1989 No. 129

LAND DEVELOPMENT VALUES

Planning Blight Regulations (Northern Ireland) 1989

Made	*5th April 1989*
Coming into operation . .	*7th May 1989*

The Department of the Environment, in exercise of the powers conferred on it by Articles 5(1), 6(1), 12(1) and 14(1) of the Planning Blight (Compensation) (Northern Ireland) Order 1981(**a**) (hereinafter referred to as "the Order") and of all other powers enabling it in that behalf, hereby makes the following regulations:

Citation and commencement

1. These regulations may be cited as the Planning Blight Regulations (Northern Ireland) 1989 and shall come into operation on 7th May 1989.

Blight notices and counter-notices

2. (*a*) a blight notice for the purposes of Article 5 of the Order,

(*b*) a mortgagee's blight notice for the purposes of Article 12 of the Order,

(*c*) a personal representative's blight notice for the purposes of Article 14 of the Order,

(*d*) a counter-notice for the purposes of Article 6 of the Order,

shall be as set out in Forms 1, 2, 3 and 4 respectively in the Schedule.

Revocation

3. The Planning Blight Regulations (Northern Ireland) 1978(**b**) are hereby revoked.

Sealed with the Official Seal of the Department of the Environment on 5th April 1989.

(L.S.) *Douglas B. McIldoon*
Assistant Secretary

(**a**) S.I. 1981/608 (N.I. 16)
(**b**) S.R. 1978 No. 333

SCHEDULE Regulation 2

FORM 1

PLANNING BLIGHT (COMPENSATION) (NORTHERN IRELAND) ORDER 1981

Blight Notice

To: [1]

at [2]

I [3]

pursuant to the provisions of Article 5 of the Planning Blight (Compensation) (Northern Ireland) Order 1981 (hereinafter called "the Order") HEREBY GIVE YOU NOTICE:—

1. I am entitled to the interest set out in the First Schedule hereto in the [hereditament] [agricultural unit]* described in the Second Schedule hereto.

2. [The] [Part of the]* hereditament or agricultural unit has been included in land falling within paragraph [4] of Article 3 of the Order.

3. I have made reasonable endeavours to sell the said interest but in consequence of the fact that it was, or was likely to be, so included, I have been unable to sell it except at a price substantially lower than that for which it might reasonably have been expected to sell if no part of the hereditament or unit were, or were likely to be, so included. Particulars of these endeavours are set out [below] [in the letter accompanying this notice].* [5]

4. The said interest qualifies for protection under the Order because [6]

EITHER

[it is that of resident owner-occupier, within the meaning of Article 4(2) of the Order.]*

OR

[it is that of owner-occupier, within the meaning of Article 4(3) of the Order, of an agricultural unit.]*

OR

[it is that of owner-occupier, within the meaning of Article 4(4) of the Order, of a hereditament the annual value of which does not exceed £2,250.]*

[5. [The] [The part of the]* agricultural unit in which I am entitled to an interest contains land which does not fall within any of the descriptions set out in Article 3 of the Order as well as land that does so and that area which is unaffected is not reasonably capable of being farmed either by itself or in conjunction with other relevant land (as defined in Article 9(2) of the Order) as a separate agricultural unit.]*

6. [I therefore require you to purchase my interest in the hereditament or agricultural unit.]*

OR

[I therefore require you to purchase my interest in [the whole of the agricultural unit] [the whole of that part of the agricultural unit to which this notice relates].]* [8].

FIRST SCHEDULE

Particulars of interest in land, together with names and addresses of any mortgagees thereof and a note of any other encumbrances thereon.

SECOND SCHEDULE

Particulars of the hereditament or agricultural unit. A plan should be attached to identify the land if this is necessary.

Dated ..... Signed [9] .....

*Delete where inappropriate.

FORM 2

PLANNING BLIGHT (COMPENSATION) (NORTHERN IRELAND) ORDER 1981

Mortgagee's Blight Notice

To: [1]

at [2]

I [3]

pursuant to the provisions of Article 12 of the Planning Blight (Compensation) (Northern Ireland) Order 1981 (hereinafter called "the Order") HEREBY GIVE YOU NOTICE:—

1. I am entitled as mortgagee (by virtue of a power which has become exercisable) to sell the interest (hereinafter called "the said interest") set out in the First Schedule hereto in the [hereditament] [agricultural unit]* described in the Second Schedule hereto, giving immediate vacant possession of the land.

2. [The] [Part of the]* hereditament or agricultural unit has been included in land falling within paragraph [4] of Article 3(1) of the Order.

3. I have made reasonable endeavours to sell the said interest but in consequence of the fact that it was, or was likely to be, so included, I have been unable to sell it except at a price substantially lower than that for which it might reasonably have been expected to sell if no part of the hereditament or unit were, or were likely to be, so included. Particulars of these endeavours are set out [below] [in the letter accompanying this notice].* [5]

4. The person entitled (otherwise than as mortgagee) to the said interest [6]

EITHER

[is either a resident owner-occupier of a hereditament within the meaning of Article 4(2) of the Order or was such a resident owner-occupier on an earlier date not more than six months before the service of this notice, on which earlier date, namely , the particulars in paragraph 2 above were correct in relation to the hereditament.]* [7]

OR

[is either an owner-occupier, within the meaning of Article 4(3) of the Order, of an agricultural unit or was such an owner-occupier on an earlier date, not more than six months before the service of this notice, on which earlier date, namely , the particulars in paragraph 2 above were correct in relation to the agricultural unit.]* [7]

OR

[is either an owner-occupier, within the meaning of Article 4(4) of the Order, of a hereditament the annual value of which does not exceed £2,250 or was such an owner-occupier on an earlier date, not more than six months before the service of the notice, on which earlier date, namely , the particulars in paragraph 2 above were correct in relation to the hereditament.]* [7]