

SCHEDULE 4

PART 4

SECTION 26 OF THE 1965 ACT AS MODIFIED

Compensation where consent is revoked or modified

26.—(1) Where any consent for the display of an advertisement is revoked or modified by an order under section 68 of the Planning Act as modified by the Planning (Control of Advertisements) Regulations (Northern Ireland) 2015 then, if on a claim duly made to the council in accordance with this section, it is shown that a person interested in the land to which the consent for the display of an advertisement related—

- (a) has incurred expenditure in carrying out work which is rendered abortive by the revocation or modification; or
- (b) has otherwise sustained loss or damage which is directly attributable to the revocation or modification;

the council shall pay to him compensation in respect of that expenditure, loss or damage.

(2) For the purposes of this section, any expenditure incurred in the preparation of plans for the purposes of any work, or upon other similar matters preparatory thereto, shall be taken to be included in the expenditure incurred in carrying out that work.

(3) Subject to subsection (2), compensation shall not be paid under this section in respect of—

- (a) any work including the preparation of plans or similar material carried out before the grant of the consent which is revoked or modified; or
- (b) any loss or damage arising out of anything done or omitted to be done before the grant of that consent.

(7) The Department may make regulations under this section as to the manner in which any claims for compensation under this section must be made.

(8) Claims under this section shall be made to and paid by the council which made the order in question.

Commencement Information

II Sch. 4 para. 26 in operation at 1.4.2015, see [reg. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the The Planning (Control of Advertisements) Regulations (Northern Ireland) 2015, Paragraph 26.