

SCHEDULES

SCHEDULE 2

ACQUISITION OF LAND

PART I

ACQUISITION BY THE OFFICE

Compulsory acquisition: vesting orders

1.—(1) Where the Office proposes to acquire land compulsorily it may make an order (a “vesting order”) vesting the land in the Office.

(2) The power to make a vesting order in respect of any land by virtue of this paragraph includes power to create and vest in the Office new rights over the land as well as to vest existing rights.

(3) The [Planning Blight \(Compensation\) \(Northern Ireland\) Order 1981 \(NI 16\)](#) shall apply to land which the Office has resolved to acquire under this paragraph as it applies to land specified in Article 3(1) of that Order.

Compulsory acquisition: procedure, etc.

2.—(1) Schedule 6 to the Local Government Act (Northern Ireland) 1972 (c. 9) shall apply for the purposes of the acquisition of land by means of a vesting order made under paragraph 1 in the same manner as it applies to the acquisition of land by means of a vesting order made under that Act, subject to the following modifications –

- (a) for any reference to the Department or the council there shall be substituted a reference to the Office;
- (b) for any reference to that Act there shall be substituted a reference to this Order;
- (c) paragraph 1 shall be omitted;
- (d) in paragraph 2 –
 - (i) for the words “Notice of the application” there shall be substituted “Notice of the Office’s intention to acquire the land compulsorily”;
 - (ii) the words “in such form and manner as the Ministry directs” shall be omitted;
 - (iii) in sub-paragraph (c) for the words “as may be prescribed” there shall be substituted “as the Department considers fit”;
- (e) in paragraph 3(1)(b) after the word “held” there shall be inserted the words “by the planning appeals commission or by any other person”;
- (f) in paragraph 4 the words from “and may provide” onwards shall be omitted;
- (g) in paragraph 5 –

Status: This is the original version (as it was originally made).

- (i) in sub-paragraph (1)(a) the words “in the prescribed form and manner” shall be omitted;
- (ii) in sub-paragraph (1)(d) the words “in the prescribed form” shall be omitted;
- (iii) in sub-paragraph (2) for the words “as may be prescribed” there shall be substituted “as the Office thinks fit”;
- (h) in paragraph 6(2) for the words from “fund out of which the expenses of the council in acquiring the land are to be defrayed” there shall be substituted “Consolidated Fund” and for the words “out of the compensation fund” there shall be substituted “made by the Office”;
- (i) in paragraph 11(3) the words “in the prescribed form” shall be omitted;
- (j) in paragraph 12 –
 - (i) in sub-paragraph (1) the words “such” and “as may be prescribed” shall be omitted;
 - (ii) in sub-paragraph (2) for the words from “clerk” to “directs” substitute “Department as correct, and publish”;
- (k) in paragraph 14(1) the words “in the prescribed form” shall be omitted;
- (l) in paragraph 15(1) for the words “in the prescribed form” there shall be substituted “in such form as may be approved by the Department”;
- (m) paragraphs 19 and 20(2) shall be omitted.