

SCHEDULES

SCHEDULE 4

Section 179(4).

AMENDMENTS TO THE LAND DEVELOPMENT VALUES (COMPENSATION) ACT (NORTHERN IRELAND) 1965 (C. 23)

1 In section 15—

- (a) in subsection (1) for “a development plan for the area in which the land is situated” substitute “ a local development plan ”;
- (b) in subsection (5) for the words from “Article 32” to the end substitute “ section 58 of the Planning Act in respect of that decision ”.

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Commencement Information

- I1** Sch. 4 para. 1 in operation at 13.2.2015 for specified purposes by S.R. 2015/49, art. 2, Sch. 1
- I2** Sch. 4 para. 1 in operation at 1.4.2015 in so far as not already in operation by S.R. 2015/49, art. 3, Sch. 1 (with Sch. 2) (as amended (16.3.2016) by S.R. 2016/159, art. 2)

2 In section 18(3) and (4) for “Article 38 of the Planning Order” substitute “ section 68 or 72 of the Planning Act ”.

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Commencement Information

- I3** Sch. 4 para. 2 in operation at 13.2.2015 for specified purposes by S.R. 2015/49, art. 2, Sch. 1
- I4** Sch. 4 para. 2 in operation at 1.4.2015 in so far as not already in operation by S.R. 2015/49, art. 3, Sch. 1 (with Sch. 2) (as amended (16.3.2016) by S.R. 2016/159, art. 2)

3 In section 18(4) for “Order” substitute “ Act ”.

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Commencement Information

- I5** Sch. 4 para. 3 in operation at 13.2.2015 for specified purposes by S.R. 2015/49, art. 2, Sch. 1
- I6** Sch. 4 para. 3 in operation at 1.4.2015 in so far as not already in operation by S.R. 2015/49, art. 3, Sch. 1 (with Sch. 2) (as amended (16.3.2016) by S.R. 2016/159, art. 2)

4 In sections 26(1), (4), (5) and (6), 27(5) and 30 for “Article 38 of the Planning Order” substitute “ section 68 or 72 of the Planning Act ”.

Commencement Information

I7 Sch. 4 para. 4 in operation at 13.2.2015 for specified purposes by S.R. 2015/49, art. 2, Sch. 1

I8 Sch. 4 para. 4 in operation at 1.4.2015 in so far as not already in operation by S.R. 2015/49, art. 3, Sch. 1 (with Sch. 2) (as amended (16.3.2016) by S.R. 2016/159, art. 2)

5 In section 26, after subsection (7) insert—

“(8) Claims under this section shall be made to and paid by the council which made the order in question or, where the order was made by the Department under section 72 of the Planning Act, the council which is treated as having made it under that section.”.

Commencement Information

I9 Sch. 4 para. 5 in operation at 13.2.2015 for specified purposes by S.R. 2015/49, art. 2, Sch. 1

I10 Sch. 4 para. 5 in operation at 1.4.2015 in so far as not already in operation by S.R. 2015/49, art. 3, Sch. 1 (with Sch. 2) (as amended (16.3.2016) by S.R. 2016/159, art. 2)

6 In section 27(5), for the words from “with the substitution” to the end substitute “with the substitution—

(a) for references to a planning decision, of references to the order under section 68 or 72 of the Planning Act in consequence of which the compensation for depreciation is payable;

(b) for paragraph (a) of subsection (1) of the following paragraph—

“(a) the council must serve on—

(i) any person making a claim in relation to the compensation;
and

(ii) the Department,

a notice in the prescribed form containing particulars of the payment and, if an apportionment has been made under section 21, of that apportionment.”.

Commencement Information

I11 Sch. 4 para. 6 in operation at 13.2.2015 for specified purposes by S.R. 2015/49, art. 2, Sch. 1

I12 Sch. 4 para. 6 in operation at 1.4.2015 in so far as not already in operation by S.R. 2015/49, art. 3, Sch. 1 (with Sch. 2) (as amended (16.3.2016) by S.R. 2016/159, art. 2)

7 In section 43(1), in the definition of “planning decision” for “Part 4 of the Planning Order” substitute “ Part 3 of the Planning Act ” and after that definition insert—

““the Planning Act” means the Planning Act (Northern Ireland) 2011;”.

Changes to legislation: There are currently no known outstanding effects for the Planning Act (Northern Ireland) 2011, SCHEDULE 4. (See end of Document for details)

Commencement Information

- I13** Sch. 4 para. 7 in operation at 13.2.2015 for specified purposes by S.R. 2015/49, art. 2, Sch. 1
- I14** Sch. 4 para. 7 in operation at 1.4.2015 in so far as not already in operation by S.R. 2015/49, art. 3, Sch. 1 (with Sch. 2) (as amended (16.3.2016) by S.R. 2016/159, art. 2)

8 In Schedule 1—

- (a) in paragraph 10(b) for “the Planning Order” substitute “ the Planning Act ”;
- (b) in paragraph 12(2) for “Article 68 of the Planning Order” substitute “ section 138 or 139 of the Planning Act ”;
- (c) in paragraph 12(3)—
- (i) for “Planning Order” substitute “ Planning Act ”;
- (ii) for “that Order” substitute “ that Act ”.

Commencement Information

- I15** Sch. 4 para. 8 in operation at 13.2.2015 for specified purposes by S.R. 2015/49, art. 2, Sch. 1
- I16** Sch. 4 para. 8 in operation at 1.4.2015 in so far as not already in operation by S.R. 2015/49, art. 3, Sch. 1 (with Sch. 2) (as amended (16.3.2016) by S.R. 2016/159, art. 2)

Changes to legislation:

There are currently no known outstanding effects for the Planning Act (Northern Ireland) 2011, SCHEDULE 4.