

Annex A

Draft Bill

Regeneration and Housing Bill

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A

B I L L

TO

Confer new powers on district councils in relation to regeneration and housing; to amend the Social Needs (Northern Ireland) Order 1986; and for connected purposes.

BE IT ENACTED by being passed by the Northern Ireland Assembly and assented to by Her Majesty as follows:

PART 1

REGENERATION

CHAPTER 1

POWERS IN RELATION TO SOCIAL NEED

Powers of councils to address social need

Financial assistance to address social need

1.—(1) A council may provide financial assistance to any body or person doing, or intending to do, anything falling within subsection (2) which benefits one or more areas of social need in its district.

(2) Financial assistance may be provided under subsection (1) for—

- (a) the promotion, development or regeneration of commercial, industrial or other economic activity;
- (b) the improvement of the environment;
- (c) the provision of housing;
- (d) the provision of social or community facilities;
- (e) the refurbishment or restructuring of buildings;

or for anything not falling within paragraphs (a) to (e) which the council considers will benefit the district.

(3) Financial assistance under this section may include—

- (a) grants;
- (b) loans;
- (c) guarantees;

(d) the taking of any interest in property or in a body corporate.

Conditions attaching to financial assistance under section 1

2.—(1) In giving financial assistance under section 1, a council may impose such conditions as it thinks fit, including conditions for repayment in specified circumstances.

(2) Any person who without reasonable excuse fails to comply with any condition subject to which financial assistance was given to that person under section 1 requiring that person to inform the council of any event whereby the financial assistance becomes repayable in whole or in part is guilty of an offence and liable—

- (a) on summary conviction, to a fine not exceeding the statutory maximum; or
- (b) on conviction on indictment, to a fine.

(3) Subsection (4) applies for the purpose of enabling the council—

- (a) to determine whether any condition subject to which the financial assistance is given is satisfied or is being complied with; or
- (b) whether the financial assistance has become repayable in whole or in part in accordance with any such condition

(4) The council may by notice require any person who has received financial assistance under section 1, and any person acting on behalf of that person, to give to the council such information, or to produce for examination by the council such books, records or other documents, as may be specified in the notice.

(5) Subject to subsection (6), a notice under subsection (4) may require—

- (a) the information to which it relates to be furnished within such time as may be specified in the notice, and
- (b) the books, records or other documents to which it relates to be produced at such time and place as may be so specified.

(6) The time specified in a notice under subsection (4) for giving any information or producing any document shall not be earlier than the end of the period of 28 days beginning with the service of the notice.

(7) Any person who in purported compliance with a notice under subsection (4) knowingly or recklessly makes any statement or produces any document which is false in a material particular is guilty of an offence and liable—

- (a) on summary conviction, to a fine not exceeding the statutory maximum; or
- (b) on conviction on indictment, to a fine or to imprisonment for a term not exceeding 2 years or to both.

(8) Any person who without reasonable excuse fails to comply with a notice under subsection (4) is guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(9) Any conditions for repayment imposed under subsection (1) shall, if the conditions so provide, be a statutory charge and in the event of any financial assistance under section 1 becoming repayable in circumstances specified in the conditions, the amount of that assistance (as assessed in accordance with the conditions) shall be deemed to be a charge upon any property so specified.

(10) Accordingly in Schedule 11 to the Land Registration Act (Northern Ireland) 1970 (matters required to be registered in the Statutory Charges Register) in paragraph 40 after “Article 4(1) of the Social Need (Northern Ireland) Order 1986” insert “or section 2 of the Regeneration and Housing Act (Northern Ireland) 2010”.

Power to carry out works for the improvement of the environment

3.—(1) A council may carry out works for the improvement of the environment which the council considers will benefit one or more areas of social need in its district.

(2) In the exercise of its powers under this section a council may, with the consent of the Department for Regional Development, carry out works involving the placing of any structure in a road, but shall not so exercise those powers as—

- (a) to obstruct or prevent the passage of vehicles or of the public on foot along the road;
- (b) to obstruct or prevent normal access to premises adjoining the road; or
- (c) to prevent any person from having access to any works of his under, in, on, over, along or across the road.

(3) A council may, with the consent of the Department for Regional Development, sell, let or otherwise dispose of any structure placed by it in a road under this section to any other person.

Department's power to provide financial assistance

Power of Department to provide financial assistance

4. Article 3 of the Social Need (Northern Ireland) Order 1986 (power of Department to provide financial assistance) is amended as follows.

(2) For paragraph (1) substitute—

“(1) The Department may provide financial assistance to any body or person doing or intending to do anything falling within paragraph (2) which benefits one or more areas of social need”.

(3) In paragraph (2) for “the district” substitute “an area of social need”.

CHAPTER 2

DEVELOPMENT POWERS AND OTHER POWERS FOR PLANNING PURPOSES

Development and other powers of councils

Development schemes of councils

5.—(1) Where a council considers it expedient that any area in its district should be developed, redeveloped or improved as a whole the council may prepare a development scheme for the area.

(2) Where the Department considers that—

- (a) it is expedient that any area in the district of a council should be developed, redeveloped, or improved as a whole,
- (b) the development, redevelopment or improvement will be of significance to a whole or a substantial part of Northern Ireland, and
- (c) it is not appropriate or expedient for the development, redevelopment or improvement to be carried out under Part 7 of the Planning Order,

the Department may direct the council to prepare a development scheme for the area.

(3) A development scheme shall—

- (a) define, by reference to a map, the area of the scheme; and

(b) indicate in general terms the manner in which it is intended that the area should be laid out and the land therein used.

(4) A development scheme must be [in general conformity with] the regional development strategy.

(5) A development scheme prepared by a council has no effect unless adopted by the council in accordance with section 6.

(6) It is the duty of a council to comply with any direction given to it under subsection (2).

Adoption of development schemes by councils

6.—(1) Where it has prepared a development scheme, a council shall submit the scheme to the Department and—

(a) shall consider any comments notified to the council by the Department or any other Northern Ireland department within the period of 28 days from the date on which the scheme is submitted or such longer period as the Department may direct; and

(b) may, if it thinks fit, amend the scheme.

(2) The council shall then publish in two successive weeks in one or more newspapers circulating in the locality to which the scheme relates a notice—

(a) describing the area to which the scheme relates and referring to the preparation of the scheme;

(b) specifying the place at which copies of the scheme may be inspected at reasonable times; and

(c) stating the time (not being less than 28 days from the last of the publications the notice) during which objections to the scheme may be sent to the council.

