

Status: Point in time view as at 13/02/2015. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Planning Act (Northern Ireland) 2011, Section 118. (See end of Document for details)



2011 CHAPTER 25

Part 4

Additional planning control

CHAPTER 2

HAZARDOUS SUBSTANCES

Emergencies

118.—(1) If it appears to the Department—

(a) either—

(i) that the community or part of it is being or is likely to be deprived of an essential service or commodity; or

(ii) that there is or is likely to be a shortage of such a service or commodity affecting the community or part of it; and

(b) that the presence of a hazardous substance on, over or under land specified in the direction in circumstances such that hazardous substances consent would be required, is necessary for the effective provision of that service or commodity,

it may direct that, subject to such conditions or exceptions as it thinks fit, the presence of the substance on, over or under the land is not to constitute a contravention of hazardous substances control so long as the direction remains in force.

(2) A direction under this section—

(a) may be revoked at any time;

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(b) must in any case cease to have effect at the end of the period of 3 months beginning with the day on which it was given, but without prejudice to the Department's power to give a further direction.

(3) The Department must send a copy of any such direction to the council in whose district any land affected by the direction is situated and to the Health and Safety Executive for Northern Ireland.

Commencement Information

II S. 118 in operation at 13.2.2015 for specified purposes by S.R. 2015/49, art. 2, Sch. 1

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