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STATUTORY INSTRUMENTS

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**1990 No. 1510**

**The Planning and Building Regulations  
(Amendment) (Northern Ireland) Order 1990**

**PART II**

**PLANNING**

*Amendments to the Planning (Northern Ireland) Order 1972*

**Compulsory acquisition of listed buildings**

**23.**—(1) In Article 86(1) of the Planning Order (grounds for compulsory acquisition of listed buildings) for the words from “owing” to “(is)repair” there shall be substituted the words “, in the case of a listed building to which this paragraph applies, reasonable steps are not being taken for properly preserving it”.

(2) At the end of Article 86 of the Planning Order there shall be added the following paragraphs—

“(4) The Department shall not commence proceedings for the compulsory acquisition of a building under this Article unless at least two months previously it has served on the owner of the building, and not withdrawn, a notice (in this Article referred to as a “repairs notice”)—

- (a) specifying the works which the Department considers reasonably necessary for the proper preservation of the building; and
- (b) explaining the effect of this Article.

(5) Where the Department has served a repairs notice, the demolition of the building thereafter shall not prevent the Department from being authorised under this Article to acquire compulsorily the site of the building, if the Department is satisfied that it would have made a vesting order in respect of the building had it not been demolished.

(6) The Department may at any time withdraw a repairs notice served by it; and if it does so, it shall forthwith give notice of the withdrawal to the person who was served with the repairs notice.”.