as The Uthwatt Committee, was made public early this morning and is published elsewhere in this issue. The interim report of the Committee appeared in July last year. In his fifties and looking young for his age, it is only a short time since Mr. Justice Uthwatt was appointed a judge in the Chancery Division where he tried the Meikle v. Maufe case. Previous to this appointment he practised at the Chancery Bar and is experienced in dealing with knotty problems connected with angles of light, rights of way and the like. About ten years ago he was appointed Junior Counsel to the Treasury in Chancery matters. He also continued to practise privately and his services were in great demand, as his ability to understand the law on Taxation was unsurpassed. He is fond of a game of golf and his handicap is somewhere about scratch. The Uthwatt Report, 180 pages, cost £312 12s. 2d. The estimated gross expenditure of the Committee is £903 3s. 8d., including the cost of the interim report.

that it would soon be reopened for its traditional purposes and not merely as a museum piece.

High Wycombe will not tolerate being treated in a "discourteous and high-handed manner" by anyone, including the Lord Chancellor's Department, the Treasury Solicitor, and the Ministry of Works and Planning. That is why the county court—judge, counsel, witnesses, registrar and all—arriving one day to hold a sitting in the municipal offices found doors locked, barred, and bolted against them.

A special correspondent of *The Times* states, in the issue for September 3, that this undignified episode occurred on July 9, since when all cases have stood adjourned *sine die*. He says: "The county court is homeless in

that it refuses to sit any longer in the Guildhall, and is refused accommodation in the municipal offices. The dispute between the Lord Chancellor's Department and the town council over providing accommodation continues.

"The county court has sat at the Guildhall once a month ever since county courts were established. The Guildhall is an old building, and in many ways inconvenient for the business of the court, besides being noisy, draughty, difficult to warm, and badly ventilated. The Lord Chancellor, on being informed of these unsuitable conditions, gave instructions for other accommodation to be provided. Under the County Courts Act, 1934, the town council is obliged to provide accommodation for the court.

"It seems that the Ministry of Works and Planning then came on the scene and interpreted the Act of 1934 as empowering it to demand that the council hand over certain rooms in the municipal offices for the sittings of the court. The council pointed out that it could not spare these rooms. The Ministry disagreed and ordered the rooms to be made ready for a sitting of the court on July 9.

"The town clerk wrote asking that the matter be deferred until the council could discuss it at its meeting on July 21. But on July 6 the town clerk was informed that the Treasury Solicitor considered that his letter did not call for a reply, and that the county court had been called to take place at the municipal offices on July 9.

"The mayor, on July 6, instructed the town clerk 'in view of the discourteous and high-handed manner which had been adopted' to inform the Ministry that no facilities would be available, except in the Guildhall, for the court. The Ministry replied on July 9 that under the Act of 1934 the council was obliged to provide accommodation at the municipal offices.

"But on July 9 the rooms of the municipal offices were locked and the county court did not hold its sitting in them."

During the war no person already registered under the National Service Acts and having obligations to perform whole-time National Service will be admitted as a general student to the Liverpool School of Architecture or permitted to enter on a course leading to a Higher Degree unless he or she has previously obtained authorisation from the Ministry of Labour and National Service, or from another Government Department, to undertake such study in the University.

[1] The Uthwatt Committee's Report is summarised in the following pages Here, as a leading article we print extracts from the Committee's own introduction to the report which is of course addressed to the Minister, Lord Portal.

[1] *To the Right Honourable Lord* PORTAL OF LAVERSTOKE, *Minister of Works and Planning.*

Our Committee was appointed in January, 1941, by your predecessor, Lord Reith of Stonehaven, with the following terms of reference:—

> *"To make an objective analysis of the subject of the payment of compensation and recovery of betterment in respect of public control of the use of land. To advise, as a matter of urgency, what steps should be taken now or before the end of the war to prevent the work of reconstruction thereafter being prejudiced. In this connection the Committee are asked to consider* (a) *possible means of stabilising the value of land required for development or redevelopment, and* (b) *any extension or modification of powers to enable such land to be acquired by the public on an equitable basis; to examine the merits and demerits of the methods considered; and to advise what alterations of the existing law would be necessary to enable them to be adopted."*

Preliminary examination of our terms of reference convinced us that our enquiry would be a lengthy one, and, after considering in general outline the whole field, we presented an Interim Report in accordance with that part of our terms of reference which asked us to advise, as a matter of urgency, on any immediate steps which we felt were desirable to prevent the post-war reconstruction from being prejudiced. Briefly our recommendations were:—(1) That the Government should forthwith declare, as a general principle, that payment of compensation in respect of the public acquisition or public control of land will not exceed sums based on the standard of "pre-war values," *i.e.*, values at 31st March, 1939; this basis to be adopted for such a period as will enable the long term policy of planning to be determined and any alterations in the present principles governing compensation to be brought into force. (2) That, in the legislation which we assumed would be introduced at an early date to set up the Central Planning Authority which had been foreshadowed, provision should be made for vesting in that Authority the power of controlling building and all other developments throughout the whole country by reference to national planning considerations and with a view to preventing work being undertaken which might be prejudicial to reconstruction; such power to come into operation forthwith and to continue for some reasonable period after the end of hostilities while the broad lines of reconstruction are being worked out by or under the direction of such Authority. (3) That areas which may possibly form the subject of a reconstruction scheme, *i.e.*, which ought to be considered for redevelopment as a whole, should be defined as soon as practicable, and that from the date when the control at (2) ceases to operate over all developed areas, no works of reconstruction or development within the specified "reconstruction areas" should be permitted, except with the licence of the Central Planning Authority (or any delegate authority), for a further reasonable period after the end of hostilities, during which period detailed reconstruction schemes are being worked out and the areas to which they apply are finally

determined. Our proposals regarding such areas were limited to preventing prejudicial development pending actual reconstruction. We did not make any detailed recommendations how that reconstruction should be carried out, though in paragraph 31 of our Report we indicated that, in our view, "no scheme for the replanning of these areas can be effectively carried through unless there is a power of compulsory public acquisition."

These interim recommendations were directed to safeguarding the position—in part by a Government warning and in part by positive legislative action—while our full recommendations were being framed. We may also recall that, in paragraphs 29 and 30 of our Interim Report, we stated that the scheme for the State acquisition of the development rights of all undeveloped land which is referred to in paragraphs 250-256 of the Barlow Report was receiving our careful consideration, so that persons concerned should not in relation to undeveloped lands enter upon commitments which subsequently they might find themselves unable to carry out. Landowners and others have therefore had adequate notice that our enquiry might reveal the necessity for considerable changes in the land system of this country.

On the 17th July, 1941, Lord Reith announced in the House of Lords the Government's acceptance of our recommendations, subject to the following qualifications:—

(i) As regards the suggested "March, 1939, ceiling" in relation to the compensation payable on the public acquisition or control of land "the detailed application of the principle requires consideration. Adjustments may be needed to meet particular cases, and the principle must be open to review, if circumstances arise which make its application inequitable."

(ii) As regards the prevention of prejudicial development pending reconstruction, "the Government thinks that any further safeguards necessary for the time being can be provided by strengthening the provisions of the Planning Acts, and it is proposed, in the legislation to be introduced to deal with the reconstruction areas, to make provision for this purpose."

On the 21st April, 1942, Your Lordship stated in the House of Lords that progress had been made with the drafting of the necessary legislation, but that it was considered better to await the Final Report of our Committee and the Report of the Committee on Land Utilisation in Rural Areas appointed in October, 1941, under the Chairmanship of Lord Justice Scott. We have now completed our investigations and have the honour to submit our Final Report.

EXPERT COMMITTEE ON COMPENSATION AND BETTERMENT. FINAL REPORT.

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

NOTES & TOPICS

THE AMERICAN PROGRAMME

Several architects during the past week have mentioned to me the article called *The Great American Mystery*, which the JOURNAL published on August 27.

★

That article suggested that technicians engaged on war building were seriously worried about the American Programme on three accounts. The demands which the Programme would impose on the industry must have been fairly fully known by June 1, but by the middle of August there were no convincing signs that the planning and administration of the various sections of the work were being tackled with competent vigour. By the middle of August, MOWP—to which building technicians look for an explanation of and interim reports on all war building programmes—had said nothing at all about this one; and by the middle of August the Ministry of Labour had said the same things about it several times over; and with each repetition had added to the conviction of technicians that in some peculiar way the Ministry of Labour was trying to run the American Programme by itself.

★

The architects who talked to me of the JOURNAL's article touched on a number of other reasons why build-

ing technicians* were at present disturbed both about the American Programme and the wider question of the powers and organization of MOWP itself. Two of these reasons seemed to me particularly important.

★

(1) MOWP is now believed to employ over 5,000 building technicians and a total staff nearer 20,000 than 10,000; enough, one would think, to control, with the help of a few specialists from other Ministries, notably Labour, the whole war building programme. But patently it does not do this. Other Ministries have large building staffs of their own and seem autonomous in matters of building administration; while of the legion of inspectors and whatnot who swarm over building sites very few are from MOWP. It seems, therefore, plain to building technicians that either a great number of jobs which should be done centrally by MOWP are being separately carried out by other Ministries; or else a large percentage of MOWP staff is spending its days gathering knowledge which it has no power to use.

★

(2) During October and November last year it was discovered that it would not be possible to use a good bit of the building accommodation which was then being rushed to completion—for the good reason that Britain alone would not have the man-power needed. A somewhat hasty abandonment of work took place in the next eight weeks, and by the time the American demand was known, on June 1 this year, a considerable number of schemes which could be adopted as camps, workshops and so on, were in a half-built state throughout the country.

★

Building technicians therefore imagined, not unreasonably, that the very first stage of the execution of the American Programme would be the completion—at high speed—of these partially complete schemes.

No such rush occurred. And although work on some of these incomplete schemes has undoubtedly been restarted, two architects to whom I talked on September 4, could between them and without difficulty think of four partially complete building schemes of a kind in special demand for which no orders to restart had been received up to that day.

★

Now building technicians, as the JOURNAL said on August 27, are not fools. Nor are building operatives. And it is useless for Mr. Bevin to talk of urgency and utmost effort when cases like this are known throughout two or three counties and probably in every county. The attitude on the sites is that Lord Portal either knew about the cases mentioned on June 1 and did nothing to get them restarted for 94 days; or else he did not know about them. If the latter is the case, some of his Ministry's 5,000 technicians might be better employed elsewhere.

RECONSTRUCTION COMMITTEE DEHYDRATED

The August issue of the *R.I.B.A. Journal* contains a badly needed précis of the work of the Reconstruction Committee to date which, to quote Mr. Ansell, is "of the utmost value in the right understanding of the relationship of the several reports and the presentation of our views to the public and powers."

★

Something of the kind was badly needed. That enthusiastic and energetic body has fairly pelted us with reports—in the last few months—and some of us at any rate have been tempted to behave like donkeys in a hailstorm. The précis, put together with admirable lucidity by Mr. Moberly, provides an answer to the question "What does the R.I.B.A. stand for?" that can be read in twenty minutes.

★

The weakest part of this *First General Statement of Conclusions* is, rather surprisingly, the part called *The Architect's Contribution*. Having urged throughout Sections I, II and III that individualism must be curbed in the interests of common policy, the R.I.B.A. seems loth to admit that the principle applies to architects. Instead they trot out the great untruth "architects can do no wrong." Their final solution for all æsthetic problems is that "the design of every building submitted for approval must be the work of an architect."

★

There are plenty of places in London and elsewhere where these conditions have been observed—notably Gidea Park. The general effect is often worse than on an ordinary building estate because each house has a pronounced individuality of its own instead of being "just a bit different."