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(3) If—

(a) no objections are made to a development scheme; or

(b) all objections to a development scheme are withdrawn;

the council may, subject to subsection (5), by order adopt the scheme with or without amendment.

(4) If objections made to a development scheme are not withdrawn the council shall, unless it considers them to be solely of a frivolous or vexatious nature—

(a) cause [a public local inquiry] to be held by the planning appeals commission; and

(b) consider any objections not withdrawn and the report of that commission;

and may, subject to subsection (5), thereafter by order adopt the scheme with or without amendments.

(5) A council shall not adopt a scheme under subsection (3) or (4) unless the scheme has been submitted to, and approved by, the Department.

(6) A council may at any time prepare amendments to so much of an adopted development scheme as relates to the manner in which the area of the development scheme is to be laid out and the land therein used.

(7) Section 5(5) and subsections (1) to (5) above apply in relation to such amendments to a scheme as they apply in relation to the original scheme.

Acquisition of land by councils for planning purposes

7.—(1) A council may, by agreement or compulsorily, acquire any land in its district where it is satisfied—

- (a) that the land is required in connection with a development scheme;
- (b) that it is expedient in the public interest that the land should be held together with land so required;
- (c) that the land is required for development or redevelopment, or both, as a whole for the purpose of providing for the relocation of population or industry or the replacement of open space in the course of the redevelopment or improvement of another area in its district as a whole; or
- (d) that it is expedient to acquire the land for a purpose which it is necessary to achieve in the interests of the proper planning of an area in which the land is situated.

(2) Where the council acquires a lesser estate than a fee simple in any land under [Article 98 of the Planning Order], the council may by agreement or compulsorily acquire such estates in the land as it considers appropriate.

(3) A council shall not acquire any estate in Crown land under this section unless—

- (a) it is an estate which is for the time being held otherwise than by or on behalf of the Crown; and
- (b) the appropriate authority consents to the acquisition;

and “appropriate authority” and “Crown land” are to be construed in accordance with [Article 118(1) of the Planning Order].

(4) Proceedings for the acquisition of land in connection with a development scheme may be taken concurrently (so far as practicable) with proceedings required by section 6 to be taken in connection with the adoption of the development scheme; but a vesting order vesting any such land in the council shall not be made until the development scheme has been adopted.

(5) In determining whether to make a vesting order on the application of a council, the Department may disregard any objection to the proposed order which, in the opinion of the Department, amounts in substance to an objection to the provisions of the development plan defining the proposed use of that or any other land.

(6) In this Chapter any reference to the acquisition or appropriation of land for planning purposes is a reference to—

- (a) its acquisition under this section; or
- (b) its appropriation under [Section 96 (6) of the Local Government Act (Northern Ireland) 1972] for any purpose mentioned in subsection (1).

Disposal of land held by councils for planning purposes

8.—(1) Where any land acquired or appropriated by a council for planning purposes is for the time being held by that council for those purposes, the council may dispose of the land to such person as may appear to it to be expedient in order to secure—

- (a) the best use of that or other land and any buildings or works which have been, or are to be, erected, constructed or carried out thereon, whether by the council or by any other person, or
- (b) the erection, construction or carrying out thereon of any buildings or works appearing to the council to be needed for the proper planning of the area in which the land is situated.

(2) On the termination of any tenancy of any premises let by a council under this section, possession of the premises may (without prejudice to any other method of recovery) be recovered by the council in a summary manner under Articles 67 to 74 of the Magistrates' Courts (Northern Ireland) Order 1981 (NI 26) whatever may be the rent or term of the tenancy.

Development of land held by councils for planning purposes

9.—(1) A council may erect or construct any building or carry out any work on any land to which this section applies.

(2) A council may enter into an agreement with any person for the development of any land to which this section applies.

(3) A council may maintain, repair and generally manage any buildings or works on land to which this section applies.

(4) This section applies to any land which—

- (a) has been acquired or appropriated by the council for planning purposes; and
- (b) is for the time being held by it for those purposes.

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(5) The Department may by regulations make provision—

- (a) requiring prescribed details of a proposed exercise by a council of its powers under subsection (1) or (2) to be given to the Department in prescribed cases; and
- (b) where such notice is required to be given in any case, for prohibiting the exercise by a council of its powers under those subsections in relation to that case until the expiration of such period from the giving of the notice as is prescribed.

Powers of council before acquisition of land for planning purposes

10. Where a council proposes to acquire land compulsorily under section 7, it may, at any time after the date of the publication of the notice mentioned in paragraph 2(a) of Schedule 6 to the Local Government Act (Northern Ireland) 1972 (c. 9) in relation to that land—

- (a) enter into an agreement with any person for securing the disposal of the land (in accordance with section 8) after that land has been acquired for planning purposes;
- (b) exercise the power under subsection (2) of section 9 in relation to the land as if the land were land to which that section applies.

Extinguishment by council of right of way

11.—(1) Where any land acquired or appropriated by a council for planning purposes is for the time being held by that council for those purposes, the council may by order extinguish any public right of way over the land where it is satisfied that the extinguishment of the right of way is necessary for the proper development of the land.

(2) Before making an order under this section, the council shall publish in at least one newspaper circulating in the relevant area a notice—

- (a) stating the general effect of the order;
- (b) specifying a place in the relevant area where a copy of the draft order and of any relevant map or plan may be inspected by any person at all reasonable hours during a period of 28 days from the date of publication of the notice; and
- (c) stating that, within that period, any person may by notice to the council object to the making of the order.

(3) Not later than the date on which that notice is so published, the council shall serve a copy of the notice, together with a copy of the draft order and of any relevant map or plan, on—

- (a) any statutory undertaker having any cables, mains, pipes, or wires laid along, across, under or over any land over which a right of way is to be extinguished, under the order; and
- (b) the operator of an electronic communications code network for the purposes of which any electronic communications apparatus is kept installed along, across, under or over any such land.

(4) The council may cause a public local inquiry to be held by the planning appeals commission to hear objections to the proposed order.

(5) After considering any objections to the order which are not withdrawn and, where a public local inquiry is held, the report of the planning appeals commission, the council may make the order either without modification or subject to such modifications as it thinks fit.

(6) Where the council makes an order under this section the council shall publish, in the manner specified in subsection (2), a notice—

- (a) stating that the order has been made, and
- (b) naming a place where a copy of the order may be seen at all reasonable hours;

and subsection (3) shall have effect in relation to any such notice as it has effect in relation to a notice under subsection (2).

