



# Land Development Values (Compensation) Act (Northern Ireland) 1965

## 1965 CHAPTER 23

### <sup>F1</sup>PART II

#### <sup>F1</sup>COMPENSATION FOR PLANNING DECISIONS RESTRICTING NEW DEVELOPMENT

##### ATTRIBUTION OF DEVELOPMENT VALUE TO LAND

### 13 <sup>F1</sup>Information relating to development value.

- (1) Subject to subsections (2) to (9), the Ministry shall, on application being made to it by any person, and may if it thinks fit without any such application issue a certificate in the prescribed form with respect to any land—
  - (a) stating whether any of that land has a development value;
  - (b) if it has, specifying the amount of the development value;
  - (c) giving a general statement of what was taken to be the state of the land for the purposes of Part I and specifying any planning decision which, under section 3(4), affected the development value of that land.
- (2) Any such certificate issued with respect to any land shall contain additional information with respect to acts or events (being acts or events of which the Ministry is aware) which are or may be relevant for the purpose of determining the balance of the development value of that land under this Part.
- (3) Nothing in subsection (1) shall be construed as entitling any person to the issue of a certificate under this section unless and until the development value, if any, of any land to which the application relates has been determined in accordance with Part I.
- (4) Where the issue of a certificate under this section with respect to any land involves a new apportionment, then—
  - (a) except where the certificate is a certificate which the Ministry proposes to issue without an application in that behalf, the certificate shall not be issued

---

*Changes to legislation: There are currently no known outstanding effects for the Land Development Values (Compensation) Act (Northern Ireland) 1965, Section 13. (See end of Document for details)*

---

- otherwise than on the application of a person who is for the time being entitled to an estate in the land;
- (b) before issuing the certificate, the Ministry shall serve a notice in writing on any person entitled to an estate in land appearing to it to be an estate which will be substantially affected by the apportionment—
- (i) giving particulars of the proposed apportionment; and
  - (ii) stating that objections or other representations with respect thereto may be made to the Ministry within the period of thirty days from the date of the notice; and
- (c) the certificate shall not be issued before the end of that period, and if within that period an objection to the proposed apportionment has been made by any person to whom notice has been given under paragraph ( b), or by any other person who establishes that he is entitled to an estate in land which is substantially affected by the apportionment, and that objection has not been withdrawn, subsection (5) shall have effect.
- (5) Where, by virtue of subsection (4)( c) this subsection has effect, then—
- (a) if within a further period of thirty days the person by whom any such objection was made requires the matter to be referred to the Lands Tribunal, the matter shall be so referred, and the certificate shall not be issued until either the Tribunal has decided the matter or the reference to the Tribunal has been withdrawn;
  - (b) the certificate may be issued before the end of that further period if every such objection has been withdrawn;
  - (c) the certificate shall be issued at the end of that further period notwithstanding that every such objection has not been withdrawn, if a requirement has not been made within that period under paragraph ( a).
- (6) Where, on a reference to the Lands Tribunal under this section, it is shown—
- (a) that a new apportionment relates partly to the same matters as a previous apportionment; and
  - (b) that the new apportionment is consistent with the previous apportionment in so far as it relates to those matters;
- the Tribunal shall not vary the new apportionment in such a way as to be inconsistent with the previous apportionment in so far as it relates to those matters.
- (7) A certificate under this section shall be sufficient proof of any facts stated therein unless the contrary is shown.
- (8) An application for a certificate under this section—
- (a) shall be made in such form and manner as may be prescribed; and
  - (b) shall be accompanied by sufficient particulars, including a map if necessary, to enable the land to be identified, and, where a new apportionment will be involved—
- (i) particulars of the nature of the applicant's estate; and
  - (ii) such information as to the nature of any other estate in the land, and as to the name and address of the person entitled to that other estate, as may be known to the applicant.
- (9) On any application under subsection (1)—
- (a) the applicant shall pay in the prescribed manner a fee of [F2 25p]; and

---

**Changes to legislation:** *There are currently no known outstanding effects for the Land Development Values (Compensation) Act (Northern Ireland) 1965, Section 13. (See end of Document for details)*

---

- (b) if the application involves a new apportionment the certificate shall not be issued until the applicant has paid in the prescribed manner a further fee of [ 75p].

(10) In this section “new apportionment” means an apportionment which relates wholly or partly to any matter to which no previous apportionment related.

**Annotations:**

**F1** rep. with saving by [2001 c. 2 \(NI\)](#)

**F2** [1969 c. 19](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Land Development Values (Compensation) Act (Northern Ireland) 1965, Section 13.