

SCHEDULES

^{F1}SCHEDULE 1

Article 43(3)

NOISE ABATEMENT ZONES

F1 1985 NI 15

1. Before making a noise abatement order the district council—

(a) shall serve on every owner, lessee and occupier (other than tenants for a month or any period less than a month) of any of the premises within the area and of a class to which the order will relate; and

(b) shall publish in the Belfast Gazette and once at least in each of two successive weeks in some newspaper circulating in the area to which the order will relate, a notice complying with the requirements set out in the following paragraph.

2. The requirements referred to in the preceding paragraph are that the notice—

(a) shall state that the district council proposes to make the order. and its general effect;

(b) shall specify a place in the district of the council where a copy of the order and of any map or plan referred to in it may be inspected by any person free of charge at all reasonable times during a period of not less than six weeks from the date of the last publication of the notice; and

(c) shall state that within the said period any person who will be affected by the order may by notice to the district council object to the making of the order.

3.—(1) If an objection is duly made to the district council within the said period, and is not withdrawn, the council shall not make the order without first considering the objection.

(2) The district council may make the order without complying with sub#paragraph (1) of this paragraph if it is satisfied that compliance is unnecessary having regard—

(a) to the nature of the premises to which the order will relate when it comes into force; or

(b) to the nature of the interests of the persons who have made objections which have not been withdrawn.

(3) Where the order varies or revokes a previous order, the district council may, in acting under this paragraph, disregard any objection to the order which in its opinion amounts in substance to an objection which was made to the previous order.

4.—(1) Subject to paragraph 5, an order shall come into operation on such date after it is made as may be specified in it.

(2) Except in the case of an order revoking an existing order or varying an existing order by excluding from it any specified class of premises, the date specified under sub#paragraph (1) shall not be a date earlier than one month from the date on which the order is made.

5. If, before the date on which the order is to come into operation, the district council—

(a) passes a resolution postponing the coming into operation of the order; and

Changes to legislation: Pollution Control and Local Government (Northern Ireland) Order 1978 is up to date with all changes known to be in force on or before 12 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

(b) publishes a notice stating the effect of the resolution in the Belfast Gazette and once at least in each of two successive weeks in a newspaper circulating in the area to which the order relates, the order shall, unless its coming into operation is again postponed under this paragraph, come into operation on the date specified in the resolution.]

Schedule 2 rep. by 1981 NI 4

Schedule 3—Amendments

Schedule 4—Amendments

Schedule 5—Amendments

Schedule 6—Amendments

Schedule 7—Repeals

Changes to legislation:

Pollution Control and Local Government (Northern Ireland) Order 1978 is up to date with all changes known to be in force on or before 12 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to :

- art.36(1) amended by [1994 c. 22 s. 63](#)[Sch.3 para 14](#)

Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- Sch. 4 para. 12 repealed by [2011 c. 23 \(N.I.\) Sch. 4 Pt. 5](#) (Amendment could not be applied. The relevant affected text is not available on [legislation.gov](#))