(7) In this section “the relevant area”, in relation to an order, means the area in which any land to which the order relates is situated.

(8) Where—

- (a) an order is made under this section; and
- (b) immediately before the date on which the order became operative there was, under, in, on, over, along or across the right of way any electronic communications apparatus kept installed for the purposes of an electronic communications code network,

the operator of that network shall have the same powers in respect of that apparatus as if the order had not become operative; but the council shall be entitled to require the alteration of the apparatus.

(9) If the operator of an electronic communications code network—

- (a) removes any electronic communications apparatus in circumstances in which subsection (8) applies; and
- (b) serves a notice on the council notifying the council of the removal,

the operator shall be entitled to recover from the council the expense of providing in substitution for the apparatus and any electronic communications apparatus connected therewith which is rendered useless in consequence of the removal, any electronic communications apparatus in such other place as the operator may require.

(10) Paragraph 1(2) of the electronic communications code (alteration of apparatus to include moving, removal or replacement of apparatus) shall apply for the purposes of subsections (8) and (9) as it applies for the purpose of that code.

(11) Paragraph 21 of the electronic communications code (restriction on removal of apparatus) shall apply in relation to any entitlement conferred by this section to require

the alteration, moving or replacement of any electronic communications apparatus as it applies in relation to an entitlement to require the removal of any such apparatus.

(12) Expressions used in this section which are defined in paragraph 1(1) of Schedule 17 to the Communications Act 2003 (c. 21) have the meanings given there.

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Power of council to require information

12.—(1) The power in subsection (2) is exercisable by a council for the purpose of enabling the council to make an order or issue or serve a notice or other document which it is authorised or required to make, issue or serve by any provision of this Chapter.

(2) The council may by notice in writing require—

- (a) the occupier of any premises, and
- (b) any person who, either directly or indirectly, receives rent in respect of any premises,

to give in writing, within the period mentioned in subsection (3), such information as to the matters mentioned in subsection (4) as may be specified in the notice.

(3) That period is the period of 21 days from the date on which the notice is served, or such longer period as may be specified in the notice or as the council may allow.

(4) The matters referred to in subsection (1) are—

- (a) the nature of the estate in the premises of the person on whom the notice is served;
- (b) the name and address of any other person known to that person as having an estate in the premises.

(5) Any person who, without reasonable excuse, fails to comply with a notice served on that person under subsection (1) is be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(6) Any person who having been required by a notice under subsection (1) to give any information knowingly makes any misstatement in giving that information is guilty of an offence and liable—

- (a) on summary conviction, to a fine not exceeding the statutory maximum;
- (b) on conviction on indictment, to imprisonment for a term not exceeding 2 years or a fine, or both.

Development schemes made by the Department

Development schemes made by the Department

13. For Article 85 of the Planning Order substitute—

“Development schemes

85.—(1) Where the Department considers that—

- (a) it is expedient that any area should be developed, redeveloped, or improved as a whole,
- (b) the development, redevelopment or improvement will be of significance to the whole or a substantial part of Northern Ireland, and
- (c) it is not appropriate or expedient for the development, redevelopment or improvement to be carried out under Chapter 2 of Part 1 of the Regeneration and Housing Act (Northern Ireland) 2010,

the Department may, after consulting the appropriate district council, prepare a development scheme for the area.

(2) A development scheme shall—

(a) define, by reference to a map, the area of the scheme; and

(b) indicate in general terms the manner in which it is intended that the area should be laid out and the land therein used.”.

Transfer of assets and liabilities to councils

Transfer of assets and liabilities relating to certain schemes to councils

14.—(1) This section applies to the assets and liabilities held or incurred by the Department immediately before the commencement of this section for the purposes of, or in connection with, a transferred development scheme.

(2) For the purposes of this section “a transferred development scheme” is any scheme adopted by the Department under Part 7 of the Planning Order before the commencement of this section, other than a development scheme prescribed by regulations made by the Department under section 17(a) (“a retained development scheme”).

(3) The assets and liabilities to which this section applies are transferred to, and by virtue of this section vest in, the relevant council.

(4) The relevant council, in relation to any assets or liabilities held or incurred by the Department for the purposes of a transferred development scheme, is the council for the district in which the area to which the transferred development scheme applies is situated.

(5) A transferred development scheme shall have effect as if adopted by the relevant council under this Chapter.

(6) A retained development scheme shall continue to have effect as if section 13 were omitted from this Chapter.

(7) This section has effect in relation to assets or liabilities to which it applies in spite of any provision (of whatever nature) which would prevent or restrict the transfer of the assets or liabilities otherwise than by this section.

(8) But this section does not apply to rights or liabilities under a contract of employment.

(9) A certificate issued by the Department that any assets or liabilities have been transferred to the relevant council under this section shall be conclusive evidence of the transfer.

(10) A transfer under this section does not affect the validity of anything done by, or in relation to, the Department before the commencement of this section.

(11) Anything which—

(a) before the commencement of this section was done by, or in relation to, the Department for the purposes of, or otherwise in connection with, anything transferred by this section, and

(b) is in effect immediately before the commencement of this section,

is to be treated as if it had been done by, or in relation to, the relevant council.

(12) There may be continued by, or in relation to, the relevant council anything (including legal proceedings)—

(a) which relates to anything transferred by this section, and

(b) which is in the process of being done by, or in relation to, the Department immediately before the commencement of this section.

(13) In any document—

(a) which relates to anything transferred by this section, and

(b) which is in effect immediately before the commencement of this section,

any reference to the Department is to be read as a reference to the relevant council.

Transfer of assets and liabilities relating to retained schemes

15.—(1) This section applies to the assets and liabilities held or incurred by the Department for the purposes of, or in connection with, a retained development scheme immediately before the date which is specified by order of the Department in relation to that scheme.

(2) In this section—

(a) “retained scheme” has the same meaning as in section 14; and

(b) “the transfer date”, in relation to a retained scheme, means the date specified in relation to that scheme by an order under subsection (1).

(3) On the transfer date the assets and liabilities are transferred to, and by virtue of this section vest in, the relevant council.

(4) The relevant council, in relation to the assets or liabilities held or incurred by the Department for the purposes of a retained development scheme, is the council for the district in which the area to which the retained development scheme applies is situated.

(5) This section has effect in relation to assets or liabilities to which it applies in spite of any provision (of whatever nature) which would prevent or restrict the transfer of the assets or liabilities otherwise than by this section.

(6) But this section does not apply to rights or liabilities under a contract of employment.

