
STATUTORY INSTRUMENTS

1980 No. 1086

Private Streets (Northern Ireland) Order 1980

PART V

**PRIOR PROVISION FOR EXPENSES OF
STREET WORKS IN PRIVATE STREETS**

Position where plans not proceeded with

27.—(1) Where, at any time after a notice has been served under Article 25 or an undertaking has been given under Article 24(2)—

- (a) a district council declares under Article 12(5) of the Building Regulations (Northern Ireland) Order 1972 that the deposit of the plans in respect of the building shall be of no effect; or
- (b) before any work is done in or for the purpose of erecting the building, the person by or on whose behalf the plans in respect of the building were deposited gives notice in writing to the Department that it is not intended to proceed with the building;

the said notice under Article 25 and any payment made or security given in accordance therewith, or any undertaking given under Article 24(2), shall, unless street works in respect of which the responsible person is liable have already been carried out or commenced in the street, be of no effect for the purposes of this Part.

(2) Where under paragraph (1) a notice served under Article 25 is of no effect and a sum has been paid or secured in accordance therewith, that sum shall be dealt with in accordance with Article 30.

(3) Where the Department is notified in accordance with paragraph (1)(b) that it is not intended to proceed with the building and by reason thereof a notice under Article 25 is of no effect, and subsequently a person gives notice to the Department that he intends to proceed with the building in accordance with the plans as originally deposited, the notice to be served under Article 25(2) shall be served on that person and Article 25 shall have effect accordingly.

(4) Where part of a sum paid or secured under Article 24(1) has, under Article 25(8) or Article 28, been dealt with in accordance with Article 30, this Article shall have effect as if for references therein to a sum paid or secured there were substituted a reference to any part of that sum retained by the Department or remaining secured.

Changes to legislation:

There are currently no known outstanding effects for the Private Streets (Northern Ireland) Order 1980, Section 27.