



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

1965 CHAPTER 23

^{F1}PART II

^{F1}COMPENSATION FOR PLANNING DECISIONS RESTRICTING NEW DEVELOPMENT

MEASURE OF COMPENSATION

23 ^{F1}Determination of claims.

- (1) Provision shall be made by regulations under this section—
 - (a) for requiring claims for compensation under this Part to be determined by the Ministry in such manner as may be prescribed;
 - (b) for regulating the practice and procedure to be followed in connection with the determination of such claims;
 - (c) for requiring the Ministry, on determining any such claim to give notice of its findings to the claimant, and to every other person, if any, who has made a claim for compensation under this Part in respect of the same planning decision, and, if the Ministry's findings include an apportionment, to give particulars of the apportionment to any other person entitled to an estate in land appearing to the Ministry to be an estate substantially affected by the apportionment.
- (2) Subject to subsection (3), provision shall be made by regulations under this section—
 - (a) for enabling the claimant or any other person to whom notice of the Ministry's findings has been given in accordance with subsection (1), if he wishes to dispute the findings, and any other person to whom particulars of an apportionment included in those findings have been so given, or who establishes that he is entitled to an estate in land which is substantially affected by such an apportionment, if he wishes to dispute the apportionment, to

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require the findings or, as the case may be, the apportionment to be referred to the Lands Tribunal;

- (b) for enabling the claimant and every other person to whom notice of any findings or apportionment has been given as mentioned in paragraph (a) to be heard by the Lands Tribunal on any reference under this section of those findings or of that apportionment, as the case may be; and
- (c) for requiring the Lands Tribunal, on any such reference, either to confirm or to vary the Ministry's findings or the apportionment, as the case may be, and to notify the parties of the decision of the Lands Tribunal.

(3) Where on a reference to the Lands Tribunal under this section it is shown that an apportionment—

- (a) relates wholly or partly to the same matters as a previous apportionment; and
- (b) is consistent with that previous apportionment in so far as it relates to those matters;

the Lands Tribunal shall not vary the apportionment in such a way as to be inconsistent with the previous apportionment in so far as it relates to those matters.

(4) Any reference in this section to any findings of the Ministry includes a reference to any decision of the Ministry as to the person to whom any compensation under this Part is payable.

F1 rep. with saving by 2001 c. 2 (NI)
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