EXPLANATORY NOTE

(This Note is not part of the Regulations but is intended to indicate their general purport.)

These Regulations provide that the amount of the redundancy payment to be paid to an employee shall be set-off against the compensation payable to him under any of certain statutory provisions in force immediately before 6th December, 1965.

1965. No. 249 [C]

PLANNING

Notification of Planning Applications

REGULATIONS, DATED 26TH NOVEMBER, 1965, MADE BY THE MINISTRY OF DEVELOPMENT UNDER SECTIONS 34 AND 41 OF THE LAND DEVELOPMENT VALUES (COMPENSATION) ACT (NORTHERN IRELAND) 1965.

The Ministry of Development, in exercise of the powers conferred upon it by Sections 34 and 41 of the Land Development Values (Compensation) Act (Northern Ireland) 1965(a) (hereinafter referred to as "the Act"), hereby makes the following regulations:—

Citation

1. These Regulations may be cited as the Notification of Planning Applications Regulations (Northern Ireland) 1965.

Certificates and Notices under Section 34

2.—(1) Certificates under Section 34 of the Act shall be in the forms set out in Part I of the Schedule.

(2) The requisite notices under the said Section 34 relating to applications for planning permission shall be in the forms set out in Part II of the Schedule.

(3) The requisite notices under the said Section 34 relating to appeals under Section 2(6) of the Act of 1944 shall be in the forms set out in Part III of the Schedule.

Sealed with the Official Seal of the Ministry of Development for Northern Ireland this 26th day of November, 1965.

(L.S.)

P. A. Sythes,
Assistant Secretary.

(a) 1965. c. 23 (N.I.).

SCHEDULE

PART I

LAND DEVELOPMENT VALUES (COMPENSATION) ACT (NORTHERN IRELAND) 1965

Certificate A

Certificate under Section 34(1)(a)

I hereby certify that the accompanying application/appeal is made by or on behalf of (Name of applicant/appellant) who is in actual possession of every part of the land to which the said application/appeal relates and is entitled to a fee simple absolute/a fee tail/a life estate/a tenancy of which at least 40 years remain unexpired in the land.

OR

Certificate B

Certificate under Section 34(1)(b)

I hereby certify that the accompanying application/appeal is made by or on behalf of (Name of applicant/appellant) who is the trustee of a trust or settlement which affects every part of the land to which the accompanying application/appeal relates and that at the date of the application/appeal—

(*a*) a beneficiary under the trust or settlement is in the actual possession of every part of the land; and

(*b*) no person other than a beneficiary under the trust or settlement is entitled to enter into the actual possession of any part of the said land within a period of forty years.

OR

Certificate C

Certificate under Section 34(1)(c)

I hereby certify that the requisite notice of the accompanying application/appeal has been given by or on behalf of (Name of applicant/appellant) to any person who, at the beginning of the period of 21 days ending with the date of the said application/appeal was, in relation to all or any part of the land affected by the application/appeal—

(*a*) a person then in actual possession;

(*b*) the trustee of a trust or settlement where a beneficiary under the trust or settlement was in actual possession and no person other than such a beneficiary was entitled to enter into actual possession within a period of 40 years;

(*c*) a person (not being a person falling within (*a*) or (*b*)) entitled to enter into actual possession within a period of 40 years.

The persons upon whom notice was served are:—

Name and Address	*Interest*	*Date of Service of Notice*

OR

Certificate D

Certificate under Section 34(1)(d)

1. I hereby certify that the person making the accompanying application/appeal—

(*a*) is unable to issue a certificate in accordance with either Section 34(1)(*a*) or (*b*) of the Land Development Values (Compensation) Act (Northern Ireland) 1965;

(*b*) has made due enquiries and is of the opinion that he is unable to issue a certificate which would satisfy the requirements of Section 34(1)(*c*) of the said Act for the following reasons:—

(*c*) has given the requisite notice of the said application/appeal to the under- ; and

mentioned persons who, at the beginning of the period of 21 days ending with the date of the said application/appeal, were in the actual possession of any part of the land to which the application/appeal relates, namely:—

Name and Address *Date of Service of Notice*

2. Notice of the application/appeal has been published in the (Title of Newspaper) on (Date of Publication) and a copy of the newspaper in which the notice appeared is enclosed.

