

## SCHEDULES

### SCHEDULE 5

Article 69(5).

#### PROCEDURE FOR MAKING ORDERS UNDER ARTICLE 69(1)

1. Where the Department proposes to make an order under Article 69(1), it shall publish in at least one newspaper circulating in the area in which the land is situated a notice—

- (a) stating the general effect of the proposed order;
- (b) specifying a place in that area where a copy of a draft of the order and of any relevant map or plan may be inspected by any person free of charge at all reasonable hours during a period of not less than 30 days from the date of the last publication of the notice;
- (c) stating that, within that period, any person may by notice to the Department inform it of the grounds upon which he objects to the making of the order.

2.—(1) The Department shall, not later than the date on which the notice referred to in paragraph 1 is published, serve a copy thereof together with a copy of a draft of the order and of any relevant map or plan on the owner and the occupier of land affected by the order.

(2) Where the Department proposes to modify the terms of the draft of the order, the Department shall give and publish, in such manner as appears to it to be appropriate, such additional notices as the Department considers appropriate for informing all persons likely to be adversely affected by the modification.

3. If it appears to the Department, when preparing an order, that a new means of access to any land is likely to have to be provided by it to take the place of a means of access to be stopped-up under the order, then the Department shall indicate in the map or plan referred to in the order the proposed route of that new means of access, and shall serve on the owner and occupier of the land which will be required for the provision of that new means of access (if different from the owner and occupier referred to in paragraph 2(1)) a copy of the notice and the other documents referred to in paragraph 1(b).

4. If, before the expiration of the period referred to in paragraph 1(b), the Department receives an objection from any person on whom a copy of the notice is required to be served under paragraph 2(1) or 3 or from any other person appearing to it to be affected, it may cause a local inquiry to be held.

5. After considering—

- (a) any objections to the proposed order which are not withdrawn;
- (b) where a local inquiry is held, the report of the person who held it,

the Department may make the order either without modifications or subject to such modifications as it thinks fit.

**Status:**

Point in time view as at 01/01/2006.

**Changes to legislation:**

There are currently no known outstanding effects for the The Roads (Northern Ireland) Order 1993, SCHEDULE 5.