★

It's time the R.I.B.A. tackled this problem of how exactly the architect is to make his contribution, with a greater awareness of what the reformers want.

★

The Scott Report touches on the point. "We are of opinion that many architects have paid inadequate attention to the design of rural houses and to the design of villages or town units rather than of individual dwellings or other buildings." They recommend that young men be trained for this. As a matter of fact the A.A. has been working on these lines for several years. What needs explaining is how these young men are to be employed and by whom?

INSIDE THE INSIDE STORY

Editor of *The Builder* and hero of the inside story of Waterloo Bridge, Mr. G. J. HOWLING has an inside story to add to my inside story (ASTRAGAL, August 27th). He writes:

> I recall the circumstances rather clearly because the day I made the discovery I played truant from the office (of the A.J.) to go and see the film of the Dempsey-Carpentier fight at the Tivoli. But for that I should not have walked over the bridge nor have written the note, but no doubt the bridge would have collapsed just the same.
>
> The moral of the affair seems to be that it's a good thing to take an occasional half-day off.

ASTRAGAL

* By "building technicians" I refer comprehensively to architects, civil and other engineers and consultants, quantity surveyors and the administrative staffs of building contractors.

LETTERS

C. A. Harding,
D.A.Glas., F.R.I.B.A.

T. F. Nash,
Managing Director, Nashcrete

N. C. Stoneham

Architects and Standardization

Sir,—I enclose a cutting from one of the daily papers. Similar reports appear in several of them. I suggest that the President of the Royal Institute might be requested to give some further context of his remarks if possible, as I am certain, as printed, they suggest that architects have strong objection to standardization. Unless some clarification is forthcoming, I feel, and my opinion is confirmed by remarks made to me in the last twenty-four hours, that the publication of such statements will adversely affect the profession in connection with its legitimate work of designing buildings.

I think it is acknowledged generally by progressive architects that some standardization is necessary in most buildings. Many offices keep standard details available in connection with their own work—some of these are based upon their own experience, and adapted and improved as circumstances and experience dictate, to cover the more frequently recurring phases of their practice. I, for one, would welcome a large extension of intelligent standardization, provided that it is in the *first instance* dictated by the desire to put the best possible product for a definite purpose before the widest public. I would also welcome an extension of standardization in the form of external sizes of the various products in any class. It must ever be borne in mind that those responsible for standardization must insist that the product and *not the price* nor the reduction of process of manufacture will dictate the post-war article.

The metal window manufacturers have for some years given us a well-designed and produced standard article in a wide range, but we have also had other instances which are not so satisfactory, as for instance the rather wasteful method of manufacture and unimaginative list of standard steel sections. We also know the objections raised by manufacturers of mass produced articles when changes are desired. The cost of alteration of jigs and other plant, and the waste and delay are all urged as reasons for retaining undesirable models.

To avoid this situation arising in the building programme will tax the skill and tact of all concerned, and to ensure that the products will be seemly, reasonable in cost, efficient and also flexible in application, will require that the broadest possible view must be taken of the problem. The architectural profession is very directly concerned, and should assist in every way. I am sure that if the change now taking place in the structure of the building trade is realized by architects, they can make a very valuable contribution to this important work.

C. A. HARDING

Newcastle-upon-Tyne.

The cutting from the newspaper referred to by Mr. Harding reads :

> Lord Portal, Minister of Works and Planning, told representatives of the building industry in London yesterday, that it would be for the industry to regulate the post-war programme so that there was no slump as after the last war.
>
> The first essential was to abolish casual labour and his Ministry was thinking out a scheme of apprenticeship and education.
>
> Control over material would have to be maintained, which would mean the control of prices and of the industry itself.
>
> Mr. W. H. Ansell, president of the Royal Institute of British Architects, said that if there was to be standardization they would have standardized streets and towns inhabited by standardized men and women.

Prefabricated Huts

Sir,—As manufacturers of Nashcrete, we would like to comment on some of the remarks made in the JOURNAL for August 13, under the heading of Prefabricated Huts.

We feel that despite the thoroughness of the article, the writer may not know of the developments which were under consideration immediately prior to the exhibition.

In fairness to ourselves (and possibly to the other manufacturers who may have been placed in a similar position), it should be stated that the time given to preparing for the exhibition and to erect units of our prefabricated hut on the site at Millbank, was so very short that it was quite impossible to incorporate any of the improvements which were at that time under consideration by the Ministry of Works and Planning. These details were exactly those which have received criticism, and were as follows :

(1) It had already been decided to construct a post which was designed to obviate the use of all bolts used in the erection of the units.

(2) Amended designs had been agreed for the standard panels to be fixed longitudinally instead of vertically, but these were only in the experimental stage when the exhibition opened.

(3) We have experienced no excessive breakages of wall slab units, either in loading, unloading, stacking or erection.

(4) The exhibited wood roof trusses and bracings were to the requirements of the MOWP. We were doubtful if the wood, and particularly the plywood, required for the construction of these trusses, would remain in supply for any length of time, and we, therefore, had designs prepared for a reinforced concrete post and truss unit. It will be seen that we were on the right lines by the fact that a similar truss has now been incorporated in the MOWP Type 1 Hut, illustrated in your JOURNAL.

Regarding the insulation of these huts it can readily be understood that the manufacturing contractors are finding it increasingly difficult to obtain supplies of suitable materials for the roofs, and a decision had been reached to use asbestos sheeting as a more suitable roof covering. Further insulation properties can be obtained if attention is paid to the materials used for internal linings, etc.

We may state that Nashcrete construction and materials have been used in the erection of hutting for day nurseries, as illustrated in the same issue of the ARCHITECTS' JOURNAL, and no complaints have been received about the excessive difference in temperature suggested by the writer under the heading Habitability.

The article expresses that difficulty is experienced in the erection of Nashcrete units, but we suggest that as the material can be sawn in a similar manner to wood and plasterboard, and that nails or screws can be driven in with ease, any inaccuracies which may occur in the setting out can be easily overcome by intelligent erection.

THOS. F. NASH

London.

The Hub of the House

Sir,—Congratulations on publishing the Hub of the House so extensively. It is the first report I have seen which recognizes that there are three people concerned with a house—the occupier, the designer, and the manufacturer.

There has been a great deal of so-called " research " purporting to discover what type of house will be needed after the war. Most of this " research " has been confined to the consumer, i.e. the housewife. A few have taken into consideration the architect, but never has that poor devil, the manufacturer, been taken into consideration. Obviously, the three are an inseparable trinity and any research must necessarily be incomplete if any one of the trinity be omitted.

The incorporation of the point of view of the English Joinery Manufacturers' Association in The Hub of the House ensures that not only what is wanted is designable, but also makeable in quantities. Let us hope that all future research will recognize this fact and follow the example set by the Association for Planning and Reconstruction.

N. C. STONEHAM

London.

The body popularly called the UTHWATT COMMITTEE *(officially the Expert Committee on Compensation and Betterment) was set up in January 1941 to advise on (a) steps to be taken now or before the end of the war to prevent the work of reconstruction being prejudiced; (b) alterations of the existing law which might be necessary to facilitate stabilization of land values and the acquisition of land for public use on an equitable basis. The first part of this undertaking was dealt with in an interim report published in July 1941. The Committee's final Report was issued at 00.30 hours this morning, Thursday, September 10. We publish below a digest of those portions which deal with the Committee's more generally interesting recommendations, i.e., their recommendations for extending public control over developed and undeveloped land and for collecting betterment, and the principles which they suggest should govern the assessment of compensation. Owing to the length of the Report and to the intricacy of the subject no attempt has been made to summarize recommendations dealing with* (1) *Procedure for obtaining and exercising Compulsory Powers of Acquisition;* (2) *Assessment of Compensation on Acquisition of Land and for Injurious Affection; and* (3) *Compensation for Planning Restrictions, which are, however, almost equally important. The general effect of the recommendations contained in these three chapters are (i) to give acquiring authorities power to take possession of land after serving due notice without waiting for the completion of the purchase; (ii) to limit in various ways sums that can be claimed in compensation particularly in the case of non-conforming buildings; (iii) to extend greatly the existing power of Planning Authorities to exclude compensation altogether in cases where value is reduced by planning restrictions.*

THE UTHWATT REPORT

1. REQUIREMENTS

IT was clear to us that our first duty was to consider in broad outline the general requirements of the post-war reconstruction, and the scope and object of planning. If we had regarded these matters as outside our terms of reference our enquiry would have lacked positive direction, and we should have been in the position of having to frame proposals without reference either to the objective or to the type of planning organization which our recommendations must be designed to serve.

In considering the post-war reconstruction, it is perhaps natural that the replacement of the buildings destroyed in the course of the war should be popularly regarded as the main objective. In many cases bombing has resulted in the destruction of isolated shops and houses or groups of buildings in areas otherwise undamaged, and for such properties straightforward rebuilding to the same lay-out may be the most satisfactory course. But where large areas have been laid waste they may well need to be replanned in the light of modern requirements. This cannot be done in isolation.

As an illustration of the last-mentioned type of area, we may quote the following extract from a paper by Mr. H. J. Manzoni (City Engineer of Birmingham) to the 1941 Conference of the Town and Country Planning Association. Dealing with the problems of large-scale redevelopment of towns and cities, the difficulties of which, he said, are very great under existing legislation, he went on—

> "Let me give you a catalogue of the contents of one such area of medium size—300 acres—taken from actual conditions :—
>
> Nearly 11 miles of existing streets, mostly narrow and badly planned. 6,800 individual dwellings, the density varying locally up to 80 to the acre. 5,400 of these dwellings classified as slums to be condemned. 15 major industrial premises or factories, several of them comparatively recent in date. 105 minor factories, storage buildings, workshops, industrial yards, laundries, etc. 778 shops, many of them hucksters' premises. 7 schools. 18 churches and chapels. 51 licensed premises. Many miles of public service mains, water, gas, and electricity, including over a mile of 42-inch trunk water main, nearly all laid under carriageways and consequently in the wrong places for good planning. Add to these a railway viaduct, a canal, a railway goods yard and a gas works, and you have a beautiful problem in redevelopment.
>
> "And yet this area must be rebuilt—it cannot be cleared and left derelict, it cannot be turned over completely to industry, if only because it is one of a number of more or less similar areas calling urgently for similar treatment and all adjoining and making up some ten or more square miles of the nation's source of wealth. . . . It is possible, or indeed necessary, to introduce most of the amenities required by modern standards . . .

properly planned communications, including parkways, segregation of industry and residential buildings, light, air and space, shops, schools, churches and places of amusement, parks, playing fields and licensed premises. All these can be fitted in by a careful exercise of space economy. The replanning of roads alone, in this particular instance, will yield no less than 20 acres of surplus land. Even when such redevelopment areas are planned we have still to link them together within the conurbation, or perhaps to separate them adequately; and here, perhaps, we may dare to think eventually in terms of open land reverting to agricultural use."

This description of the problem as it appears in the City of Birmingham may be taken as broadly typical of many towns and cities which developed during the Industrial Revolution when requirements of traffic, industry and housing were very different from those of to-day, when the provision of amenities for the health and recreation of the people were far removed from the thoughts of those concerned in development, and when unrestrained profit-seeking was the dominating impulse of the age. The complete reconstruction of such areas is as important as the rebuilding of war-devastated areas and, in our view, the tasks cannot be treated as separate and distinct but should be regarded as different parts of a single problem.