Signature of Applicant or Agent .....

Date .....

PART II

LAND DEVELOPMENT VALUES (COMPENSATION) ACT (NORTHERN IRELAND) 1965

[Notice for service on individuals]

Planning Application: Notice under Section 34

(*a*) Insert address or location of proposed development.

Proposed development at (*a*) .....

(*b*) Insert name and address of Planning Authority.

TAKE NOTICE that application under the Planning (Interim Development) Act (Northern Ireland) 1944 is being made to the (*b*) .....

(*c*) Insert name of applicant.

by (*c*) ..... for permission to

(*d*) Insert description of proposed development.

(*d*) .....

If you wish to make representations about the application, you should make them in writing to the said Planning Authority within 21 days from the date of service of this notice.

Signature of Applicant or Agent .....

Date .....

LAND DEVELOPMENT VALUES (COMPENSATION) ACT (NORTHERN IRELAND) 1965

[Notice for publication in local newspaper]

Planning Application: Notice under Section 34

(*a*) Insert address or location of proposed development.

Proposed development at (*a*) .....

(*b*) Insert name and address of Planning Authority.

Notice is hereby given that application under the Planning (Interim Development) Act (Northern Ireland) 1944 is being made to the (*b*) .....

(*c*) Insert name of applicant

by (*c*) .....for permission to

(*d*) Insert description of proposed development.

(*d*) .....

Any person having an interest in the land which entitles him to make representations about the proposed development may make such representations in writing to the said Planning Authority within 21 days from the date of publication of this notice.

PART III

LAND DEVELOPMENT VALUES (COMPENSATION) ACT (NORTHERN IRELAND) 1965

[Notice for service on individuals]

Planning Appeal: Notice under Section 34

(*a*) Insert address or location of proposed development.

Proposed development at (*a*) .....

(*b*) Insert name of appellant.

(*c*) Insert name of Planning Authority.

TAKE NOTICE that an appeal under the Planning (Interim Development) Act (Northern Ireland) 1944 is being made by (*b*) ..... against the decision of the (*c*) .....

(*d*) Insert description of proposed development.

on an application for planning permission to (*d*) .....
.....

If you wish to make representations about the appeal you should make them in writing to the Secretary, Ministry of Development, Stormont, Belfast, 4, within 21 days from the date of service of this notice.

Signature of Appellant or Agent .....

Date .....

LAND DEVELOPMENT VALUES (COMPENSATION) ACT (NORTHERN IRELAND) 1965

[Notice for publication in local newspaper]

Planning Appeal: Notice under Section 34

(*a*) Insert address or location of proposed development.

Proposed development at (*a*) .....

(*b*) Insert name of appellant.

(*c*) Insert name of Planning Authority.

Notice is hereby given that an appeal under the Planning (Interim Development) Act (Northern Ireland) 1944 is being made by (*b*) ..... against the decision of the (*c*) .....

(*d*) Insert description of proposed development.

on an application for planning permission to (*d*) .....
.....

Any person having an interest in the land which entitles him to make representations about the appeal may make such representations in writing to the Secretary, Ministry of Development, Stormont, Belfast, 4, within 21 days from the date of publication of this notice.

EXPLANATORY NOTE

(This note is not part of the Regulations but is intended to indicate their general purport.)

Section 34 of the Act requires an application for planning permission or an appeal against a planning decision to be accompanied by a certificate that the applicant or appellant has a certain interest in the land concerned or, where he has no such interest, that he has given notice of the application or appeal as required by the Section. These Regulations provide for the form of the certificates and notices.