



The attention of practitioners is drawn to the provisions of Section 9 of this Act which provides that where compensation exceeding £100,000 has become payable "the Planning Authority shall prepare and retain a statement of that fact, specifying the refusal of permission or grant of permission subject to conditions, or the revocation or modification of permission, the land to which the claim for compensation relates and the amount of the compensation". It then goes on to provide that the planning authority shall enter these particulars on the register kept in pursuance of section 8 of the Principal Act and that every such entry shall be made within fourteen days beginning on the day of preparation of the statement.

Section 10 of the Act then provides that no person shall carry out any development to which this section applies on land in respect of which a statement stands registered, whether under S. 72 of the Principal Act or under Section 9, until such amount as is recoverable under the section in respect of compensation specified in a statement has been paid or secured to the satisfaction of the planning authority.

In the light of the foregoing sections practitioners are advised to raise the following requisition:

"Has a statement that compensation has become payable in respect of the property been registered under Section 9 of the Local Authority (Planning and Development) Act, 1990 in the planning register maintained by the planning authority resulting in the development of the property being prohibited under Section 10 of the 1990 Act?"

STATEMENT OF PAYMENT OF COMPENSATION

LOCAL GOVERNMENT (PLANNING & DEVELOPMENT) ACT, 1990