Yet this aspect of post-war reconstruction is only a small part of the whole picture. The requirements of agriculture, the location and re-establishment of industry for peace-time production, the de-congestion of built-up areas, the building of adequate housing accommodation, the provision of open spaces, green belts and other amenities, the development and concentration of public utility services, the overhaul of our transport and communication system, the requirements of a post-war development in civil aviation and the relation of these matters to the demands of future defence —all these are problems which will have to be considered when plans for the post-war period are being formulated. We are not concerned with the actual decisions of policy that may be taken but we are bound to assume that all the matters enumerated above will be the subject of State direction or control.

2. ASSUMPTIONS

The first assumption we have made is that national planning is intended to be a reality and a permanent feature of the administration of the internal affairs of this country. We assume that it will be directed to ensuring that the best use is made of land with a view to securing economic efficiency for the community and well-being for the individual, and that it will be recognized that this involves the subordination to the public good of the personal interests and wishes of landowners. Unreserved acceptance of this conception of planning is vital to a successful reconstruction policy, for every aspect of a nation's activity is ultimately dependent on land. The denser the population, the more intensive the use of land becomes in order that the limited area may be capable of furnishing the services required: the more complex the productive organization of society, the more highly developed must be the control of land utilization exercised by or on behalf of the community.

In our analysis of the difficulties of compensation and betterment we begin with an appreciation of the fact that fundamentally the problem arises from the existing legal position with regard to the use of land, which attempts largely to preserve, in a highly developed economy, the purely individualistic approach to land ownership. That was perhaps inevitable in the early days of industrialization and limited facilities of communication, but it is no longer completely tenable in our present stage of development and it operates to prevent the proper and effective utilization of our limited natural resources. Town and country planning is not an end in itself; it is the instrument by which to secure that the best use is made of the available land in the interests of the community as a whole. By nature it cannot be static. It must advance with the condition of society it is designed to serve.

This leads us to the second assumption we have made. While the principle of national planning has, as we have stated, already been accepted by the Government, much remains to be done to carry it into effect, and the precise shape of the future planning policy and the degree of centralization are as yet undetermined. We wish to make it clear, however, that the system we regard as necessary for an effective reconstruction, and which we have therefore assumed, is one of national planning with a high degree of initiation and control by the Central Planning Authority, which will have national as well as local considerations in mind, will base its action on organized research into the social and economic aspects of the use and development of land, and will have the backing of national financial resources where necessary for a proper execution of its policy.

It is apparent, therefore, that the Central Planning Authority we have assumed is an organization which does not yet exist, and that "planning" has a meaning not attached to it in any legislation nor, until recently, in the minds of the public.

3. PRINCIPLES OF COMPENSATION

Before proceeding further, it is necessary to consider the general principles underlying payment of compensation for State interference with the use of private property.

Ownership of land involves duties to the community as well as rights in the individual owner. It may involve complete surrender of the land to the State or it may involve submission to a limitation of rights of user of the land without surrender of ownership or possession being required. There is a difference in principle between these two types of public interference with the rights of private ownership. Where property is taken over, the intention is to use those rights, and *the common law of England does not recognize any right of requisitioning property by the State without liability to pay compensation to the individual for the loss of his property.* The basis of compensation rests with the State to prescribe. In the second type of case, *where the regulatory power of the State limits the use which an owner may make of his property, but does not deprive him of ownership, whatever rights he may lose are not taken over by the State; they are destroyed on the grounds that their existence is contrary to the national interest. In such circumstances no claim for compensation lies at common law.* Cases exist where this common law principle is modified by statute and provision is made for payment of compensation. The justification is usually that without such modification real hardship would be suffered by the individual whose rights are affected by the restrictions, but there is no right to compensation unless that right is either expressly or impliedly conferred by statute.

Existing planning legislation takes the form of specifying particular matters for which compensation can be excluded. The Housing, Town Planning, etc., Act, 1909, gave a general right to owners to claim compensation where their property was injuriously affected by the making of a town planning scheme, but extended fairly substantially the range of requirements which could be imposed without compensation, particularly in relation to amenity. It provided for the exclusion of compensation, not only in respect of provisions in a scheme which would have been enforceable if contained in bye-laws made by the local authority but also in respect of provisions which, with a view to securing amenity, prescribed the space about buildings, or limited the number of buildings to be erected, or prescribed the height or character of buildings. The Town and Country Planning Act, 1932, made no fundamental change in the general basis of the compensation provisions but added to the requirements and restrictions in respect of which compensation might be excluded.

It may be observed that under the 1932 Act the provisions in a planning scheme in respect of which compensation cannot

be excluded are no less in the public interest than the specified provisions in respect of which it may be excluded, and the line drawn between the two classes of provisions rests on no clear principle. The Minister may, for example, exclude compensation in respect of a provision limiting the density of buildings on a particular area, but not in respect of one forbidding building altogether.

The difference in treatment as regards compensation may be rested on the difference between expropriation of property on the one hand and restriction on user while leaving ownership and possession undisturbed on the other. If the question be asked " Does ownership of land necessarily carry with it the right to turn it to any use which happens to be most profitable to the owner? ", a negative answer must clearly be given.

As we have seen, some restrictions may clearly be imposed—and would be accepted unquestionably by any landowner—without any suggestion of hardship or of giving rise to any just claim for compensation. They are both reasonable and necessary in order that other persons should not be injured in the legitimate enjoyment of their own rights. The principle is at its lowest that of " live and let live " and advances so as to comprehend all the obligations which according to the social standards of the day are regarded as due to neighbours and fellow citizens. But, as the scope of these restrictions increases by the operation of planning, a stage is reached at which the restrictions imposed will be said to go beyond the claims of " good neighbourliness " and general considerations of regional or national policy require so great a restriction on the landowner's use of his land as to amount to a taking away from him of a proprietary interest in the land. When this point has been reached, the landowner will claim to be fairly entitled to compensation, such compensation to be computed upon the principles applicable where other rights of property are taken away from him.

The mere regulation of the use of land in the interests of the community would not, if the common law were followed out, involve any such payment, and an owner could therefore, consistently with the common law, be required to refrain from using his land for purposes specified by the State. Obedience to such a direction would not entitle him to compensation. To some, indeed, it would appear that the acceptance of this common law rule is inevitable if no other satisfactory solution to the difficulties can be found. But it must, we think, be recognized that the full application of such a policy would result in hardship in many cases and, moreover, would involve inconsistent treatment as between individuals.

On the problem of compensation and betterment, the main conclusions we have drawn in the course of our analysis may now be summarised as follows :—

(*a*) The present statutory provisions, which have not proved satisfactory in the sphere of local planning, would be altogether inadequate for application to the circumstances created by planning conceived as a national operation.

(*b*) The existence of the compensation-betterment problem can be traced to two root causes :

(i) The fact that land in private ownership is a marketable commodity with varying values according to location and the purposes for which it is capable of use.

(ii) The fact that land is held by a large number of owners whose individual interests lie in putting their own particular piece of land to the most profitable use for which they can find a market, whereas the need of the State and of the community is to ensure the best use of all land of the country irrespective of financial return.

(*c*) It is in the sphere of " development value," whether attaching to land already developed by building, as in urban areas, or to land suitable for development in the predictable future, as in the case of fringe land around towns and cities, that the compensation difficulty is acute. Development values as a whole, however, are dependent on the economic factors that determine the *quantum* of development of various types required throughout the country, and as planning does not reduce this *quantum* it does not destroy land values but merely redistributes them over a different area. Planning control may reduce the value of a particular piece of land, but over the country as a whole there is no loss.

(*d*) In theory, therefore, compensation and betterment should balance each other. In practice they do not. The present statutory code is limited in operation and is not designed to secure balance, and we are convinced that within the framework of the existing system of land ownership it is not possible to devise any scheme for making the principle of balance effective. It is only if all the land in the country were in the ownership of a single person or body that the necessity for paying compensation and collecting betterment on account of shifts in value due to planning would disappear altogether.

It is evident from these conclusions that an adequate solution to the problem must lie in such a measure of unification of existing rights in land as will enable shifts of value to operate within the same ownership, coupled with a land system that does not contain within it contradictions provoking a conflict between private and public interest and hindering the proper operation of planning machinery.

4. UNIFICATION OF OWNERSHIP

During the last few years informed opinion has become increasingly alive to the necessity of securing some measure of unification of land ownership, and in some quarters pooling schemes of various types have been advanced as a suitable method by which the necessary results could be secured without interfering with the private ownership of the land. The essence of a pooling scheme is that the owners of the whole of the land and buildings within a specified area should be formed into a Corporation which would become the sole owner of all the property in the area, the existing owners being compelled to sell their land to the Corporation in exchange for shares representing the value of their interest. The Corporation would be managed on the same lines as a limited liability company; the shareholders would appoint directors, who would manage the land and the buildings on behalf of the Corporation as single estate owner of the area, and would fix rents and decide questions of development or re-development by reference to considerations of the best use of the Corporation's assets.

In our view there are many and grave objections to these schemes. They are essentially financial ventures. Voluntary association in a financial venture is one thing; compulsory association is quite another. Landowners could justifiably object to such compulsory association. There would soon be a divorce between the persons interested in the occupation of the land held by any particular corporation and the persons interested in the shares of the corporation, and there would therefore arise a conflict of interest between the shareholders on the one hand and the occupiers of the corporation's land on the other hand.

The corporation would, unless subject to effective overriding control, direct its attention to furthering the financial interests of the corporation. A statutory limitation on dividends—if it secured anything—would have one or more of these results : that rents charged were not determined by economic conditions, leading in practice to unjustifiable diversity of treatment of tenants, that the pool was over-capitalized, or that a fund was created in the hands of the corporations which was not applicable to any specific purpose. Such a limitation of profits would not secure good planning. Lastly, if pooling corporations assume the large proportions contemplated by some of their advocates, there would be created a commercial monopoly in each corporation over a wide area of land with all that such a monopoly involves.

So far as planning and the existing difficulties of compensation and betterment are concerned, the question of the relation between the pool authorities

and the planning authorities immediately arises. The functions of both would be to decide the use of particular areas of land, and their operations would need to be so closely co-ordinated that the pool would either have to take over planning functions, or become a part of the planning machinery. Yet by reason of the inherent conflict between the objects of planning and the interests of the pool, neither alternative is possible. One may further observe that questions would arise between different pools as regards such services as roads and open spaces, and that diffusion of control and administration, and not unification, is inherent in the setting up of different pools. The conflict between public and private interests remains.

Assuming, however, that a system could be devised by which the activities of the pool could be suitably controlled or reconciled with planning considerations, the difficulty still remains that the shifts of value resulting from planning restrictions or directions might extend beyond the boundaries of the pool, and questions of compensation and betterment would still have to be faced. Limitations of density, the zoning of land for agriculture, the preservation of areas as national parks or public open spaces, may well shift values from one pool area to another pool area.

The logical answer to the proposals for pooling ownerships is thus that they are theoretically sound in endeavouring by means of unification to eliminate the compensation requirements arising from shifts of value, but that as shifts are on a national scale so the pooling of ownership must result in a single pool comprising the whole of the land of the country. In a word, the only feasible system of pooling is nationalization, which is the very result pooling is designed to avoid.

Our criticism of the large scale pooling schemes leads to the result that the solution of the compensation-betterment difficulty can only lie in a degree of unification of existing rights in land carried out on a national scale and involving their national ownership. If we were to regard the problem provided by our terms of reference as an academic exercise without regard to administrative or other consequences, immediate transfer to public ownership of all land would present the logical solution ; but we have no doubt that land nationalisation is not practicable as an immediate measure and we reject it on that ground alone. We state our objections to its immediate practicability shortly. *First.* Land nationalization is not a policy to be embarked upon lightly, and it would arouse keen political controversy. A change of view upon the topic of land nationalization calls for more than a rearrangement of prejudices. Delay, to say the least, would result. *Second.* It would involve financial operations which in the immediate post-war period might, as we see the matter, be entirely out of the question. *Third.* Land nationalization would involve the establishment of a complicated administrative machinery equipped to deal with the whole of the land on the country.