(7) A certificate issued by the Department that any assets or liabilities have been transferred to the relevant council under this section shall be conclusive evidence of the transfer.

(8) A transfer under this section does not affect the validity of anything done by, or in relation to, the Department before the commencement of this section.

(9) Anything which—

(a) before the transfer date was done by, or in relation to, the Department for the purposes of, or otherwise in connection with, anything transferred by this section, and

(b) is in effect immediately before the transfer date,

is to be treated as if it had been done by, or in relation to, the relevant council.

(10) There may be continued by, or in relation to, the relevant council anything (including legal proceedings)—

(a) which relates to anything transferred by this section, and

(b) which is in the process of being done by, or in relation to, the Department immediately before the transfer date.

(11) In any document—

(a) which relates to anything transferred by this section, and

(b) which is in effect immediately before the transfer date,

any reference to the Department is to be read as a reference to the relevant council.

Transfer to councils of certain land of Department

16.—(1) This section applies to any land which—

- (a) immediately before the commencement of this section is held by the Department otherwise than for the purposes of, or in connection with, a development scheme adopted under Part 7 of the Planning Order, and
- (b) was acquired by the Department under Article 87 of the Planning Order, or was appropriated under paragraph (7) of that Article, for the purposes set out in paragraph (1)(c) or (d) of that Article,

other than land, or land of a description, prescribed by regulations under section 17(b).

(2) Any land to which this section applies is transferred to, and by virtue of this section vests in, the council for the district in which the land is situated.

(3) This section has effect in relation to land to which it applies in spite of any provision (of whatever nature) which would prevent or restrict the transfer of the land otherwise than by this section.

(4) A transfer under this section does not affect the validity of anything done by, or in relation to, the Department before the commencement of this section.

(4) Anything which—

- (a) before the commencement of this section was done by the Department for the purposes of, or otherwise in connection with, any land transferred by this section, and
- (b) is in effect immediately before the commencement of this section,

is to be treated as done by, or in relation to, the council to which the land is transferred.

(5) There may be continued by, or in relation to, that council anything (including legal proceedings)—

- (a) which relates to any land transferred by this section, and
- (b) which is in the process of being done by, or in relation to, the Department immediately before the commencement of this section.

(6) In any document—

- (a) which relates to any land transferred by this section, and
- (b) which is in effect immediately before the commencement of this section,

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any reference to the Department is to be read as a reference to the council to which the land is transferred.

Exceptions from transfers under section 14 and 16

17. The Department may by regulations provide—

- (a) that section 14 is not to apply to a prescribed development scheme;
- (b) that section 16 is not to apply to prescribed land, or to land of a prescribed description.

Transitional arrangements: unadopted schemes

Unadopted development schemes

18.—(1) The Department may by regulations make provision in relation to any development scheme—

- (a) notice of which has been published under Article 86 of the Planning Order before the commencement of section 14; but
 - (b) which has not been adopted under that Article before that date.
- (2) Regulations under this section may provide—
- (a) for Part 7 of the Planning Order to continue to have to have effect in relation to the scheme as if section 13 were omitted from this Act;
 - (b) for the scheme to be abandoned by the Department; or
 - (c) for the scheme to be adopted under this Part by the council for the district in which the area to which the scheme applies is situated.
- (3) Regulations under this section may provide for this Chapter or Part 7 of the Planning Order to apply in relation to a scheme mentioned in subsection (1) with such modifications as may be prescribed.

Interpretation

Interpretation of Chapter 2

19.—(1) In this Chapter “the Planning Order” means the Planning (Northern Ireland) Order 1991 (NI 11).

(2) In this Chapter any expression which is defined in Article 2(2) of the Planning Order has the same meaning as in that Order.

(3) In this Chapter any reference to the acquisition or appropriation of land for planning purposes is to be construed in accordance with section 7(6).

CHAPTER 3

LAGANSIDE

Transfer to council of certain functions in relation to Laganside

20.—(1) The Laganside Development (Northern Ireland) Order 1989 (NI 2) is repealed.

(2) Schedule 1 confers on [Belfast City Council] certain powers formerly exercisable by the Department under that Order in relation to part of the River Lagan.

Transfer of assets and liabilities to council

21.—(1) Except as provided by regulations under section 22, all assets and liabilities to which the Department is entitled or subject immediately before the commencement of this section under the Laganside (Northern Ireland) Order 1989 are transferred to, and by virtue of this subsection vest in, [Belfast City Council] (“the council”).

(2) The transfer has effect in relation to assets or liabilities to which it applies in spite of any provision (of whatever nature) which would prevent or restrict the transfer of the assets or liabilities otherwise than by this section.

(3) But the transfer does not apply to rights or liabilities under a contract of employment.

(4) A certificate issued by the Department that any assets or liabilities have been transferred to the council under this section shall be conclusive evidence of the transfer.

(5) The transfer does not affect the validity of anything done by, or in relation to, the Department before the commencement of this section.

(6) Anything which—

(a) before the commencement of this section was done by, or in relation to, the Department for the purposes of or otherwise in connection with, anything transferred by this section, and

(b) is in effect immediately before the commencement of this section,
is to be treated as done by, or in relation to, the council.

(7) Anything (including any legal proceedings) in the process of being done by, or in relation to, the Department immediately before the transfer date may be continued by, or in relation to, the council.

(8) In any document—

(a) which relates to anything transferred by this section, and

(b) which is in effect immediately before the commencement of this section,

any reference to the Department is to be read as a reference to the council.

Land excepted from transfer under section 21

22.—(1) The Department may by regulations provide that section 21 is not to apply to any prescribed land.

(2) The repeal by this Act of the Laganside Development (Northern Ireland) Order 1989 (NI 2) does not affect the continued operation of the following provisions of that Order in relation to any land prescribed under subsection (1) while that land remains vested in the Department—

(a) Articles 2 and 3 (interpretation and the designated area);

(b) Article 23 (disposal of land).

PART 1
CHAPTER 4

CHAPTER 4

GENERAL

Surveys and studies

23. A council may carry out, or give financial assistance towards the carrying out, of such studies, investigations and research as it considers appropriate in connection with the exercise of its functions under this Part.

Guidance

24.—(1) In exercising any function under this Part a council shall have regard to any guidance issued by the Department in relation to the exercise by councils of that function.

(2) The Department shall consult with councils before issuing any guidance under this section.

