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STATUTORY INSTRUMENTS

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**1977 No. 985**

**The Local Land Charges Rules 1977**

**Light obstruction notices**

**10.**—(1) An application under section 2(2) of the Rights of Light Act 1959 for registration of a light obstruction notice shall be in Form A and shall be accompanied by the certificate of the Lands Tribunal relating to the notice.

(2) On receiving the application and the certificate the registering authority shall file them and register the notice in accordance with rule 6.

(3) Where, after a temporary certificate has been filed and before the period for which it operates has expired a definitive certificate is lodged with the registering authority, they shall file the definitive certificate with the application and amend the registration accordingly.

(4) On receiving an office copy of a judgment or order directing the registration of a light obstruction notice to be varied or cancelled, the registering authority shall file the office copy with the application for that registration and shall amend or cancel the registration accordingly.

(5) The person on whose application the notice was registered, or any owner of the servient land or part of it who is a successor in title to that person, may within a year from the date of registration apply in Form B for—

- (a) amendment of the registered particulars of the position or dimensions of the structure to which registration is intended to be equivalent, so as to reduce its height or length or to increase its distance from the dominant building; or
- (b) cancellation of the registration;

and on receiving any such application the registering authority shall file it and amend or cancel the registration accordingly.

(6) Without prejudice to the preceding paragraphs of this rule, the registering authority shall cancel the registration of a notice—

- (a) where in relation to the notice a temporary certificate has been filed and no definitive certificate has been filed, on the expiration of the period of operation specified in the temporary certificate;
- (b) in any other case, on the expiration of 21 years from the date of registration;

and thereupon any document relating to the notice and filed pursuant to these Rules shall be taken off the file.

(7) In this rule “definitive certificate” means a certificate issued by the Lands Tribunal under section 2(3)(a) of the Rights of Light Act 1959 and “temporary certificate” means a certificate so issued under section 2(3)(b) of that Act; “dominant building” and “servient land” have the meanings assigned to them by section 2(1) of that Act; and “owner” has the meaning assigned to it by section 7(1) of that Act.