That conclusion makes it desirable to consider whether there is any method, short of immediate nationalization, which will effectively solve the compensation-betterment problem of the present system and provide an adequate basis on which the post-war reconstruction will be able to proceed.

The only method which answers this test in regard to undeveloped land is the proposal made to the Barlow Commission for the acquisition by the State of the development rights in undeveloped land. This scheme, which for convenience we refer to as the "development rights scheme," does in our view provide a solution which is both practicable and equitable. Different considerations apply in the case of developed land and it seems to us that piecemeal transfer of urban land to public ownership, as and when required for planning or other public purposes, would be less cumbersome and less onerous a task than that involved in immediate wholesale nationalization.

We recommend the immediate vesting in the State of the rights of development in all land lying outside built-up areas (subject to certain exceptions) on payment of fair compensation, such vesting to be secured by the imposition of a prohibition against development otherwise than with the consent of the State accompanied by the grant of compulsory powers of acquiring the land itself when wanted for public purposes or approved private development.

This measure of unification in the State of the development rights attaching to undeveloped land outside built-up areas is an essential minimum necessary to remove the conflict between public and private interest to which we have referred. As regards the area to which it applies, it is a complete solution of the hoary and vexing problem of shifting values. The development value for all time will have been acquired, and paid for. Compensation will no longer be a factor hindering the preparation and execution of proper planning schemes. The scheme will thus facilitate the operation of a positive policy for agriculture, the improvement of road systems and public services, the preservation of beauty spots and coastal areas, the reservation of green belts and National Parks, the control over the expansion of existing towns and cities, the establishment of satellite towns and the planned location of industry in new areas.

Shortly the scheme we recommend involves four points :

(*a*) The placing of a general prohibition against development on all undeveloped land outside built-up areas and immediate payment to owners of the land affected of compensation for the loss of development value.

(*b*) Unfettered determination through planning machinery of the areas in which public or private development is to take place, the amount and type of development being determined as regards development for public purposes by national needs and, as regards private development, by private demand.

(*c*) Purchase by the State of the land itself if and when required for approved development whether for public purposes or for private purposes.

(*d*) In the case of approved development for private purposes the leasing of such land by the State to the person or body undertaking the development.

The scheme involves neither dual ownership of the land nor divided control. Until the land itself is wanted for purposes of development the owner remains in possession and control save only that he may not develop.

Although the administrative requirements are considerable in the early stages they are mainly concerned with initial tasks of ascertaining the property concerned and distributing the compensation. Once these matters have been carried through the administrative necessities will in the main be confined to the relatively simple and straightforward tasks of effecting legal transfer to the State of the fee simple as and when the progress of development requires and fixing and collecting whatever rents or premiums may be charged to persons granted permission to use the land for development purposes.

An understanding of the scheme as a whole will be helped by a statement in broad outline of its effect.

First.—The prohibition against development or the acquisition of the development rights—however it be looked at—will not disturb the title of possession of any person interested in the land. The owner and all other persons interested in the land are put in the position they would occupy if they had entered into an effective bargain that the land would not be used for "development." By the prohibition, the State acquires no right to use, manage or enter upon the land. It can only interfere with its use to the extent of stopping "development." Broadly the prohibition is that the land may not be treated as building land or diverted to industrial purposes.

Second.—The maximum amount of freedom of use and enjoyment consistent with the interest of the State in the development rights remains with the owner. He is not restricted to the existing use of the land. The land may be used for any purpose which does not amount to "development." The owner of a farm, for instance, will remain free to farm in such a manner as he thinks fit and to make any such improvements as are in his view proper for his holding

as a farm. The occupier of a house and garden or park which falls within the scheme will remain free to use his property for all the purposes of his residence, and (subject to compliance with any local bye-laws) will remain entitled to put up such additional buildings as are necessary or designed for the improvement or amenities of his house. He will be substantially in the same position as if he had agreed to keep his garden or park as a private open space. The only limitation is that the land may not be "developed" in the technical sense we attribute to the term.

Third.—The owner's powers of selling, mortgaging, leasing, etc., or otherwise disposing of his property remain undisturbed. But their exercise will affect only the "owner's interest."

Fourth.—Any interests affecting the land (leases, mortgages, rentcharges, etc.) will continue to attach to the land shorn of the development rights.

Fifth. — Any compensation paid by reason of the imposition of the prohibition will go to the persons interested in the land according to their rights and interests. Where there is a mortgage, for instance, the compensation will be treated as if it arose from a sale of part of the mortgaged property.

Sixth.—Where "development" in the sense in which we use the word is proposed, the position of the State as the owner of the development rights comes into active operation. The proposal for development may range from the formation of a garden city or a satellite town to the erection of a private factory, and it may emanate from any source. Whether particular land is to be developed and the form that development should take is to be decided by the Central Planning Authority acting through its appropriate machinery.

Seventh. — Whatever form of development is decided upon the Central Planning Authority should acquire the "owner's interest," compulsorily if need be. Unless the purchase price is agreed, the fair value of the "owner's interest" will have to be determined by arbitration in the ordinary way. The property is to be valued as it stands at the date of its acquisition. The development rights will already have been paid for and are not to be paid for again. The value to be assessed will be the value of the property subject to the restriction against "development." In addition to compensation for the land taken, there will also have to be paid compensation for severance, disturbance or any other injurious affection suffered in respect of the owner's interest in his remaining land.

Eighth. — Where private development is in question and there is competition between private developers, preference should, other things being equal, be given to the owner of the "owner's interest."

Ninth.—The next step is the disposition of the land in favour of the developer. That, consistently with the scheme, must, where private development is in question, take the form of a lease subject to a rent or to a premium, or to both a rent and a premium, for the period of years required by the nature of the development under consideration and the status of the developer, and containing provisions which secure that the land is developed and used in accordance with agreed proposals and such other provisions dictated by planning and other relevant considerations as the circumstances require. The lease should contain—what is common form in leases at the present day—a right to re-enter on breach of covenants, subject to any exercise of the powers now possessed by the Courts to relieve against forfeiture on such terms as it thinks just.

There must be covenants obliging use in accordance with the development proposed and a right of re-entry on failure to carry it out. Land should not be wasted and, unless the development authorised is in fact carried out, the State should have the right to resume possession.

Tenth.—Where a man wishes to build for his own occupation a house on land he owns, an exception to the general rule of procedure may be made. In such case the State would not acquire the "owner's interest" and lease it back to the proprietor but a licence would be granted for the erection of the house subject to appropriate conditions.

Lastly.—The scheme does not require either the State or local authority to engage in industry. The State's function under the scheme is to use the powers it acquires in the interests of National Planning.

5. COMPENSATION

The question whether or not in all the circumstances which will obtain after the war compensation should be paid in respect of the imposition of the restriction on development is a matter of policy upon which it is not for us to express an opinion. We propose, however, to assume that fair compensation will be paid. This involves that the sum to be paid should represent the fair value to the purchaser of the development rights as a whole.

Our recommendation is that the compensation to be paid should be assessed for the whole country as a single sum (that sum we call the General Compensation Fund), the amount of such sum to be determined by reference to that fair value and such sum to be divided among claimants in accordance with the value of the development rights attached to their lands, a Supplementary Fund being set up to meet exceptional cases.

In our view it is possible fairly to ascertain the proper amount of the Fund. That such a sum is a matter of estimation and not of arithmetical computation is obvious. Future economic conditions will doubtless be difficult to estimate. But they would equally have to be estimated in measuring valuations of the development rights attached to individual parcels.

Objectors to the principle of assessing compensation on the basis suggested by us are compelled either to object to the acquisition being necessary in the interests of national planning or to object to national planning itself, or to assert that a payment known to be too much should be made, or to assert that no sum at all should be paid. All these points of view have been put before us.

6. MANAGEMENT OF DEVELOPMENT RIGHTS

The development rights are being acquired for the purpose of National Planning. It is immaterial in whom those development rights are in fact vested on behalf of the State. That is machinery only. It is essential that the development rights and all other interests in land which may be acquired under the scheme should be managed by the same body as controls planning. In other words they should be managed by the Central Planning Authority.

It is implicit in the conception of planning that the management should be directed to forwarding the interests of planning and not with a view to the financial return. The sum paid for the development rights should be regarded as of historical interest only.

The Central Planning Authority may, we apprehend, delegate to regional or local authorities some of their powers relating (*inter alia*) to the disposition or management of land. That does not open up any question of principle under the scheme.

While National Planning will make many demands upon those responsible for it, the scheme demands nothing but intelligent and prompt administration. Until development is proposed nothing but the enforcement of the restriction, and, in exceptional cases, the grant of temporary licences, will be called for.

The question whether development is to be permitted will be determined as a matter of planning by the Central Planning Authority or regional or local bodies in their capacity as planners. It cannot be said therefore that the scheme in any direction imposes any burden on planning.

7. DEVELOPED LAND

We gave (above) a description of an area in Birmingham which had to be dealt with. To that instance we would add another. We have been informed that in London alone there are between 6,000 and 10,000 acres requiring redevelopment by reason of narrow streets and the existence of obsolete buildings. Some idea of the extent to which, war damage apart, there is need for redevelopment in built-up areas, may

be gathered from these two examples. There must be added the need—and opportunity—for reconstruction arising from the existence of war-damaged areas. We do not enter into details.

The comprehensive re-planning of towns and cities will necessarily be a lengthy task and there will in different places be considerable variation in the order in which authorities embark upon the subject matters of planning, e.g., reconstruction of war-damaged areas, clearance of slums, provision of houses for the working classes, redevelopment of areas containing obsolete buildings, provision of improved traffic facilities and open spaces. It is therefore necessary to consider the powers and machinery under two heads :

First, the measure of interim control required now and during the immediate post-war period ;

Second, the measures necessary on the assumption that it may necessitate large-scale operations to deal with heavily war-damaged areas and the type of obsolete area we have described.

In our Interim Report we recommended the granting to the Central Planning Authority forthwith of powers of control over building and all other developments throughout the whole country by reference to national planning considerations, and we recommended that such power should continue in operation for a reasonable period after the end of hostilities while the broad lines of reconstruction were being worked out. The Government have recognized the necessity of some such control but have stated that they think that any further safeguards necessary can be provided by strengthening the provisions of the Planning Acts and that they propose to introduce legislation on these lines.

In view of this decision it is unnecessary to do more than to point out that the whole of the country should be covered. Many important areas are not at present covered by planning resolutions, and it appears that the most convenient method of achieving the object in view is to provide by legislation that areas not already covered by operative schemes or resolutions to plan should be deemed to be subject to such resolutions ; and we recommend accordingly.

Existing Position

The powers available under existing legislation relating to redevelopment are contained in the Town and Country Planning Act, 1932, and the provisions of the Housing Act, 1936, relating to Redevelopment Areas and Clearance Areas. It is necessary to examine these powers, and the procedure under the Acts, from the aspect of suitability for the task of reconstruction.

Town and Country Planning Act, 1932.—The existing planning legislation is designed mainly for the purpose of guiding or regulating private development over a period of time. The preparation of a planning scheme proceeds in consultation with owners and other interested parties, and numerous opportunities are afforded for objections to be lodged. When the scheme is submitted to the Minister he holds a local enquiry to consider any objections which have not been met and to decide whether to approve, modify or disapprove the scheme. On final approval the scheme is laid before both Houses of Parliament and, subject to any modification arising out of Parliamentary proceedings, becomes operative unless challenged in the High Court.