PART 2

HOUSING

Repeal of certain functions of Executive relating to unfitness of housing

25. In the Housing (Northern Ireland) Order 1981 (NI 3) the following provisions are repealed—

(a) Articles 32 to 34 and Schedule 4 (clearance areas and clearance orders); and

(b) Chapter 3 of Part 3 (redevelopment orders).

Transfer to councils of functions of Executive relating to unfitness of housing

26.—(1) The functions of the Executive under—

- (a) Articles 35 to 46A of the Housing (Northern Ireland) Order 1981 (demolition orders, closing orders and repair notices), and
- (b) Chapter 5 of Part 3 of the Housing (Northern Ireland) Order 2003 (NI 2) (deferred action notices),

in relation to premises of any description situated in the district of a council are transferred to that council.

(2) Schedule 2 contains amendments to those Orders for giving effect to that transfer.

(3) A transfer of functions under this section does not affect the validity of anything done by, or in relation to, the Executive before the commencement of this section.

(4) Anything which—

- (a) before the commencement of this section was done by, or in relation to, the Executive for the purposes of, or otherwise in connection with, any function transferred to a council by this section, and
- (b) is in effect immediately before the commencement of this section,

is to be treated as if it had been done by, or in relation to, that council.

(5) There may be continued by, or in relation to, a council anything (including legal proceedings)—

- (a) which relates to any function transferred by this section to that council, and
- (b) which is in the process of being done by, or in relation to, the Executive immediately before the commencement of this section.

(6) In any document—

- (a) which relates to any function transferred by this section to a council, and
- (b) which is in effect immediately before the commencement of this section,

any reference to the Executive is to be read as a reference to that council.

Transfer to council of functions relating to houses in multiple occupation

27.—(1) The functions of the Executive under Part 4 of the Housing (Northern Ireland) Order 1992 (NI 15) (houses in multiple occupation) in relation to premises of any description situated in the district of a council are transferred to that council.

(2) Schedule 3 contains amendments to that Order for giving effect to that transfer.

(3) A transfer of functions under this section does not affect the validity of anything done by, or in relation to, the Executive before the commencement of this section.

(4) Anything which—

- (a) before the commencement of this section was done by, or in relation to, the Executive for the purposes of, or otherwise in connection with, any function transferred to a council by this section, and
- (b) is in effect immediately before the commencement of this section,

is to be treated as if it had been done by, or in relation to, that council.

(5) There may be continued by, or in relation to, a council anything (including legal proceedings)—

- (a) which relates to any function transferred by this section to that council, and

(b) which is in the process of being done by, or in relation to, the Executive immediately before the commencement of this section.

(6) In any document—

(a) which relates to any function transferred by this section to a council, and

(b) which is in effect immediately before the commencement of this section,

any reference to the Executive is to be read as a reference to that council.

Functions of councils in relation to energy efficiency

28.—(1) A council may take such action as it thinks appropriate for the purpose of promoting the efficient use of energy in residential accommodation in its district.

(2) In particular, a council may for that purpose—

PART 2

(a) provide financial or other assistance to any body whose functions include the promotion of energy efficiency in residential accommodation;

(b) provide, or secure the provision of, advice; and

(c) disseminate, or secure the dissemination of, information.

(3) A council may produce action plans to improve energy efficiency in residential accommodation in its district.

(4) In carrying out its functions under subsections (2) and (3) a council shall have regard to—

(a) any report published by the Executive under section 2 of the Home Energy Conservation Act 1995 (c. 10); and

(b) any strategy published by the Department in connection with the exercise of its functions under Article 5 of the Energy Efficiency (Northern Ireland) Order 1999 (NI 3).

(5) A council shall provide the Executive with such information as the Executive may require for the purpose of carrying out its functions as energy conservation authority in Northern Ireland under the Home Energy Conservation Act 1995.

(6) In this section—

“residential accommodation” has the meaning given by section 1 of the Home Energy Conservation Act 1995;

“financial assistance” means grants or loans of such amounts and on such terms and conditions (including, in the case of grants, conditions as to repayment) as may be determined by the council.

Constitution of Housing Council

29. In Schedule 2 to the Housing (Northern Ireland) Order 1981 (Housing Council) in paragraph 1 for sub-paragraphs (1) and (2) substitute—

“(1) Each district council shall appoint 2 of its members to be members of the Council.

(2) Where a person appointed dies or resigns the council which appointed that person may appoint another of its members to fill the vacancy.”

Interpretation of Part 2

30. In this Part “the Executive” means the Northern Ireland Housing Executive.

PART 3
SUPPLEMENTARY

Supplementary, incidental consequential, transitional provision etc.

31.—(1) The Department may by order make—

- (a) such supplementary, incidental or consequential provision,
- (b) such transitory, transitional or saving provision,

as it considers appropriate for the general purposes, or any particular purpose, of this Act, or in consequence of, or for giving full effect to, any provision made by this Act.

(2) An order under subsection (1) may amend, repeal, revoke or otherwise modify any statutory provision (including this Act).

(3) Nothing in this Act affects the generality of the power conferred by this section.

(4) No order shall be made under this section unless a draft of the order has been laid before, and approved by resolution of, the Assembly.

Regulations and orders

32.—(1) Regulations under this Act shall be subject to negative resolution.

(2) Regulations and orders made by the Department under this Act may contain such incidental, supplementary, transitional and savings provisions as appear to the Department to be necessary or expedient.

Interpretation

33. In this Act—

- “council” means a district council;
- “the Department” means the Department for Social Development;
- “prescribed” means prescribed by regulations;
- “statutory provision” has the meaning given by section 1(f) of the Interpretation Act (Northern Ireland) 1954 (c.33).

Minor and consequential amendments and repeals

34.—(1) The statutory provisions set out in Schedule 4 have effect subject to the minor and consequential amendments specified in that Schedule.

(2) The statutory provisions set out in Schedule 5 are repealed to the extent specified in the second column of that Schedule.

Commencement

35.—(1) Except as provided by subsection (2), this Act comes into operation on such day or days as the Department may by order appoint.

(2) The following provisions come into operation on the day after Royal Assent—

- (a) section 17;
- (b) section 22;
- (b) sections 31 to 33;
- (c) this section; and
- (d) section 36.

Short title

36. This Act may be cited as the Regeneration and Housing Act (Northern Ireland) 2010.

SCHEDULES

SCHEDULE 1

Section 20

POWERS OF [BELFAST CITY] COUNCIL IN RELATION TO THE RIVER LAGAN

Interpretation

1. In this Schedule—

“the harbour limits” means the limits for the time being of the jurisdiction of the Belfast Harbour Commissioners under the Belfast Harbour Acts and Orders 1847 to 2002;

“the river” means that part of the River Lagan between the Stranmillis Weir and a line five metres down-stream of the seaward extremity of, and parallel to, the Lagan Bridge;

“the Council” means [Belfast City] Council.

