
STATUTORY INSTRUMENTS

1978 No. 1049

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

PART VI

MISCELLANEOUS AND GENERAL

Miscellaneous functions of district councils

Ruinous and dilapidated buildings and neglected sites

66.—(1) If it appears to a district council that a building or structure is by reason of its ruinous or dilapidated condition seriously detrimental to the amenities of the neighbourhood, the district council may by notice require the owner thereof—

- (a) to execute such works of repair or restoration, or
- (b) if he so elects, to take such steps for demolishing the building or structure, or any part thereof, and removing any rubbish or other material resulting from or exposed by the demolition,

as may be necessary in the interests of amenity.

(2) If it appears to a district council that rubbish or other material resulting from, or exposed by, the demolition or collapse of a building or structure is lying on the site or on any adjoining land, and that by reason thereof the site or land is in such a condition as to be seriously detrimental to the amenities of the neighbourhood, the district council may by notice require the owner of the site or land to take such steps for removing the rubbish or material as may be necessary in the interests of amenity.

(3) Section 269 of the Public Health (Ireland) Act 1878, section 7 of the Public Health Acts Amendment Act 1890 and section 7 of the Public Health Acts Amendment Act 1907 (appeals) shall apply in relation to any notice served under this Article.

(4) A notice served under paragraph (1) or (2) shall indicate both the nature of the works of repair or restoration and the works of demolition and removal of rubbish or material.

(5) Subject to the right of appeal under paragraph (3), if a person on whom a notice is served under paragraph (1) or (2) fails to comply with the notice then—

- (a) he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding^[F1] level 4 on the standard scale; and
- (b) the district council which served the notice may do what that person was required by the notice to do and may recover from him any expenses reasonably incurred by the council in doing it.

(6) Where a person is convicted under paragraph (5) in respect of a failure to comply with a notice and the failure continues after conviction, he shall be guilty of a further offence under paragraph (5) and shall be liable on summary conviction, in addition to the fine specified in that paragraph, to a fine not exceeding^[F1] level 3 on the standard scale] for every day subsequent to the day on which he

Changes to legislation: There are currently no known outstanding effects for the Pollution Control and Local Government (Northern Ireland) Order 1978, Section 66. (See end of Document for details)

is first convicted of an offence under that paragraph on which the failure continues and before the day on which the district council has begun to exercise its powers under paragraph (5)(b).

(7) This Article shall not apply to any advertisement as defined in [^{F2}section 250(1) of the Planning Act (Northern Ireland) 2011] .

F1 1984 NI 3

F2 Words in art. 66(7) substituted (13.2.2015 for specified purposes, 1.4.2015 in so far as not already in operation) by [Planning Act \(Northern Ireland\) 2011 \(c. 25\)](#), s. 254(1)(2), **Sch. 6 para. 20** (with s. 211); S.R. 2015/49, arts. 2, 3, Sch. 1 (with Sch. 2 (as amended (16.3.2016) by S.R. 2016/159, art. 2))

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