It is clear to us that this elaborate and lengthy procedure and largely negative system, which has been widely criticised in the evidence submitted to us, would be wholly inadequate to deal with large-scale schemes of post-war reconstruction. Methods are required which are simpler, more expeditious and more positive in character.

Housing Act, 1936.—It was partly due to a recognition that the ordinary planning procedure would not be an effective instrument for securing the redevelopment of unsatisfactory town areas that the Redevelopment Area procedure was introduced by the Housing Act, 1935, and was reproduced in the consolidating Housing Act of 1936. The Redevelopment Area provisions of the Housing Act, 1936, were designed to facilitate the systematic redevelopment of districts containing a large number of working-class houses of which a substantial proportion was unfit, overcrowded or congested.

The two years during which these powers were available prior to the outbreak of war is perhaps too short a time to enable their value to be accurately assessed. It is to be noted, however, that they have not been extensively used and no major schemes of redevelopment have resulted from them. Among the reasons for this apparent failure to produce the desired results the following may be mentioned :

(i) The Act requires authorities to define the plan of proposed redevelopment in great detail. Where the development may not take place for some time such a detailed plan may be difficult to draw.

(ii) To comply with the statutory definition it is necessary to prove that a required proportion of houses is unfit for human habitation and not capable at reasonable expense of being made fit. This necessitates proof as regards each house and, moreover, renders the whole scheme open to challenge in the High Court on the ground of failure to comply with the terms of the definition, thereby leading to serious delay.

(iii) The system of compensation has hampered the operations of local authorities and doubts have been expressed whether the provisions relating to compensation are as favourable to authorities under redevelopment procedure as under town planning. In any event the authority may be unable to secure agreement with the owner for redeveloping, in which case they are bound to purchase, and, if the land is occupied by industrial buildings or is alleged to have a value for industry, authorities are frequently driven into hard bargains. The cost of a redevelopment scheme which has to be met mainly out of local finances is a factor of the greatest importance particularly in those town areas where values are extremely high.

(iv) The serving of individual notices, lodging of objections and the holding of public local enquiries is a lengthy procedure designed to safeguard the rights of individual owners but it inevitably results in serious delay.

The experience available of the operations of the redevelopment procedure, although limited, does not, therefore, inspire confidence that it would provide a satisfactory basis for urgent measures of reconstruction or that it could be readily adapted for the purpose.

The Clearance Area procedure in Sections 25-33 and the Third Schedule of the Housing Act, 1936, is limited to the abolition of slums and is not therefore appropriate to be used for general redevelopment purposes.

In the course of our enquiry we have received numerous suggestions for a solution of the developed land problem along lines of amalgamation of ownerships. Some advocate compulsory and permanent pooling by forming all owners within the area into a Corporation in which they become shareholders, and leaving the Corporation to replan and redevelop the area.

Possible Solutions

Schemes of this type are variants of the Lex Adickes under which pooling and redistribution is carried out under the supervision of the Local Administration. This method originated in Germany where it has been widely operated in one form or another from 1902 onwards, but mainly in relation to undeveloped land where a rearrangement of ownership would assist the development of the area. For this purpose it appears to have met with a considerable measure of success, but so far as we are aware it has never been applied to built-up areas, and we are doubtful whether any of the schemes of this type would provide a suitable basis for the highly complex problem of the rebuilding of war-damaged or other areas as part of a co-ordinated plan for the modernization of cities. The responsible authority would need to take over and demolish the property in the area, presumably paying compensation for the buildings, and than hand back the bare sites to a large number of separate owners, some of whom might have neither the desire nor the capital to rebuild. The division into a fixed number of sites might be prejudicial to proper replanning, and in any event it would not provide a permanent solution to the problem which small-scale ownership creates.


THE

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STANDARD METHODS OF LAYING RUBEROID OR ASTOS SELF-FINISHED BUILT-UP BITUMINOUS ROOFING :

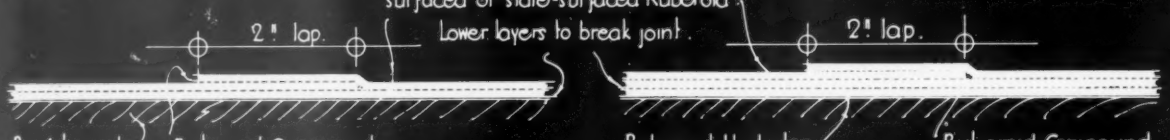
SPECIFICATION C : two-layer built-up, laid only by Manufacturer.

SCALE : HALF FULL SIZE

finishing layer may be standard smooth-surfaced or slate-surfaced Ruberoid

Lower layers to break joint.

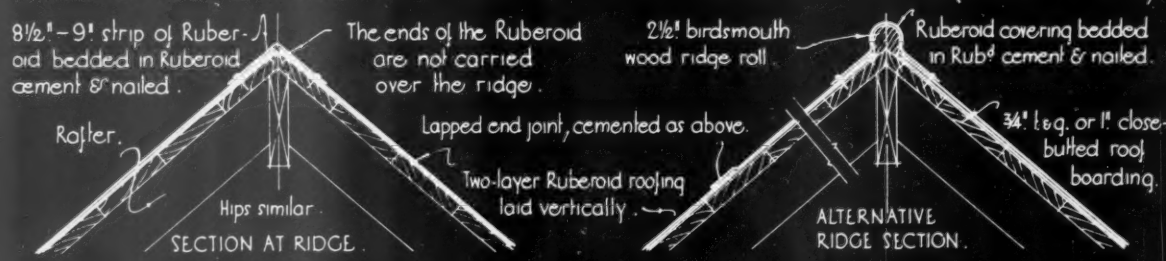
SPECIFICATION D : three-layer built-up, laid only by Manufacturer.

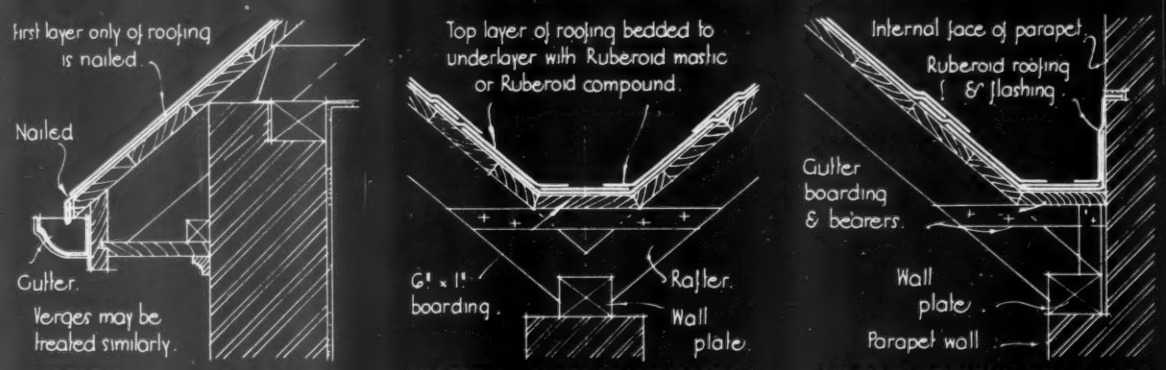


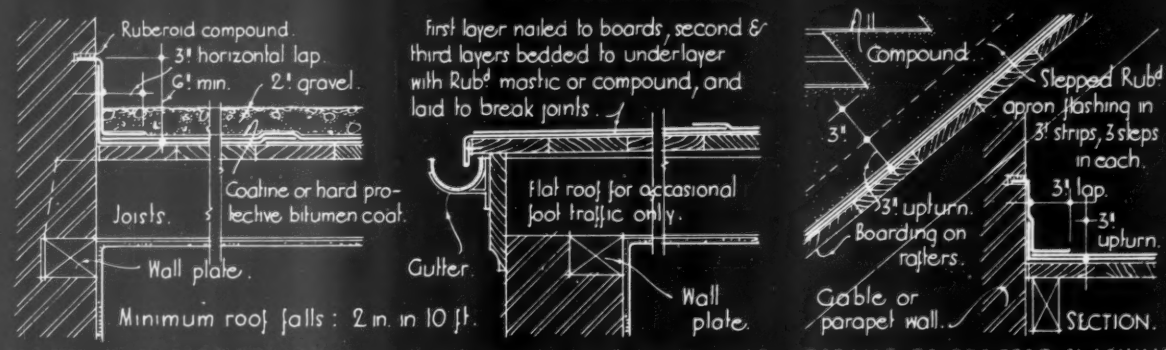
AVERAGE WEIGHT of roof finish using 2-ply Ruberoid, 115½ lbs per 100 square feet.

AVERAGE WEIGHT of roof finish using 2-ply Ruberoid, 168½ lbs. per 100 square feet.

DETAILS OF RUBEROID MULTI-PLY ROOFING ON PITCHED WOOD ROOFS (SCALE 1" = 1' 0")







Note ! for a full description of method of laying, jointing & nailing single-layer roofing, see Sheet No 1 of this series

Issued by The Ruberoid Company Limited.

INFORMATION SHEET : BUILT-UP ROOFING, No 2 : BOARDED ROOFS

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ROOFING

Subject : Ruberoid 2 : Built-up Standard Ruberoid Roofing on Wood Foundations. (For single-layer work suitable for semi-permanent or *temporary* flat roofs, see Sheet No. 1 of this Series).

Description :

Ruberoid consists of a fibrous sheet material designed to carry the maximum amount of weather-resisting bituminous compound, and having tensile strength to withstand the stress and strain to which the roofing may be subjected. The type of base and bituminous compound varies according to the service the particular grade of Ruberoid is designed to give.

Properties :

The Roofing is low in prime cost. It is economical to maintain. Over 50 years' experience shows that Ruberoid Roofs have a low maintenance cost. It can be fixed rapidly and is readily repaired if accientally damaged.

Being flexible it can be laid on roofs of any shape. It is resistant to acid and alkali fumes and sea air, and is a non-conductor of heat. It is unaffected by vibrations or extremes of temperature, and is also damp-, dust- and vermin-proof.

It does not require metal flashings and, as it is light in weight, it frequently enables a saving to be made in the construction of the roof.

Its low cost per year of service is one of its several advantages.

Sizes, Weights and Finishes :

Ruberoid Roofing is supplied in rolls 36 in. wide, containing 12 or 24 square yards (108 or 216 square feet). Its covering capacity is 100 square feet of roof to 12 yards of Ruberoid.

It is manufactured in various weights, finishes and colours, as follows :—

(1) *Ruberoid Standard Roofing, Grey.*

Made in three plies, of uniform quality, ranging in thickness.
1-ply (light) weighing 32½ lbs. per 100 square feet.
2-ply (medium) weighing 42½ lbs. per 100 square feet.
3-ply (heavy) weighing 52½ lbs. per 100 square feet.

(2) *Ruberoid Standard Roofing, Red.*

This is similar to standard grey Ruberoid, but is coloured red on its weather surface. The colour is permanent and does not fade. It is supplied in 1 and 2-ply only, weights as above.

(3) *Ruberoid Super Roofing.*

This is constructed with a base of Solka fibre which makes the finished roofing virtually unearable. Supplied in 2 and 3-ply only. Weights :—
2-ply 42 lbs. per 100 square feet.
3-ply 52 lbs. per 100 square feet.

(4) *Ruberoid Slate-Surfaced Roofing.*

This is similar in basic composition to standard Ruberoid roofing, but with a surface finish formed by rolling granules of natural slate into the surface, under pressure. It is supplied in three colours : Venetian red, Westmoreland slate green and steel blue. Weight : 85 lbs. per 100 square feet.