Power to execute works in relation to the river

2.—(1) The Council may execute such works in, on, across, over, alongside or adjacent to the river as it considers appropriate for the purposes of—

- (a) improving the quality of water in the river;
- (b) improving the immediate environment of the river;
- (c) promoting the recreational use of the river; or
- (d) facilitating access to the river.

(2) In particular the Council may—

- (a) construct embankments, quays and footpaths alongside, or adjacent to, the river;
- (b) dredge, reclaim land from, and alter or divert the channel of, the river;
- (c) operate, maintain, repair, alter, extend or remove any works executed under this Schedule and any existing works; and
- (d) provide such buildings, amenities, machinery, plant, apparatus and appliances as it considers appropriate in connection with any works executed under this Schedule and any existing works.

(3) In sub-paragraph (2) “existing works” means works in, on, across, over, alongside or adjacent to the river which were executed at any time before the coming into operation of this Schedule under the Laganside (Northern Ireland) Order 1989 (NI 2) or any other statutory provision.

Construction of bridges, weirs, locks and barrages

3.—(1) The Council may construct a bridge over, or weir, lock or barrage across, the river.

(2) Before executing any works under this paragraph the Council shall take into consideration the reasonable requirements of navigation on the river.

(3) The reference in this paragraph to a bridge include reference to a road, footway or railway over the bridge and to the approaches of any road, footway or railway to the bridge.

Byelaws as to use of river and certain adjacent land

- 4.—(1) The Council may make byelaws—
- (a) regulating the use of the river by vessels;
 - (b) requiring vessels using the river to be licensed for that purpose by the Council;
 - (c) regulating fishing in the river;
 - (d) requiring persons fishing in the river to obtain a permit for that purpose from the Council;
 - (e) regulating the grant, renewal and revocation of licences under paragraph (b) and permits under paragraph (d), the conditions subject to which such licences and permits are to be granted and prescribing the fees payable in respect of the grant or renewal of such licences or permits;
 - (f) regulating the construction, condition, safety and control of vessels which may use the river and the equipment to be carried on such vessels;
 - (g) regulating the movement of vessels, and the use of lights, on the river;
 - (h) for the levying by the Council of charges in respect of the use of the river or any service or facility provided by the Council on the river or on land adjacent to the river;
 - (i) for the removal by the Council of vessels or objects from the river in such circumstances as may be specified in the byelaws, the storage and disposal by the Council of vessels or objects so removed and the recovery by the Council of the costs of removal, storage and disposal;
 - (j) regulating the conduct of persons on the river or on land adjacent to the river and vested in the Council;
 - (k) prohibiting the erection of any structure in the river or on land mentioned in paragraph (j) without the consent of the Council;
 - (l) prohibiting the carrying on of any commercial activity on the river or on any land mentioned in paragraph (j) without the consent of the Council.
- (2) Byelaws under this paragraph shall not apply in relation to—
- (a) any part of the river within the harbour limits; or
 - (b) any land adjacent to any such part of the river.

(3) In their application to byelaws under this paragraph sections 91 to 94 of the Local Government Act (Northern Ireland) 1972 apply as if for any reference to the Ministry concerned there were substituted a reference to the Department and the Department of Agriculture acting jointly.

(4) The powers to secure the observance of byelaws made under this Schedule which are conferred on an authorised officer of the Council under section 93 of the Local Government Act (Northern Ireland) 1972 include power—

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- (a) to board and inspect any vessel on the river; and
- (b) to require any person suspected of contravening a byelaw to furnish his name and address to the officer.

(5) Section 94 of the Public Health Acts Amendment Act 1907 (c.53) (licensing powers of district council in relation to pleasure vessels and persons in charge thereof) shall not apply in relation to any vessel using the river.

Approval of Department of Agriculture and Rural Development

5.—(1) The Council shall not execute any works under paragraph 2 unless those works have been approved by the Department of Agriculture and Rural Development.

(2) That approval may be given subject to such terms and conditions as that Department thinks fit.

Consultation with the Belfast Harbour Commissioners

6.—(1) It shall be the duty of the Council before—

(a) executing any works under this Schedule within the harbour limits; or

(b) exercising any power conferred by this Schedule within the harbour limits,

to consult with the Belfast Harbour Commissioners and to take into account any representations made to the Council by the Commissioners so as to ensure that the execution of those works or the exercise of those powers causes the minimum interference to the property of the Commissioners or to the exercise by the Commissioners of their functions.

(2) Sections 8 to 14 of the Belfast Port and Harbour Conservancy Act 1852 (c. cxxi) (control of works within the harbour limits) shall not apply to the Council or to works executed under this Schedule.

Tidal works

7.—(1) The Council shall not construct, alter or extend any tidal work under this Schedule except with the consent of the Secretary of State concerned with navigation and subject to any conditions imposed by the Secretary of State before the works are begun.

(2) Schedule 3 to the Harbours Act (Northern Ireland) 1970 (c. 1) (conditions relating to tidal works) shall apply in relation to any tidal work constructed, altered or extended by the Council under this Schedule as it applies in relation to any tidal work constructed, altered or extended by a local harbour authority but with the substitution—

(a) for references to a local harbour authority and the responsible harbour authority of references to the Council;

(b) for the references to section 11(1) and (2) of that Act of references to sub-paragraph (1) of this paragraph; and

(c) in paragraph 3(1) for the words “in the harbour of” of the words “constructed by”.

(3) In this paragraph and in Schedule 3 to the Harbours Act (Northern Ireland) 1970 as applied by sub-paragraph (2) “tidal work” means any work, or part of any work, which is on, under or over any land which is below the level of mean high water springs.

Dredging

8.—(1) Without prejudice to paragraph 7, the Council shall not dredge the river within the harbour limits without the consent of the Belfast Harbour Commissioners.

(2) Any materials taken up or collected in the course of dredging the river shall be the property of the Council and may be used, sold, removed, deposited or otherwise disposed of as the Council may think fit; but the Council shall not deposit any such materials below the level of mean high water springs except in such position as the Secretary of State concerned with navigation may approve and subject to such conditions and restrictions as the Secretary of State may impose.

