

1987 No. 437

LAND DEVELOPMENT VALUES**Certificates of Alternative Development Value
Regulations (Northern Ireland) 1987***Made* 30th November 1987*Coming into operation* 10th January 1988

The Department of the Environment, in exercise of the powers conferred on it by Article 17 of the Land Compensation (Northern Ireland) Order 1982(a) and of all other powers enabling it in that behalf, hereby makes the following regulations:—

Citation and commencement

1. These regulations may be cited as the Certificates of Alternative Development Value Regulations (Northern Ireland) 1987 and shall come into operation on 10th January 1988.

Interpretation

2. In these regulations—

“the 1982 Order” means the Land Compensation (Northern Ireland) Order 1982;

“the commission” means the planning appeals commission;

“the Department” means the Department of the Environment.

Application for and issue of certificates

3.—(1) An application to the Department for a certificate under Article 15 of the 1982 Order shall be in writing and shall (as well as complying with the requirements of Article 15(3)) include a plan or map sufficient to identify the land to which the application relates.

(2) If the Department issues a certificate otherwise than for the class or classes of development specified in the application made to it, or contrary to representations in writing made to it by a party directly concerned, it shall in that certificate include a statement of the reasons for so doing, and give particulars of the manner in which and the time within which an appeal may be made to the commission under Article 16 of the 1982 Order.

Appeals

4.—(1) Notice of appeal under said Article 16 shall be given in writing to the commission within two months from receipt of the certificate.

(2) A copy of the notice of appeal shall be sent by the appellant to the other of the parties directly concerned and to the Department.

(a) S.I. 1982/712 (N.I. 9)

Sealed with the Official Seal of the Department of the Environment on
30th November 1987.

(L.S.)

Douglas B. McIldoon

Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations provide for the application for and issue of certificates of alternative development value under Article 15 of the Land Compensation (Northern Ireland) Order 1982 (the 1982 Order).

A certificate of alternative development is issued to assist in establishing a value for land which is being acquired by an authority possessing powers of compulsory acquisition.

An application for a certificate of alternative development must be made in writing to the Department of the Environment and include a plan or map to identify the land to which the application relates (regulation 3(1)). If the Department issues a certificate for development which differs from that which was applied for, or contrary to written representations from a party directly concerned, it shall include in the certificate its reasons for so doing and how an appeal may be made (regulation 3(2)).

The time for giving notice of an appeal to the Planning Appeals Commission under Article 16 of the 1982 Order against a certificate of alternative development shall be within two months of receipt of the certificate. Notice of appeal shall be in writing (regulation 4(1)). A copy of the notice of appeal is to be sent by the appellant to the other of the parties directly concerned and to the Department (regulation 4(2)).

These Regulations apply only to certificates of alternative development value which are issued on or after the date of the coming into operation of these Regulations.