

5.—(1) Where the Minister causes a local inquiry to be held under the last foregoing paragraph, the provisions of sections two hundred and nine, two hundred and ten, two hundred and twelve and two hundred and thirteen of the Public Health (Ireland) Act, 1878, shall apply with the substitution of the Minister for the Ministry of Health and Local Government for Northern Ireland.

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—cont.

(2) The costs in relation to the inquiry, not exceeding five guineas a day, shall be paid by the parties concerned in the inquiry, or by such of them and in such proportions as the Minister may direct, and the Minister may certify the amount of the costs incurred, and any sum so certified and directed by the Minister to be paid by any such party shall be a debt to the Crown from that party.

6. For the purposes of this Part of this Schedule a notice may be served—

- (a) by registered post or by delivery to, or at the residence of, the person to whom it is addressed; or
- (b) if the local authority is unable, after reasonable inquiry, to ascertain the name and address of the person upon whom the notice should be served, by addressing it to him—
 - (i) by name, if his name is known, or
 - (ii) if his name is not known, by the description of “owner” or “occupier” of the premises (naming them) to which the notice relates,
 and by delivering the notice to some person on the premises, or, if there is no person on the premises to whom it can be delivered, by affixing it or a copy thereof to some conspicuous part of the premises.

PART II

Restrictions on Acquisition of Land

1. The Minister shall not confirm a compulsory purchase order authorising the purchase of any land which is the site of an ancient monument or other object of archaeological interest or which forms part of any common, open space or allotment or which belongs to the council of a county, county borough or urban or rural district, or the commissioners of a town, or is held by any statutory undertakers for the purposes of their undertaking, and shall not confirm a compulsory purchase order authorising the purchase of any forest, plantation or area of woodland, except after consultation with the Ministry of Agriculture for Northern Ireland.

2. In this Part of this Schedule—

- (a) the expression “common” includes any town or village green;
- (b) the expression “open space” means any land laid out as a public garden or used for the purposes of public recreation, and any disused burial ground; and
- (c) the expression “allotment” means any allotment set out as a fuel allotment or a field garden allotment under an Inclosure Act.