Temporary interference with river

9. The Council may, for the purpose of or in connection with the execution of any works under this Schedule—

- (a) temporarily alter or interfere with the river and construct or place in the river all such temporary works as it considers necessary or expedient;
- (b) temporarily occupy and use the river;
- (c) temporarily restrict, terminate or otherwise interfere with easements, fishing rights, water rights, navigation rights or other similar rights.

Extinguishment of certain public rights

10.—(1) If the Department considers it necessary or desirable to do so in connection with any works executed under this Schedule, the Department may, on application to it by the Council, make an order extinguishing—

- (a) any public rights over or in relation to such part of the foreshore associated with the river as is specified in the order;
- (b) any public rights of navigation over such part of the river as is specified in the order.

(2) Article 133(1) and (4) of, and Schedule 8 to, the Roads (Northern Ireland) Order 1993 (NI 15) shall apply to an order under sub-paragraph (1) as they apply to an order under Article 6 of that Order.

SCHEDULE 2

AMENDMENTS: TRANSFER TO COUNCILS OF FUNCTIONS RELATING TO UNFITNESS OF HOUSING

The Housing (Northern Ireland) Order 1981 (NI 3)

1. After Article 34 insert—

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“The council

34A. In this Chapter references to “the council”, in relation to premises of any kind, are references to the district council for the district in which the premises are situated.”

2.—(1) Subject to sub-paragraph (2), in Articles 35 to 46A for “Executive” (wherever occurring) substitute “council”.

(2) Sub-paragraph (1) does not apply to—

- (a) the second and third places where “Executive” occurs in Article 37(4);
- (b) Article 41A (2) and (3).

3. In Article 35 for paragraph (7) substitute—

“(7) Any expenses incurred by the council under paragraph (6), after giving credit for any amount realised by the sale of materials, may be recovered by it as a debt in the county court from the owner of the building, or, if there is more than one owner, from the owners thereof in such shares as the court may determine to be just and equitable.

(8) Any surplus in the hands of the council shall be paid by it to the owner of the building or, if there is more than one owner, shall be paid as those owners may agree, or may, in default of agreement, be paid into the county court, and may be

paid out to the owners by order of the court in such shares as the court may determine to be just and equitable.”.

4. In Article 41A(1)(b) after “it expects” insert “the Executive”.

The Housing (Northern Ireland) Order 1992(NI 15)

5. In Schedule 3 (repair grants) for paragraph 2(3) substitute—

“(3) The Executive may dispense with the condition in paragraph (1) if—

- (a) the council for the district in which the dwelling house is situated informs the Executive that in the council’s opinion the dwelling-house may be demolished within the period of 5 years from the date on which the Executive received the application for the repairs grant; or
- (b) that council informs the Executive that, notwithstanding that the relevant works are completed, the dwelling-house will, within that period become unfit for human habitation and the Executive is of the opinion that the dwelling-house will, at the expiration of that period, be incapable of being rendered fit at reasonable expense.”

The Housing (Northern Ireland) Order 2003 (NI 2)

6. For Article 30 (fitness for human habitation) substitute—

“Fitness for human habitation

30.—(1) This Article applies where in connection with the exercise of any function of the Executive under this Part it falls to be determined whether any dwelling or house is fit for human habitation.

(2) That question is to be determined by the council for the district in which the dwelling or house is situated (“the appropriate council”); and Article 46 of the Order of 1981 (fitness for human habitation) applies for the purposes of this Part as it applies for the purposes of that Order.

(3) The appropriate council must—

- (a) make any determination required by paragraph (2);
- (b) notify the Executive of any determination so made; and
- (c) if the determination is to the effect that a dwelling or house is unfit for human habitation, notify the Executive of the works which in the opinion of the council would need to be completed to render the dwelling or house fit for human habitation.

(4) In deciding for the purposes of this Part whether it is satisfied that the carrying out of the relevant works is the most satisfactory course of action in any case where the dwelling or house concerned is unfit for human habitation, the Executive shall have regard to—

- (a) the works notified to the Executive under paragraph (3)(c); and
- (b) any guidance given to it by the Department.

(5) Without prejudice to the matters in respect of which the Department may give guidance under paragraph (4), it may, in particular, give guidance in respect of financial and social considerations to be taken into account by the Executive.

(6) Where the Department proposes to give guidance under paragraph (4), or to revise guidance already given, it shall lay a draft of the proposed guidance or alterations before the Assembly and—

- (a) the Department shall not give the guidance or revise the guidance until after the expiration of the statutory period; and
- (b) if within that period the Assembly resolves that the guidance or alterations be withdrawn the Department shall not proceed with the proposed guidance or alterations (but without prejudice to the laying of a further draft).”.

6.—(1) Article 44 is amended as follows.

(2) Omit paragraph (4).

(3) In paragraph (5) for the words before sub-paragraph (a) substitute—

“If the premises to which an application for a renovation grant relates are not fit for human habitation, the Executive shall not approve the application unless it is satisfied—”.

7. In Article 55 for paragraph (4) substitute—

“(4) Where the Executive proposes to approve an application for a disabled facilities grant, then in deciding whether it is reasonable and practicable to carry out the relevant works it shall take into account—

(a) in the case of an application in respect of works to a dwelling, whether the dwelling is fit for human habitation; and

SCH. 2

(b) in the case of a common parts application, whether the building meets the requirements in Article 46(2) of the Order of 1981.

8.—(1) Article 59 is amended as follows.

(2) For paragraph (4) substitute—

“(4) Paragraph (5) applies if, where the Executive proposes to approve an application for an HMO grant, the house to which the application relates—

(a) is not fit for human habitation; or

(b) does not meet the requirements in Article 80(2) of the Order of 1992.”.

(3) In paragraph (5) omit the words from the beginning to “those requirements”.

9. In Article 110 before the definition of “deferred action notice” insert—

“ “the council”, in relation to premises of any kind, means the district council for the district in which the premises are situated;”.

10. In Articles 111 to 117—

(a) for “Executive” (wherever occurring) substitute “council”; and

(b) for “Executive’s” (wherever occurring) substitute “council’s”.

11. In Article 114 (2) omit the words from “For this purpose” to the end.

The Private Tenancies (Northern Ireland) Order 2006 (NI 10)

12. Omit Article 21.

SCHEDULE 3

AMENDMENTS: TRANSFER TO COUNCILS OF FUNCTIONS RELATING TO HOUSES IN MULTIPLE OCCUPATION

The Housing (Northern Ireland) Order 1992 (NI 15)

1.—(1) In Part 4 and Schedule 4—

- (a) for “Executive” (wherever occurring) substitute “council”;
- (b) for “Executive’s” (wherever occurring) substitute “council’s”.