Uses of the Various Types of Ruberoid :

The types of Ruberoid above are recommended for use as follows :—

Ruberoid Standard Roofing. Grey or Red.

1-ply for small buildings that are not exposed to severe conditions.

2-ply for sloped roofs of medium area. Suitable for factories, industrial and agricultural buildings.

3-ply for large roofs and for buildings exposed to fumes of acids or alkalis.

Ruberoid Slate-Surfaced Roofing.

Suitable for roofs of bungalows, sports pavilions, garages and all buildings where the colour and appearance of the roof covering is of importance.

Ruberoid Super Roofing.

This is recommended for buildings on very exposed sites.

Ruberoid Astos Asbestos Roofing.

This is similar to Ruberoid Standard Roofing except that the base is of pure asbestos fibre which increases the fire resistance and lessens the tendency to buckle or expand. It is supplied in one weight only, 52 lbs. per 100 square feet. It is used and laid in a similar manner to 3-ply Standard Ruberoid (see description given below) principally for built-up roofs on large buildings, where two or more layers are specified.

Methods of Laying :

Built-up roofing is laid on boarding by nailing the first layer to the surface of the roof and thereafter applying further layers bedded in Ruberoid Compound. This Sheet illustrates methods of laying on boarded surfaces only. Methods of laying on concrete are dealt with in Sheet No. 3 of this series.

Specifications A, C and D :

The Makers recommend the use of Ruberoid in one or more layers according to service required, and for boarded roofs have prepared three typical specifications A, C and D for roofs with respectively 1, 2 or 3 layers of Ruberoid of suitable weight.

Typical sectional details of roof surfaces laid to specifications C and D are given at the head of this Sheet.

Roofs laid to specification A are shown on the first Sheet of this series. They are recommended for pitched roofs only. Roofs laid to specification C and D should be laid by the Manufacturers. They are built-up roofs of alternate layers of Ruberoid and Ruberoid Compound, which is a bituminous compound similar to that used in the manufacture of the roofing. When finished, the roofing is strong, efficient and durable, and can be laid on all types of flat, pitched or curved boarded roofs. (A minimum fall of 2 ins. to 10 ft. is recommended for flat roofs).

Detailed suggestions for alternative grades of Ruberoid roofings for use in Built-up roofs are given in the Manufacturer's publication "Standard Specifications for Ruberoid Roofs."

Roof Details :

Built-up roofing may also be used to cover concrete slabs or hollow tile verandah roofs, projecting shops, balconies, roofs of bay and dormer windows, concrete domes, valleys, etc.

Flat roofs require no drips or rolls or angle fillets, and all flashings except those of cesspools are made with the material itself. Sarking felt is unnecessary.

Boarding should be ¾ in. min. if T and G, and 1 in. if butt joints are used. It is the general contractors' work to prepare the roof surfaces to receive the Ruberoid, and this should include the planing down or removal of all upstanding edges and irregularities, and the proper sinking of nail heads. Similarly, the Manufacturers do not provide any ladders or scaffolding necessary for proper access to the roof.

Previous Sheets :

Previous Sheets dealing with Ruberoid Roofing and Waterproofing materials are Nos. 267, 304, 402, 404, 407 and 873.

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8. EXTENDED POWERS OF COMPULSORY PURCHASE

The conclusion we have reached is that the simplest and only effective method for achieving the desired results is to confer on the planning authority compulsory powers of purchase, much wider and more simple in operation than under existing legislation, over any land which may be required for planning or other public purposes. The purposes for which we recommend powers of purchase should be conferred are :

(*a*) *War-Damaged and other Reconstruction Areas*

We recommend that for the purpose of securing necessary redevelopment the planning authority should be given the power to purchase the whole of such areas.

We have considered whether, in arranging for development in a Reconstruction Area, dispossessed owners ought to be given preferential treatment in regard to the selection of sites, and have reached the conclusion that to impose on planning authorities a binding condition such as this might seriously handicap them in their freedom to replan or to exclude non-conforming uses. The matter of meeting dispossessed owners is really one of good administration. We accordingly recommend that no legal right to preferential treatment should be conferred on dispossessed owners of land in a Reconstruction Area, but that, as a matter of administration, in the disposing of land regard should be paid to the claims of the dispossessed owner who wishes to secure a site in the Reconstruction Area.

It may be possible for much of the work of rebuilding in the replanned area to be carried out by private enterprise and land should be made available to developers for approved development in accordance with the plan. In our view it is essential to secure that the land should not again be divided up among owners of small freeholds. We recommend, therefore, that once any interest in land has passed into public ownership it should be disposed of by way of lease only and not by way of sale, and that the authority should have the power to impose such covenants in the lease as planning requirements make desirable, breach of such covenants to be enforceable by re-entry.

Although this recommendation is made primarily in connection with Reconstruction Areas, we intend it to be of general application to any interest in land disposed of by a public authority.

(*b*) *Purchase for Acceleration of Planning*

The question arises what powers of purchase planning authorities should have in relation to areas other than those requiring comprehensive reconstruction for which we have recommended special powers of acquisition in paragraph (*a*) above. The existing powers conferred on planning authorities by Section 25 of the Town and Country Planning Act, 1932, enable land required for the purposes of the scheme to be acquired compulsorily, failing agreement, only after the scheme is in operation. As to this, we recommend that a power of compulsory acquisition should also be available before the scheme is in operation, provided Ministerial sanction of the proposed purchase is obtained.

In some areas where development or redevelopment in accordance with a planning scheme will not be carried out by owners in the near future, or at all, the planning authority should be authorized to acquire such land with a view to its disposition in favour of some person who will undertake the work. We therefore recommend that, where land is held up from development or redevelopment in accordance with the scheme, the authority should have power to acquire the land compulsorily with a view to enabling developers to carry out the desired work.

It may be that the necessary development or redevelopment is one upon which private enterprise is unwilling to engage. We therefore recommend that the authority should have compulsory powers to purchase land for positive development or redevelopment by the authority themselves, but only where this is essential to accelerate the carrying out of the planning scheme.

(*c*) *Purchase in Advance of Requirements*

By the Local Government Act, 1933, Section 158, and the London Government Act, 1939, Section 98, Parliament gave to local authorities, subject to the consent of the appropriate Minister, power to acquire land *by agreement* for the purpose of any of their powers and duties in advance of requirements, following in this regard the precedent to be found in the Housing Act, 1925, the Allotments Act, 1925, and in many local Acts. So far as we can trace the matter, the only instances of a power to acquire land *compulsorily* in advance of requirements are to be found in the Allotments Act, 1925, and in the Housing Act, 1936, which authorizes the authority, with the consent of the Minister, to acquire land for the provision of working-class houses compulsorily if it will be required for that purpose within ten years.

There can be little doubt that the power to purchase in advance of requirements is a valuable one from the point of view both of economy and convenience. Its convenience lies in the fact that the necessity for formulating proposals in detail is avoided.

In our opinion there is no reason why local authorities should not be empowered, subject to the consent of the appropriate Government Department, to acquire land in advance of requirements compulsorily as well as by agreement. We recommend therefore that this power should be granted to them, and that the power should not be subject to a qualification that the land is expected to be required for a defined purpose within a specified period of time.

(*d*) *Purchase for Re-instatement*

Section 25 of the Town and Country Planning Act, 1932, permits planning authorities to acquire land by agreement for the purpose of providing accommodation for persons whose premises have been purchased by the authorities for the purposes of the scheme, but precludes them from acquiring such land compulsorily. We are of opinion that the acquiring authority should be given every facility for offering alternative sites in such cases, and we therefore recommend that, under this and other relevant Acts, there should be vested in the authorities compulsory powers of purchase of land, whether within or outside their area, for the purpose of the provision of alternative accommodation for displaced persons, but this power should not be exercisable outside their area except with the consent of the appropriate Government Department.

(*e*) *Purchase for Recoupment*

The question whether local authorities should have power to purchase land for the purpose of securing any enhancement of value accruing thereto as a result of reconstruction, replanning or public improvements is a betterment problem which is considered at length in Chapter IX, and paragraph 283 of that Chapter contains our recommendation that such power should be granted.

(*f*) *Adjustment of Boundaries*

Cases sometimes arise where the interests of good planning require an adjustment, as between different properties, of boundaries or easements. In such cases it is usually found practicable to effect the necessary adjustment by negotiation, but, in order that suitable powers should be available to enforce the matter where necessary, we recommend that the local planning authority should be granted powers of compulsory purchase of any interest in or right over land for the purpose of making such adjustments in respect of boundaries and easements, including rights of light.

9. FINANCE

In recommending that these additional powers be conferred on local authorities our aim is to facilitate the operation of planning and reconstruction by providing a ready means of acquiring the land necessary for the purposes in view. It is true that the *existing provisions are inadequate and the procedure complicated, but effective planning has been held up largely for financial reasons.* A mere addition to the powers, or an improvement of the procedure, will be futile unless the financial difficulty is faced and dealt with. The objective should, in our view, be to provide full scope for the preparation of the best plan that can be devised. Planning and the

cost of making the land available for planning must be treated, as indeed they are, as separate and distinct questions. It lies outside our terms of reference to consider to what extent the cost of post-war reconstruction and modernization inside towns should fall on local resources or the extent, if any, to which they should be borne by national funds, but clearly the question is one which calls for immeduate consideration.

10. PRESENT METHOD OF RECOVERING BETTERMENT

The methods provided under existing Statutes for securing to public authorities the whole or a share of the increase in value of lands arising from public improvements or other action by the authority fall within the following three clearly defined categories :—

(*i*) *Recoupment*, where the authority responsible for a public improvement are empowered to purchase all or any of the lands in a defined area, adjoining the land taken by them for the purpose of the improvement, with the object of securing to the authority (by subsequent sale, lease, etc.) the benefit of any increase in value of that adjoining land brought about by the execution of the improvement ; the authority are thus able to recoup themselves for some part at least of the gross cost of the improvement.

(ii) *Set-off* of the betterment against compensation payable for the acquisition of, or injurious affection to, other lands of the same owner.

(iii) *Direct charge* upon all persons whose lands are increased in value by the improvement, etc.

We shall now consider in detail the working of each of these methods, their degree of effectiveness, their defects and the alternative schemes which have been suggested.

In our view purchase for recoupment is a sound principle and the most effective of the existing methods by which a public authority may secure increases in value of property which their activities have created. This is particularly so in the case of street improvements where, by purchasing the " back land " to a sufficient depth, the acquiring authority are able to make good development sites fronting on the new street which they can normally turn to profitable account by using them for the reinstatement of dispossessed owners (thus minimising compensation) or by disposing of them to others. Indeed, unless enough " back land " is acquired to preserve frontages, the authority will be faced with heavy claims for compensation from traders who, on being set back, have been left with sites of insufficient depth.

We accordingly recommend that local authorities should be given general powers to buy land compulsorily for recoupment purposes, subject to their obtaining the sanction of the Central Planning Authority (who, we assume, would in appropriate cases consult any other Government Department concerned) as regards the area to be acquired, and to their giving proper publication locally of their proposals so that affected parties may have the opportunity of making representations to the Central Planning Authority. It should be open to the Central Planning Authority, if they think fit, to depute a competent official to visit the locality to make informal enquiries into the matter, but in our view no public enquiry should be held, and there should be no right of appeal against the decision of the Central Planning Authority.

The principle of set-off is obviously equitable, but it suffers from two inherent limitations :—

(i) Betterment can only be collected by this method from those landowners from whom land is being acquired for the particular improvement.

(ii) The maximum amount which can be collected even where set-off can be made is the actual cost to the acquiring authority of the particular parcels of land which are being acquired, and the whole of the balance of the betterment due to the improvement is retained by the owners.

