
STATUTORY INSTRUMENTS

1981 No. 608

**The Planning Blight (Compensation)
(Northern Ireland) Order 1981**

Blight notices in respect of whole agricultural units

Effect of blight notice requiring purchase of whole agricultural unit

11.—(1) Article 8 (6) shall not apply to a blight notice served by virtue of Article 9.

(2) Where a counter-notice has been served objecting to a blight notice on the ground mentioned in Article 10(1), then if either—

- (a) the claimant, without referring that objection to the Lands Tribunal, and before the time for so referring it has expired, gives notice to the appropriate authority that he withdraws his claim as to the unaffected area; or
- (b) on a reference to the Tribunal, the Tribunal makes a declaration in accordance with Article 10(4),

Article 8(1) shall have effect in relation to the interest of the claimant in so far as it subsists in the affected area (but not in so far as it subsists in the unaffected area) except that in a case falling within sub-paragraph (a) the date of acceptance shall be the date on which notice is given by the claimant under that sub-paragraph.

(3) Where a counter-notice has been served objecting to a blight notice on the ground mentioned in Article 10(1) and also on the grounds mentioned in Article 6(2)(c) then if either—

- (a) the claimant, without referring that objection to the Lands Tribunal and before the time for so referring it has expired, gives notice to the appropriate authority that he accepts the proposal of the authority to acquire the part of the affected area specified in the counter-notice and withdraws his claim as to the remainder of that area and as to the unaffected area; or
- (b) on a reference to the Tribunal, the Tribunal makes a declaration in accordance with Article 10(5) in respect of that part of the affected area;

Article 8(1) shall have effect in relation to the interest of the claimant in so far as it subsists in the part of the affected area specified in the counter-notice (but not in so far as it subsists in any other part of that area or in the unaffected area) except that in a case falling within sub-paragraph (a) the date of acceptance shall be the date on which notice is given by the claimant under that sub-paragraph.

(4) The compensation payable in respect of the acquisition by virtue of this Article of an interest in land comprised in—

- (a) the unaffected area of an agricultural unit; or
- (b) if a counter-notice has been served objecting to the blight notice on the grounds mentioned in Article 6(2)(c) so much of the affected area of the unit as is not specified in the counter-notice,

shall be assessed on the assumptions mentioned in Article 8(2), (3) and (4) of the Land Acquisition and Compensation (Northern Ireland) Order 1973.

Changes to legislation: *There are currently no known outstanding effects for the The Planning
Blight (Compensation) (Northern Ireland) Order 1981, Section 11. (See end of Document for details)*

(5) In relation to a blight notice served by virtue of Article 9, any reference to the appropriate authority shall be construed as if the unaffected area of an agricultural unit were part of the affected area.

Changes to legislation:

There are currently no known outstanding effects for the The Planning Blight (Compensation) (Northern Ireland) Order 1981, Section 11.