(2) In Article 75A before the definition of “occupancy direction” insert—

“ “the council”, in relation to premises of any kind, means the district council for the district in which the premises are situated;”.

(3) In Article 75B(3) omit “need not be for the whole of Northern Ireland and”.

(4) In Article 75C(5) for sub-paragraphs (a) and (b) substitute “, but the order may specify cases in which no fee is payable”.

(5) In Article 75M(6) for the words from “in Northern Ireland” to the end substitute “in the district of the council”.

(6) In Article 86 for paragraphs (2) and (3) substitute—

“(2) Subject to paragraphs (3) and (3A), section 98 of the Local Government Act (Northern Ireland) 1972 (c.9) (powers of entry) shall apply to entry for the purposes of exercising any functions conferred on a council by or under this Part, and without prejudice to the generality of the forgoing shall apply in particular to entry for the purposes of—

- (a) ascertaining whether any function conferred on the council by or under this Part should be exercised; and
- (b) ascertaining whether there has been any contravention of this Part.

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(3) In its application to entry for the purpose mentioned in paragraph (2)(b), section 98 shall apply with the omission of subsection (2).

(3A) In its application to entry for any purpose, subsections (3) and (4) of section 98 shall apply as if for the references to level 3 and level 2 on the standard scale there were substituted references to level 4 on that scale.”.

(7) At the end of Part 4 insert—

“Duty to promote awareness of rights and duties under this Part

87A.—(1) It is the duty of a council to take such action as it thinks appropriate in relation to its district to promote an awareness of the rights and duties arising under this Part among those persons who are affected or likely to be affected by the provisions of this Part.

(2) Actions taken by a council under this Article must be approved by the Department.

(3) A council must comply with any directions given to it by the Department as to the exercise of its duty under this Article.”.

SCHEDULE 4

MINOR AND CONSEQUENTIAL AMENDMENTS

The Housing (Northern Ireland) Order 1981 (NI 3)

1. In Article 46A(1) (guidance) for “41 or 47” substitute “or 41”.

The Planning Blight (Northern Ireland) Order 1981 (NI 16)

2.—(1) Article 3 (application of the Order) is amended as follows.

(2) In paragraph (1)(j) after “Article 86 of the Planning Order” insert “or section 6 of the Regeneration and Housing Act (Northern Ireland) 2010”.

(3) After paragraph (3) insert—

“(3A) In paragraph (1)(j) the reference to a development scheme adopted under section 6 of the Regeneration and Housing Act (Northern Ireland) 2010 includes a reference to—

- (a) a development scheme notice of which has been published under section 6(2) of that Act;
- (b) amendments to that scheme notice of which have been published by virtue of section 6(7) of that Act.”.

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(4) In paragraph (4) for “or (3)” substitute “, (3) or (3A)” and omit “by the Department”.

The Planning (Northern Ireland) Order 1991 (NI 11)

3.—(1) In Article 9(2)(f) (incorporation in development plans) after “Article 86” insert “or section 6 of the Regeneration and Housing Act (Northern Ireland) 2010”.

(2) Omit Article 88 (compensation where unfit houses acquired).

Section 34

The Licensing (Northern Ireland) Order 1996 (NI 22)

4.—(1) In Article 10(2) (preliminary approval of sites)—

- (a) omit from the beginning to “II of”; and
- (b) for the words from “, where the sites are” to the end substitute “the meeting of expenses.”.

(2) In Schedule 3 (approval of sites) omit—

- (a) in paragraph 1, the definitions of “proposed redevelopment area” and “development area”;
- (b) paragraph 2(2); and
- (c) Part 2.

SCHEDULE 5

REPEALS

Short Title	Extent of repeal
The Land Registration Act (Northern Ireland) 1970 (c.18)	In Schedule 11, paragraph 37(a) and (d).
The Rent (Northern Ireland) Order 1978 (NI 20)	In Article 8(7A) the words from “as if for any reference” to the end.
The Housing (Northern Ireland) Order 1981 (NI 3)	<p>In Article 2(2) the definitions of “clearance area” and “exclusion order”.</p> <p>Articles 32 to 34.</p> <p>In Article 36(1) the words “paragraph 7 of Schedule 4 or, as the case may be,” and “clearance order or”.</p> <p>In Article 36(3) the words “clearance or”.</p> <p>In Article 45 the words “clearance or”.</p> <p>In Article 46A(1) “32.”</p> <p>In Article 46A(1)(g) and (h).</p> <p>Chapter 3 of Part 3.</p> <p>In Article 62(5) the words “re-development area or” and “a re-development scheme approved under Chapter III or”.</p> <p>In Article 89(2) the words “clearance order”.</p> <p>In Article 90(2) the words “III or”.</p> <p>In Article 91(1), (2), (3) and (5) the words “clearance order”.</p> <p>In Article 92(1) the words “clearance order”.</p> <p>Article 98.</p> <p>In Article 101(1) the words “clearance order”.</p> <p>Article 161(1)(a) and (d).</p> <p>Schedule 4.</p>
The Planning Blight (Northern Ireland) Order 1981 (NI 6)	In Article 3(4) the words “by the Department”.
The Housing (Northern Ireland) Order 1988 (NI 23)	Article 26.
The Laganside Development (Northern Ireland) Order 1989 (NI 2)	The whole Order.
The Planning (Northern Ireland) Order 1991 (NI 1)	Article 88.
The Housing (Northern Ireland) Order 1992 (NI 15)	<p>Article 45(2)(d).</p> <p>Article 69(1)(a).</p> <p>In Article 75B(3) the words “need not be for the whole of Northern Ireland and”.</p>

Short Title	Extent of repeal
The Licensing (Northern Ireland) Order 1996 (NI 22)	<p>In Schedule 6, paragraphs 4 and 9.</p> <p>In Article 10(2), the words from the beginning to “II of”.</p> <p>In Schedule 3—</p> <ul style="list-style-type: none"> (a) in paragraph 1, the definitions of “proposed redevelopment area” and “development area”; (b) paragraph 2(2); and (c) Part 2.
The Housing (Northern Ireland) Order 2003 (NI 2)	In Article 114(2) the words from “For this purpose” to the end.
The Private Tenancies (Northern Ireland) Order 2006 (NI 10)	<p>Article 17(2).</p> <p>Article 21.</p>