The question is, therefore, whether any effective substitute can be found for the system of set-off. We think the situation can be adequately met by extended powers of recoupment coupled with the proposals which we make later for a periodic levy on increases in annual site value as revealed by quinquennial assessments.

We accordingly recommend that, from the date that our scheme for a periodic levy on increases in annual site values is established by Act of Parliament, all statutory provisions for set-off against compensation whether on acquisition or for injurious affection should cease to operate, except in so far as they relate to increases in the value of undeveloped land outside " town areas " while it remains undeveloped.

If, however, our " periodic levy " scheme is not accepted and the system of set-off is to be maintained for what it is worth, we think that steps should be taken to extend the scope of its operation. In that event, we recommend the insertion in the Acquisition of Land (Assessment of Compensation) Act, 1919, of a general provision for setting off betterment against compensation payable on the compulsory acquisition of land by public authorities for whatever purpose. We wish to emphasise that, in making this conditional recommendation, our only point is that something is better than nothing.

Apart from a few local Acts which contain provisions for the recovery of direct charge of 75 per cent. of the betterment due to street improvements, sewers, etc., on the lines of Section 21 of the Town and Country Planning Act, 1932, that Act is at the present time the only Act providing for the recovery of betterment by direct levy.

While we unhesitatingly accept the principle of " betterment " as being a fair one, we are convinced that the segregation of " betterment " which is particularly ascribable to planning is impracticable. Even in peace time there are almost insuperable difficulties in isolating the effects of planning ordinances in the complex of influences causing changes of value ; and in the course of and after the present war these difficulties will be accentuated.

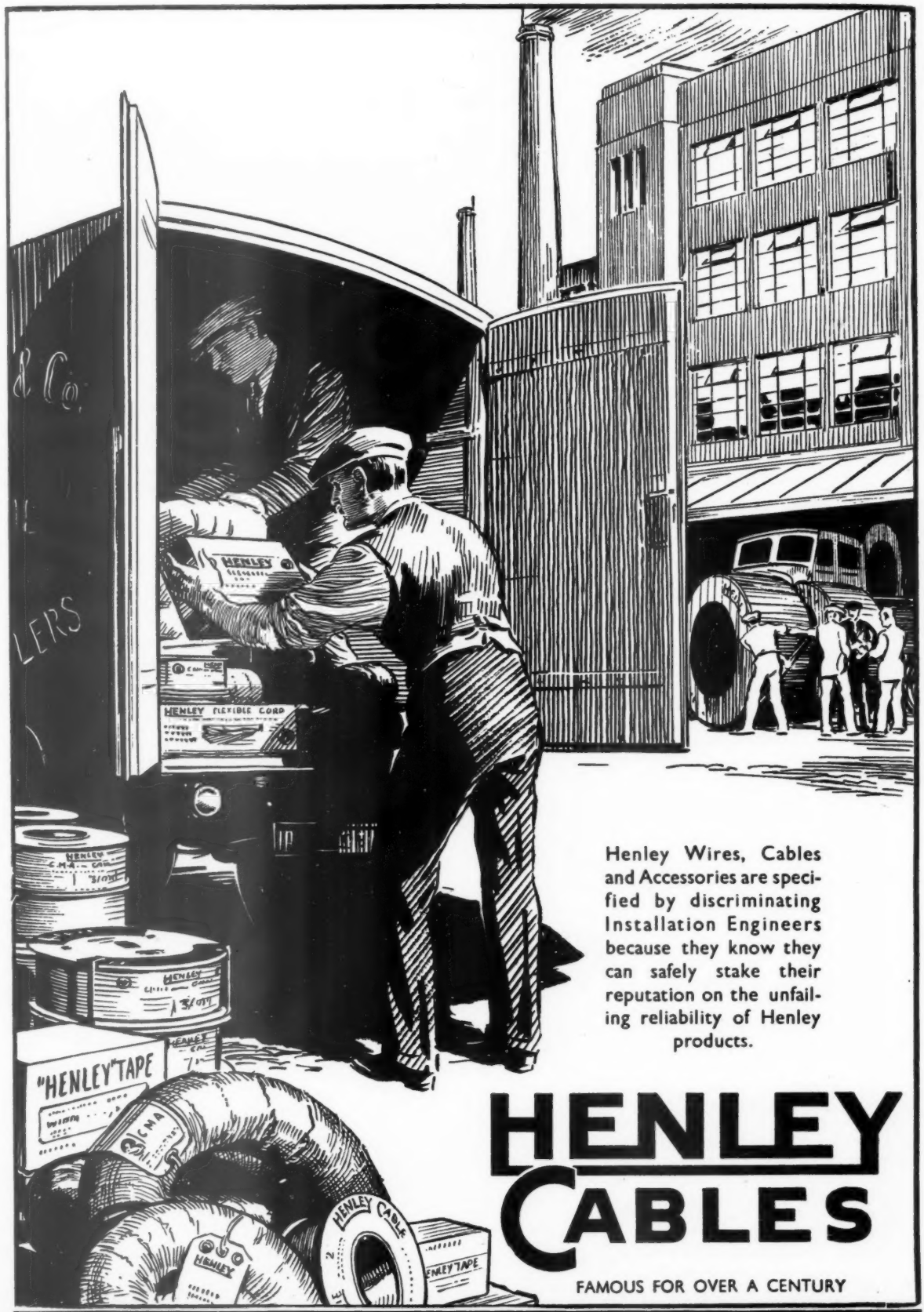
We accordingly recommend that, in view of the difficulties inherent in the present system of collecting betterment under the Town and Country Planning Act, 1932, and its failure to produce practical results, that system should be abandoned in favour of our scheme for a periodic levy on increases in annual site values. We make one qualification to this recommendation : our " periodic levy " scheme only applies to increases in annual site value occurring after land has been developed ; any provision in any Act (e.g. the Herts County Council Act, 1935, and the Herts County Council (Colne Valley Sewerage, etc.) Act, 1937) for the recovery of betterment in respect of increases in the value of undeveloped land while it remains undeveloped should therefore remain in force for what it is worth.

11. RECOMMENDED SCHEME FOR LEVY ON INCREASE IN ANNUAL SITE VALUES

We are forced to the conclusion that no *ad hoc* search for " betterment " in its present strict sense can ever succeed, and that the only way of solving the problem is to cut the Gordian knot by taking for the community some fixed proportion of the whole of any increase in site values without any attempt at precise analysis of the causes to which it may be due.

Before setting out our own proposals, we think it may be well to lay down certain fundamental principles to which any method for assessing and collecting a levy on increases in land values should conform if it is to be equitable and administratively practicable. They are :

(i) So far as the increase in value is due to the enterprise and expenditure of owners and developers, it must be excluded from charge—there must be no tax on improvements. This can only be secured by limiting the subject of the levy to increases in the value of the site, and, further, excluding from the increase in site value such part, if any, as has been created by the



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owner or developer, though, as a practical matter, this exclusion may have to take the form of an allowance of a fixed proportion of the total increase. Subject to this allowance, all the increase in site value, whether due to specific public improvements or to planning schemes or general community influences, is, however, a proper subject for levy.

(ii) Before any increase in site value can become a proper subject for levy, it must not only have occurred and have been proved, but must also have been realized or enjoyed or be realizable.

(iii) There must be no duplication of the levy. The recovery of "betterment" by direct charge or by set-off against compensation payable on public acquisition of land or for injurious affection, whether under general or local Acts, should accordingly cease to operate.

(iv) The community's share of increases in site values must be secured by one method and by one authority, however the proceeds may be ultimately applied.

It may be convenient at this stage, for the better understanding of our detailed proposals, to give the main outlines of our scheme, and we desire to emphasize at the outset that all the fundamental principles set out in the preceding paragraph have been taken into account in framing it.

We propose—

(i) That, as soon as the necessary legislation is passed, there shall be ascertained the annual site value of every rateable hereditament as actually developed, such value to be a fixed datum line from which to measure all future increases in annual site values. No valuation is to be made in the case of agricultural land and farmhouses.

(ii) That a revaluation should be made every five years of the annual site value as then developed.

(iii) That there should be a levy in each of the five years following each revaluation of a fixed proportion (say 75 per cent.) of the amount of any increase in the annual site value over the fixed datum line as revealed by the revaluation.

(iv) That the levy should be borne by the person actually enjoying or capable of realizing the increased value.

(v) That the necessary valuations should be made through the existing valuation machinery for ordinary rating purposes, and entered in the rating valuation lists.

12. AGRICULTURAL LAND

In England and Wales, agricultural land including farm buildings (other than the farmhouse itself) is not rateable, and therefore does not appear in the valuation list, but as soon as it is occupied for purposes other than agriculture (e.g., for building development) an entry for the property is made in the valuation list. It would be impossible—even were it our desire—to use the ordinary machinery we have suggested in order to determine the annual site values of all agricultural land in the country at the date of the initial valuation for the purposes of our scheme as none of it would be in the valuation lists; to ascertain those values at that date a separate *ad hoc* valuation would be necessary. Moreover it is not our intention to make a levy on betterment or increases in agricultural value.

The important question for consideration is how the full increase in the site value of the land on its becoming developed over its agricultural value can be brought into charge.

On the assumption that the "development rights scheme" we have recommended in Section 4 is accepted there will be no difficulty. The State, having acquired all development rights in agricultural land, no one will be able to develop agricultural land without obtaining a lease of the land from the State which will be able to secure, by means of the rent charged, the full increase in annual site value of the land over agricultural value which has accrued up to the date of first development. When the property first comes into the valuation list, it would, therefore, be sufficient to enter—at the same time—its annual site value relevant to its new state of development as the datum for measuring any increases in annual site value during the currency of the original State lease, or subsequent leases, or otherwise.

It is only necessary for us to add, without going into details, that we have been unable to find any satisfactory way of dealing with this matter if the "development rights scheme" is not accepted.

13. INCIDENCE OF LEVY

Having regard to the facts that the subject of the levy is not site value itself but only the increase in site value, that the increase is to be calculated on an annual basis and that the levy is to be a yearly one, we think that an overwhelming case can be made out for the proposition that the levy should be borne ultimately by the person who is for the year in question actually enjoying or is in a position to realize the increase in value. We therefore recommend that, when an increase in annual site value is revealed on any revaluation, the levy thereon should be borne by the person who is for the time being in enjoyment of the increase.

In the working out of the general principle we have laid down, it is important to remember that, on the passing of the Act giving effect to the scheme, and indeed some time before, all persons would have been warned of the possibility of liability to a levy on any increase in the annual site value, and all transactions of sale or lease after such warning would be entered into in the knowledge of this possibility, so that a purchaser, for instance would have had a chance to pay a lower price for property in view of the liability to levy of an increase in site value.

We have devised the periodic levy scheme primarily with a view to securing for the community a share of community-created increase in annual site values of property which is for the time being in full private ownership.

The question arises, therefore, of the application of the levy scheme where the property is in *public* ownership. The most important case is property falling within the "development rights scheme" recommended in Section 4. This scheme provides for the acquisition by the State of the development rights in all undeveloped land and of the owner's interest in the land when intended to be developed, and for the granting by the State of leases to developers. In our view it is desirable as a matter of general policy that the levy should be imposed in respect of property leased pursuant to that scheme. The matter is, we think, more than a matter of administration.

14. CENTRAL PLANNING AUTHORITY

We have stated our assumptions that planning is intended to be a reality and a permanent feature of the administration of the internal affairs of the country, and that the system of planning assumed is one of national planning with a high degree of initiation and control by the Central Planning Authority, which will have national as well as local considerations in mind, and that such control will be based on organized research into the social and economic life of the country and be directed to securing the use and development of land to the best advantage.

