



2011 CHAPTER 25

Part 5

Enforcement

Temporary stop notices

Temporary stop notice

- 135.**—(1) This section applies if a council thinks—
- (a) that there has been a breach of planning control in relation to any land in its district; and
 - (b) that it is expedient that the activity (or any part of the activity) which amounts to the breach is stopped immediately.
- (2) The council may issue a temporary stop notice.
- (3) The notice must be in writing and must—
- (a) specify the activity which the council thinks amounts to the breach;
 - (b) prohibit the carrying on of the activity (or of so much of the activity as is specified in the notice);
 - (c) set out the council's reasons for issuing the notice.
- (4) A temporary stop notice may be served on any of the following—
- (a) a person who the council thinks is carrying on the activity;
 - (b) a person who the council thinks is an occupier of the land;
 - (c) a person who the council thinks has an estate in the land.
- (5) The council must display on the land—

Changes to legislation: There are currently no known outstanding effects for the Planning Act (Northern Ireland) 2011, Section 135. (See end of Document for details)

- (a) a copy of the notice;
 - (b) a statement of the effect of the notice and of section 137.
- (6) A temporary stop notice has effect from the time a copy of it is first displayed in pursuance of subsection (5).
- (7) A temporary stop notice ceases to have effect—
- (a) at the end of the period of 28 days starting on the day the copy notice is so displayed;
 - (b) at the end of such shorter period starting on that day as is specified in the notice; or
 - (c) if it is withdrawn by the council.

Modifications etc. (not altering text)

- C1** Pt. 5 applied with modification(s) (1.4.2015) by [The Planning \(Conservation Areas\) \(Demolition\) Regulations \(Northern Ireland\) 2015 \(S.R. 2015/107\)](#), regs. 1, **11**
- C2** Pt. 5 (except ss. 157-163) applied with modification(s) (1.4.2015) by [The Planning General Regulations \(Northern Ireland\) 2015 \(S.R. 2015/39\)](#), regs. 1(1), **2** (with regs. 3-10)
- C3** Ss. 105-155: transfer of functions (8.5.2016) by [The Departments \(Transfer of Functions\) Order \(Northern Ireland\) 2016 \(S.R. 2016/76\)](#), art. 1(2), **Sch. 5 Pt. 2** (with art. 9(2))

Commencement Information

- I1** S. 135 in operation at 13.2.2015 for specified purposes by [S.R. 2015/49](#), art. 2, **Sch. 1**
- I2** S. 135 in operation at 1.4.2015 in so far as not already in operation by [S.R. 2015/49](#), art. 3, **Sch. 1** (with [Sch. 2](#)) (as amended (16.3.2016) by [S.R. 2016/159](#), art. 2)

Changes to legislation:

There are currently no known outstanding effects for the Planning Act (Northern Ireland) 2011, Section 135.