
STATUTORY INSTRUMENTS

1981 No. 156

Housing (Northern Ireland) Order 1981

PART III

DEVELOPMENT FUNCTIONS OF THE EXECUTIVE

CHAPTER III

RE-DEVELOPMENT AREAS

Approval and amendment of re-development schemes and making of vesting orders

49.—(1) If—

- (a) no objections are made to a re-development scheme or to the making of the vesting order; or
- (b) all objections to a re-development scheme and to the making of the vesting order are withdrawn;

the Department may approve the scheme with or without amendment and may make an order under Article 87 vesting in the Executive the land within the re-development area or so much thereof as the Department thinks proper.

(2) If objections made to a re-development scheme or to the making of the vesting order are not withdrawn the Department, unless it is satisfied that the objections are of a frivolous or vexatious nature, shall—

- (a) cause a public local inquiry to be held; and
- (b) consider any objections not withdrawn and the report of the person who held the inquiry;

and may thereafter approve the scheme with or without amendment and make an order under Article 87 vesting in the Executive the land within the re-development area or so much thereof as the Department thinks proper.

(3) On receipt of notice that the Department has approved a re-development scheme and made a vesting order, the Executive shall publish in one or more than one newspaper circulating in the area specified in the approved scheme as the re-development area (in this Chapter referred to as “the re-development area”) a notice—

- (a) referring to the approval of the re-development scheme and describing the re-development area;
- (b) stating that a vesting order has been made;
- (c) specifying the place at which copies of the approved scheme and the vesting order may be inspected at reasonable times.

(4) On receipt of notice that the Department has refused to approve a re-development scheme or to make a vesting order, the Executive shall publish in one or more than one newspaper circulating in the proposed re-development area a notice referring to that refusal.

Changes to legislation: *Housing (Northern Ireland) Order 1981, Section 49 is up to date with all changes known to be in force on or before 27 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(5) On receipt of notice that the Department has approved or refused to approve a re-development scheme or has made or refused to make a vesting order, the Executive shall serve a notice containing the particulars referred to in paragraph (3) or, as the case may be, paragraph (4), on every person on whom a notice was served under Article 48(2)(b).

(6) Subject to paragraph (7), the Executive may at any time, and if so directed by the Department shall, prepare and submit to the Department proposals—

- (a) for amending an approved re-development scheme; or
- (b) for amplifying or modifying an approved re-development scheme in so far as it relates to the manner in which the re-development area is to be laid out and the land therein used;

and the Department may—

- (i) approve such proposals with or without amendment, and
- (ii) amend or, as the case may be, amplify or modify the approved re-development scheme accordingly.

(7) Article 48(2) and (3) and paragraphs (1) to (5) shall apply in relation to the making of proposals under paragraph (6)(a) in the same manner as those provisions apply to the submission of a re-development scheme under Article 48.

(8) References in this Chapter to an approved re-development scheme shall include references to any scheme altered in accordance with this Article.

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Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- art.155 revoked by [1997 c. 32 s.46\(2\)Sch.9](#)
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