
STATUTORY INSTRUMENTS

1981 No. 608

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

Blight notices-general

Objection to blight notice

6.—(1) Where a blight notice has been served under this Order, the appropriate authority may, within two months from the date of service of that notice, serve on the claimant a counter-notice in the prescribed form objecting to the notice.

(2) The grounds on which objection may be made in a counter-notice to a blight notice are—

- (a) that no part of the hereditament or agricultural unit to which the notice relates is comprised in land of any of the specified descriptions;
- (b) that the appropriate authority (unless compelled to do so by virtue of this Order) does not propose to acquire compulsorily any part of the hereditament or (in the case of an agricultural unit) any part of the affected area;
- (c) that the appropriate authority proposes to acquire compulsorily part of the hereditament or (in the case of an agricultural unit) a part of the affected area specified in the counter-notice, but (unless compelled to do so by virtue of this Order) does not propose to acquire compulsorily any other part of that hereditament or area;
- (d) that on the date of service of the blight notice the claimant was not entitled to an interest in any part of the hereditament or agricultural unit;
- (e) that (for reasons specified in the counter-notice) the interest of the claimant does not qualify for protection under this Order;
- (f) that the conditions in Article 5 (1) (b) and (c) are not fulfilled;
- (g) in the case of land of a description specified in Article 3 (1) (b), (d), (e), (g), (h), (i), (j) or (l), that the appropriate authority (unless compelled to do so by virtue of this Order) does not propose to acquire compulsorily any part of the hereditament or (in the case of an agricultural unit) any part of the affected area during the period of fifteen years from the date of the counter-notice, or such longer period as may be specified in the counter-notice;
- (h) that in the case of a blight notice served by a mortgagee—
 - (i) on the date of service of the blight notice the claimant had no interest as mortgagee in any part of the hereditament or agricultural unit to which the notice relates;
 - (ii) (for reasons specified in the counter-notice) the claimant had not at that date the power referred to in Article 12 (1) (a);
 - (iii) (for reasons specified in the counter-notice) neither of the conditions specified in Article 12 (3) was, on the date of service of the blight notice, satisfied with regard to the interest referred to in that Article.

(3) An objection may not be made under paragraph (2) (g) if it could be made under paragraph (2) (b).

(4) A counter-notice served under this Article shall specify on which of the grounds mentioned in paragraph (2) or Article 10 (1) or 14 (3) the appropriate authority objects to a blight notice.

(5) The Department of Finance may advance money from the Government Loans Fund to any person for the purpose of enabling him to acquire a hereditament or (in the case of an agricultural unit) the affected area in respect of which a counter-notice has been served specifying the grounds mentioned in paragraph (2) (g) as, or as one of, the grounds of objection.

Changes to legislation:

There are currently no known outstanding effects for the The Planning Blight (Compensation) (Northern Ireland) Order 1981, Section 6.