1971. No. 276 **[C]**

TOWN AND COUNTRY PLANNING

Planning Blight Regulations

REGULATIONS, DATED 31ST AUGUST 1971, MADE BY THE MINISTRY OF DEVELOPMENT UNDER SECTIONS 3, 5 AND 10 OF THE PLANNING AND LAND COMPENSATION ACT (NORTHERN IRELAND) 1971.

The Ministry of Development, in exercise of the powers conferred upon it by sections 3, 5 and 10 of the Planning and Land Compensation Act (Northern Ireland) 1971(a) (hereinafter referred to as "the Act"), hereby makes the following regulations:—

Citation and commencement

1. These Regulations may be cited as the Planning Blight Regulations (Northern Ireland) 1971 and shall come into operation on 1st October 1971.

Blight notices and counter-notices

2. A blight notice for the purposes of section 3 of the Act, a mortgagee's blight notice for the purposes of section 4 of the Act and a counter-notice for the purposes of section 5 of the Act shall be in Forms 1, 2 and 3 respectively as set out in the Schedule.

Sealed with the Official Seal of the Ministry of Development for Northern Ireland this 31st day of August 1971.

(L.S.)

C. D. Hoey,
Senior Assistant Secretary.

(a) 1971. c. 23 (N.I.).

SCHEDULE

FORM 1

PLANNING AND LAND COMPENSATION ACT (NORTHERN IRELAND) 1971

Blight Notice

To: [1]

at [2]

I [3] of

pursuant to the provisions of section 3 of the Planning and Land Compensation Act (Northern Ireland) 1971 (hereinafter called "the Act") HEREBY GIVE YOU NOTICE:—

1. I am entitled to the interest set out in the First Schedule hereto in the hereditament described in the Second Schedule hereto.

2. [The] [Part of the] * hereditament has been included in land falling within paragraph [4] of section 1(1) of the Act.

3. I have made reasonable endeavours to sell the said interest but 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 were so included. Particulars of those efforts are set out [below] [in the letter accompanying this notice]. * [5]

4. The said interest qualifies for protection under Part I of the Act because [6]

EITHER

[it is that of resident owner-occupier, within the meaning of section 2(3) of the Act.] *

OR

[it is that of owner-occupier, within the meaning of section 2(2) of the Act, of an agricultural hereditament.] *

OR

[it is that of owner-occupier, within the meaning of section 2(2) of the Act, of a hereditament to which section 1 of the Revaluation (Amendment and Consequential Provisions) Act (Northern Ireland) 1957 applies, the annual value of which does not exceed £400.] *

OR

[it is that of owner-occupier, within the meaning of section 2(2) of the Act, of a hereditament which is neither an agricultural hereditament nor one to which section 1 of the Revaluation (Amendment and Consequential Provisions) Act (Northern Ireland) 1957 applies, the annual value of which does not exceed £500.] *

5. I therefore require you to purchase my interest in the hereditament.

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. A plan should be attached to identify the land if this is necessary.

Dated ..... Signed .....

**Delete where inappropriate.*

FORM 2

PLANNING AND LAND COMPENSATION ACT (NORTHERN IRELAND) 1971

Mortgagee's Blight Notice

To: [1]

at [2]

I [3] of

pursuant to the provisions of section 4 of the Planning and Land Compensation Act (Northern Ireland) 1971 (hereinafter referred to as "the Act") 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 described in the Second Schedule hereto, giving immediate vacant possession of the land.

2. [The] [Part of the] * hereditament has been included in land falling within paragraph [4] of section 1(1) of the Act.

3. I have made reasonable endeavours to sell the said interest but 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 were so included. Particulars of these endeavours are set out [below] [in the letter accompanying this notice]. * [5]

4. I am entitled to take advantage of the provisions of Part I of the Act because the person entitled (otherwise than as mortgagee) to the said interest [6]

EITHER

[is *either* a resident owner-occupier of the hereditament within the meaning of section 2(3) of the Act *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 section 2(2) of the Act, of an agricultural hereditament *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 hereditament.] * [7]

OR

[is *either* an owner-occupier, within the meaning of section 2(2) of the Act, of a hereditament to which section 1 of the Revaluation (Amendment and Consequential Provisions) Act (Northern Ireland) 1957 applies, the annual value of which does not exceed £400 *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]

OR

[is *either* an owner-occupier, within the meaning of section 2(2) of the Act, of a hereditament which is neither an agricultural hereditament nor one to which section 1 of the Revaluation (Amendment and Consequential Provisions) Act (Northern Ireland) 1957 applies, the annual value of which does not exceed £500 *or* was such an owner-occupier on an earlier date, not more than six month 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]

**Delete where inappropriate.*