

---

STATUTORY INSTRUMENTS

---

**1978 No. 1049**

**Pollution Control and Local Government  
(Northern Ireland) Order 1978**

**PART III**

**NOISE**

Supplemental

**Appeals**

**50.**—(1) Regulations may make provision as to appeals under this Part to the Department or to courts of summary jurisdiction; and the regulations may in particular—

- (a) include provisions comparable to those in section 42 of the Public Health Acts Amendment Act 1907 (appeals against notices requiring the execution of works);
- (b) prescribe the cases in which a notice under this Part is, or is not, to be suspended until the appeal is decided, or until some other stage in the proceedings;
- (c) prescribe the cases in which the decision on appeal may in some respects be less favourable to the appellant than the decision from which he is appealing;
- (d) prescribe the cases in which the appellant may claim that a notice should have been served on some other person and prescribe the procedure to be followed in those cases.

(2) Regulations may prescribe the procedure and practice as respect appeals to the Department under this Part, and in particular may make provision as respects—

- (a) the particulars to be included in the notice of appeal;
- (b) the persons on whom notice of appeal is to be served and the particulars, if any, to accompany the notice; and
- (c) the abandonment of an appeal.

(3) In entertaining any appeal under this Part the Department or, as the case may be, the court of summary jurisdiction shall have regard to any duty imposed by law on the appellant which concerns the activities in the course of which the noise is emitted.

**Changes to legislation:**

There are currently no known outstanding effects for the Pollution Control and Local Government (Northern Ireland) Order 1978, Section 50.