
STATUTORY INSTRUMENTS

1973 No. 1896

**Land Acquisition and Compensation
(Northern Ireland) Order 1973**

PART III

MITIGATION OF INJURIOUS EFFECT OF PUBLIC WORKS

Powers of authorities responsible for other public works

Acquisition of land in connection with public works

27.—(1) Subject to the provisions of this Article, a responsible authority may acquire land by agreement for the purpose of mitigating the adverse effect which the existence or use of any public works will have on the surroundings of the works.

(2) Subject to the provisions of this Article, a responsible authority may acquire by agreement—

- (a) land the enjoyment of which is seriously affected by the carrying out of works by the authority for the construction or alteration of any public works;
- (b) land the enjoyment of which is seriously affected by the use of any public works,

if the interest of the vendor is^{F1} one which falls within Article 4 of the Planning Blight (Compensation) (Northern Ireland) Order 1981 (interests qualifying for protection under blight provisions) taking references to the date of service of a blight notice under Article 5 of that Order as references to the date on which the purchase agreement is made].

(3) The powers conferred by paragraph 2(b) shall not be exercisable unless the date on which the public works or, as the case may be, the altered public works, are first used falls on or after 17th October 1971 and the powers conferred by paragraphs (1) and (2)(a) shall not be exercisable unless that date falls on or after 17th October 1972, and—

- (a) if that date falls not later than one year after the coming into operation of this Part—
 - (i) the powers conferred by paragraphs (1) and (2)(b) shall not be exercisable unless the acquisition is begun before the end of one year after the coming into operation of this Part or one year after that date, whichever ends later;
 - (ii) the powers conferred by paragraph (2)(a) shall not be exercisable unless the acquisition is begun before the end of one year after the coming into operation of this Part;
- (b) if that date falls more than one year after the coming into operation of this Part—
 - (i) the powers mentioned in sub-paragraph (a)(i) shall not be exercisable unless the acquisition is begun before the end of one year after that date;
 - (ii) the powers mentioned in sub-paragraph (a)(ii) shall not be exercisable unless the acquisition is begun before that date.

Status: Point in time view as at 01/01/2006.

Changes to legislation: There are currently no known outstanding effects for the Land Acquisition and Compensation (Northern Ireland) Order 1973, Cross Heading: Powers of authorities responsible for other public works. (See end of Document for details)

(4) For the purposes of paragraph (3) the acquisition of any land shall be treated as begun when the agreement for its acquisition is made.

(5) This Article applies only where the responsible authority have statutory powers to acquire land (whether compulsorily or by agreement) for the purposes of their functions but would not, apart from this Article, have power to acquire land as mentioned in paragraphs (1) and (2).

(6) In this Article “public works” and “responsible authority” have the same meaning as in Article 4 except that “public works” does not include a road or any works forming part of the works of a statutory undertaker as defined in Article 2(2) of the Planning (Northern Ireland) Order 1972, not being the Post Office or a person authorised to carry on a transport undertaking.

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Execution of works etc., in connection with public works

28.—(1) A responsible authority may carry out—

- (a) if they have power to acquire land under Article 27, on any land acquired by them under that Article;
- (b) on any other land belonging to them,

works for mitigating the adverse effect which the construction, alteration, existence or use of any public works has or will have on the surroundings of the works.

(2) Without prejudice to the generality of paragraph (1), the works that may be carried out under that paragraph include the planting of trees, shrubs or plants of any other description and the laying out of any area as grassland.

(3) A responsible authority may—

- (a) develop or redevelop any land acquired by them under Article 27, or any other land belonging to them, for the purpose of improving the surroundings of public works in any manner which they think desirable by reason of the construction, alteration, existence or use of the works;
- (b) dispose of any land acquired by them under Article 27.

(4) This Article applies only where the responsible authority are a body incorporated by or under any statutory provision and has effect only for extending the corporate powers of any such authority.

(5) In this Article “public works” and “responsible authority” have the same meaning as in Article 4 except that “public works” does not include a road.

Status:

Point in time view as at 01/01/2006.

Changes to legislation:

There are currently no known outstanding effects for the Land Acquisition and Compensation (Northern Ireland) Order 1973, Cross Heading: Powers of authorities responsible for other public works.