We have further stated that the Central Planning Authority we have in mind is an organization which does not yet exist, and that "planning" has a meaning not attached to it in any legislation nor, until recently, in the minds of the public. Put shortly, National Development is added to planning. We propose in this Chapter to use the term National Development.

Having set forth a scheme which will bring under the control of the Central Planning Authority all undeveloped land in the country outside town areas (and undeveloped land cannot be considered by the Central Planning Authority in isolation from inside town areas), we ought to state our views as to the form the Central Planning Authority might properly assume.

However the Central Planning Authority is constituted and whatever departmental arrangements are made, it is essential that there should exist means by which the requirements of agriculture, transport, public services and defence, as well as housing, industrial location, town siting and other matters, can be given proper weight and considered as a

whole. Co-ordination at the centre as respects the various Government Departments interested in particular aspects of planning is necessary. Without this the general lines on which National Development should proceed cannot be properly determined, nor the lands properly managed in the interests of National Development.

It is clear at the outset that the settlement of the broad principles of policy, the making of the schemes necessary to carry out that policy and the execution of the schemes are distinct matters.

In our view it would be a mistake if there were created a Government Department concerned with National Development, which would rank with existing Government Departments. What is wanted is thought at the centre, an informed vision, unified control of land use and co-ordination between the existing Departments.

We think that this can only be secured if there is set up a Minister—we call him the Minister for National Development—who should be specially charged with National Development. He should have no departmental cares, but he should have the advantage of a highly qualified staff informed as to the economic conditions and needs of the country, competent to put forward proposals for consideration and to advise on the economic and other questions (other than technical questions) arising out of schemes for development.

The broad principles of policy would, we apprehend, be settled by the Cabinet after consideration by a Committee of Ministers presided over by the Minister for National Development. The making of schemes necessary to carry out that policy would fall to the Committee of Ministers presided over by the Minister for National Development. Upon those schemes the Committee would have the assistance of the various Government Departments.

The actual execution of the schemes and formulation of detailed plans would fall to the Government Department concerned.

The planning functions of the Minister of Works and Planning under the present legislation appear to us to fall directly within the sphere of the Minister for National Development. Clearly the control of the "development rights scheme" and the exercise of the powers arising under it also fall within the sphere of the Minister for National Development. In our view general matters connected with development of land should be kept under the one hand and should be under the personal direction of the Minister for National Development.

The next question is what organization should, consistently with the principles set out in the previous paragraph, be set up so as to secure that the Minister is not concerned with matters of day-to-day administration, that administration is properly handled and that local authorities, private developers, and landowners have ready access to informed advice and authoritative direction. In our view a suitable organization would be a Commission on the lines of the War Damage Commission. To the Commission so set up definite powers—including the powers arising under the Town and Country Planning Act and the "development rights scheme" should be given. The control of the Minister for National Development—and, with that, Parliamentary control—should be secured by empowering the Minister to give directions to the Commission.

We would make only two observations upon the composition of the Commission. First, it is necessary that there should be a full-time Chairman and that it should include a member of the economic staff of the Minister. Second, it would be an advantage if no other members were full-time members. The opportunity should be seized of securing the service upon the Commission of persons who, by their experience of public affairs, their knowledge of the needs of industry or their knowledge of land utilization, will ensure common sense administration, and command for the Commission the confidence of the public.

Mr. Justice UTHWATT (*Chairman*)
JAMES BARR
C. GERALD EVE
RAYMOND EVERSHED, K.C.
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[THE END]

THE ARCHITECTS' JOURNAL

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Q 961

SURVEYOR, DURHAM.—*"A" submitted PLANS to a local authority FOR A proposed GARAGE. The council at a monthly meeting deferred consideration of the plans for a further month and then REJECTED them. "A" now claims that as the plans were not dealt with within the prescribed period (i.e., four weeks from their submission), the council has lost its right to pass or reject them and proposes to erect the garage. (a) Is "A" within his right in doing this?; and (b) Can the council take any action to stop the garage being erected. (Please give Section P.H.A.* 1936). *The garage would be approximately* 150 *ft. by* 80 *ft. The council rejected the plans under Section* 25, *P.H. Act*, 1936 *only, and not under any bye-laws. The only bye-laws in existence are the recently made building bye-laws and they do not vary from those made some time ago by the Ministry of Health as a standard guide.*

Section 65, para. 5 of the Public Health Act, 1936, makes it clear that the local authority has the right to apply for an injunction for the removal of any work that contravenes any enactment of the Act. It also states that if plans were deposited and notice of their rejectment was not given within the prescribed period, the Court, on granting an injunction, has the power to order the local authority to pay such compensation to the owner as the Court thinks fit.

Thus the answers to questions (*a*) and (*b*) are "yes," but it is unlikely that the Court would grant compensation if the local authority had given notice of rejectment within a reasonable period and before work had started. The owner would, therefore, be foolish to proceed.

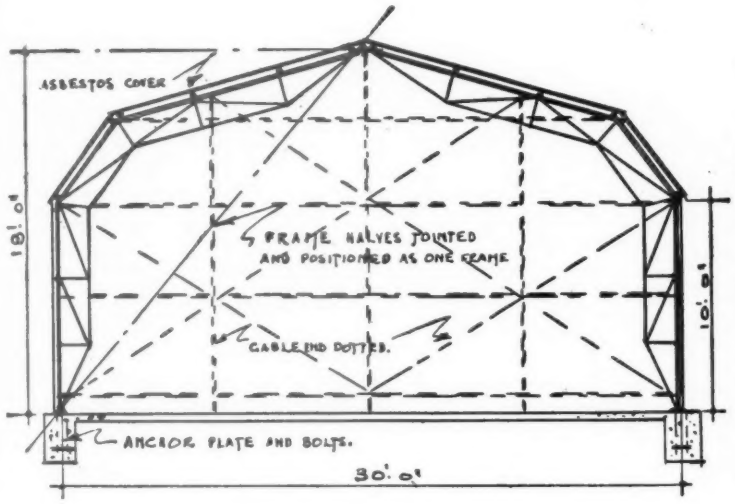
If plans are deposited less than three clear days before a meeting of the local authority, and meetings are not held more frequently than once a month, the prescribed period may be five weeks and not one month as stated in your enquiry (see Section 64, para. 4, of the Public Health Act and also the Model Bye-Laws).

Q 962

ARCHITECT, SOMERSET.—*In* 1939 *the R.I.B.A. issued a memorandam for students preparing for the ASSOCIATESHIP EXAMINATION and stated under the heading of steel construction that the revision of the Steel Code in*

PATENT WELDED TUBULAR CONSTRUCTION

Data Sheet No. 6



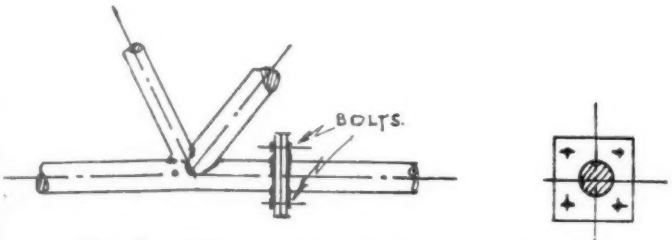


Fig. 3. DETAIL. JOINT FOR SMALL SPANS.

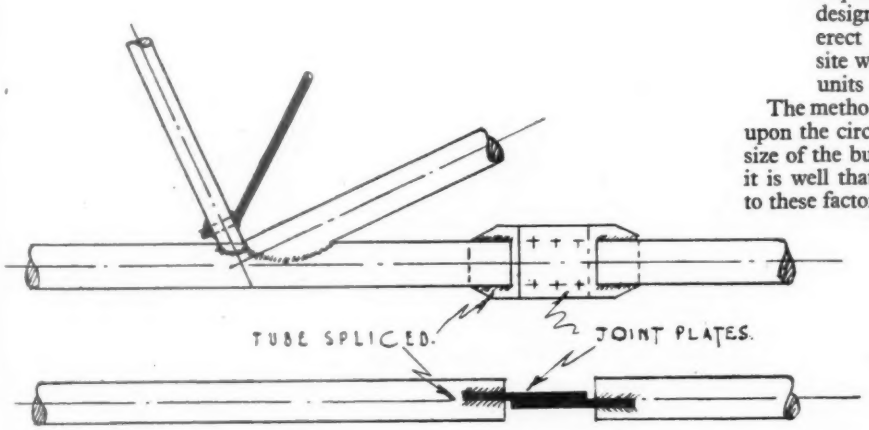


Fig. 4. Bolt connection for larger trusses.

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(1) Complete factory prefabrication, leaving assembly only to be carried out on the site.

(2) Site welding. The welding of the final fixings and connections is sometimes more satisfactorily effected on the site ; where site welding is not practicable or economical special bolt joint or joint plates are supplied for such connections (see Figs. 3 and 4 reproduced from data sheet No. 3).

(3) Site fabrication and welding. In certain circumstances complete site fabrication is advantageous. Though more costly than factory prefabrication, in cases where transport costs are heavy and access to the site difficult, and where the fabricated sections required are large in number and simple in design, it sometimes proves economical to erect temporary portable workshops on the site where the fabricators and mobile welding units can execute the whole of their work.

The method to be adopted is in each case dependent upon the circumstances prevailing, and the type and size of the building, or buildings, to be erected, and it is well that proper consideration should be given to these factors before a decision is made.

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1936 *rendered almost all existing books obsolete. I have Reynolds and Kent "Structural Steelwork," 1936 Edition, Waldram's "Structural Mechanics," Second Edition* (1930), *Faber's "Simple Examples in R.C. Construction," second impression, and several other text books of this period. Can you inform me to what extent these books are obsolete for study purposes? (I am sitting for the examination this year). Can you recommend other books that have been published later?*

We cannot undertake to go through the books you mention and point out exactly which examples are not in accordance with the latest code. You can take it that the fundamental principles have not changed, and that the only difference would be in the safety margin, etc., allowed. In any case "Structural Steelwork," by Reynolds and Kent (1936 edition), was published after the revised steel code was made known, and it should be up to date.

We could give you a list of other books, but a list of titles is seldom satisfactory. Moreover, we could not guarantee that the books cover and do not exceed the syllabus of the examinations. You could visit the R.I.B.A. or some other technical library, when you could see for yourself what books are available, and select those you would like to buy. The best plan would be to take up the matter with the R.I.B.A. direct.

Q 963

ARCHITECT, BUCKS.—*I am an architect in private practice, 38 years of age, and was de-reserved in February of this year and received a six-months deferment expiring at the end of September. I have received an OFFER OF A JOB OF NATIONAL IMPORTANCE. Am I at liberty to accept it or does my conditional reservation prevents me?*

You should take up the matter with your local National Service Office, the address of which is given on the N.S.2 form.

Q 964

ARCHITECT, DUBLIN.—*In preparing plans for an extension to a small CINEMA, I have drawn the SIGHT LINES FOR the SCREEN at an angle of 35°, measured off a line parallel to the floor which is raked upwards. The local authority insists that the angle of 35° be measured at right angles to the screen, which involves a loss of a row of seats.*

Local authorities' requirements vary, but in our opinion the angle must be measured from eye level, i.e. a truly level or horizontal line. If the angle is measured merely from the line of sight when looking straight ahead, it would vary with the tilt of the seat or with the slope of the floor, and would have little practical value.

Q 965

STUDENT, LONDON.—*I am a probationer R.I.B.A., with two years' experience in a municipal corporation office, studied at the Northern Polytechnic, Highbury, and the Willesden School of Art, evenings and part daytime, aged 19.*

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Q 966

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