

**PLANNING AMENDMENT
(NORTHERN IRELAND) ORDER 2003**

S.I. 2003 No. 430 (N.I. 8)

EXPLANATORY MEMORANDUM

COMMENTARY ON ARTICLES

New enforcement powers

Article 5 – Injunctions

This Article gives the Department an express power to apply to the Courts for an injunction to prevent any actual or threatened breach of planning control. This power also applies in relation to unauthorised works to a listed building, breaches of a tree preservation order and certain acts in respect of trees in a conservation area; and, any actual or apprehended breach of a hazardous substances contravention order. The intention is to integrate injunctions into the range of enforcement powers available to the Department so that they may be used, whether or not other enforcement powers have been, or are intended to be, used. Rules of court may provide for an injunction to be granted against a person whose identity is unknown.