

*Status: Point in time view as at 01/02/2015. This version of this provision is not valid for this point in time.*

*Changes to legislation: There are currently no known outstanding effects for the Planning Act (Northern Ireland) 2011, Section 139. (See end of Document for details)*



## 2011 CHAPTER 25

### Part 5

#### Enforcement

##### *Enforcement notices*

VALID FROM 13/02/2015

#### **Issue of enforcement notice by Department**

**139.**—(1) The Department may issue a notice (in this Act referred to as an “enforcement notice”) where it appears to the Department—

- (a) that there has been a breach of planning control; and
- (b) that it is expedient to issue the notice, having regard to the provisions of the local development plan and to any other material considerations.

(2) The Department must not issue an enforcement notice without consulting the appropriate council.

(3) A copy of an enforcement notice must be served—

- (a) on the owner and on the occupier of the land to which it relates; and
- (b) on any other person having an estate in the land, being an estate which, in the opinion of the Department, is materially affected by the notice.

(4) The service of the notice must take place—

- (a) not more than 28 days after its date of issue; and
- (b) not less than 28 days before the date specified in it as the date on which it is to take effect.

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(5) In relation to an enforcement notice issued by the Department, sections 146 and 149 shall apply as if for any reference in those sections to the council there were substituted a reference to the Department.

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