
STATUTORY INSTRUMENTS

1981 No. 608

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

Blight notices-general

Interests qualifying for protection

4.—(1) An interest in land qualifies for protection under this Order if, on the date of service of a blight notice in respect thereof, the interest—

- (a) is that of a resident owner-occupier; or
- (b) is that of an owner-occupier—
 - (i) in an agricultural unit or part thereof; or
 - [^{F1}(ii) in a hereditament if either of the following sub-paragraphs applies—
 - (aa) the net annual value of the land does not exceed £19,685; or
 - (bb) the capital value of the hereditament does not exceed £2,100,000.]

[^{F2}(1A) The Department may by Order substitute a different limit for any limit specified in paragraph (1)(aa) or (bb).]

(2) In this Order “resident owner-occupier” in relation to a hereditament means an individual who—

- (a) occupies, in right of an owner's interest, the whole or a substantial part of the hereditament as a private dwelling and has so occupied the hereditament or that part during the whole of the period of six months ending with the date of service of a blight notice; or
- (b) occupied, in right of an owner's interest, the whole or a substantial part of the hereditament as a private dwelling during the whole of a period of six months ending not more than one year before the date of service of a blight notice, the hereditament, or that part thereof, as the case may be, having been unoccupied since the end of that period.

(3) In this Order “owner-occupier” in relation to an agricultural unit means a person who—

- (a) occupies the whole of that unit, and has occupied it during the whole of the period of six months ending with the date of service of a blight notice; or
- (b) occupied the whole of that unit during the whole of a period of six months ending not more than one year before the date of service of a blight notice,

and, at all times material for the purposes of sub-paragraph (a) or, as the case may be, sub-paragraph (b), has been entitled to an owner's interest in the whole or part of that unit.

(4) In this Order “owner-occupier” in relation to a hereditament means a person who—

- (a) occupies, in right of an owner's interest, the whole or a substantial part of the hereditament and has so occupied the hereditament or that part during the whole of the period of six months ending with the date of service of a blight notice; or

- (b) occupied, in right of an owner's interest, the whole or a substantial part of the hereditament during the whole of a period of six months ending not more than one year before the date of service of a blight notice, the hereditament or that part thereof, as the case may be, having been unoccupied since the end of that period.

(5) In this Article “owner's interest” means a freehold interest (whether legal or equitable) or a^{F3} legal tenancy] granted or extended for a term of years of which, on the date of service, not less than three years remain unexpired.

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| F1 | Art. 4(1)(b)(ii)(1A) substituted (1.4.2007) for art. 4(1)(b)(ii) by Rates (Consequential Provisions) Order (Northern Ireland) 2007 (S.R. 2007/192) , art. 2(1), Sch. 1 para. 5(b) |
| F2 | Art. 4(1)(b)(ii)(1A) substituted (1.4.2007) for art. 4(1)(b)(ii) by Rates (Consequential Provisions) Order (Northern Ireland) 2007 (S.R. 2007/192) , art. 2(1), Sch. 1 para. 5(b) |
| F3 | 1982 NI 20 |

Changes to legislation:

There are currently no known outstanding effects for the The Planning Blight (Compensation) (Northern Ireland) Order 1981, Section 4.