



2011 CHAPTER 25

PART 2

LOCAL DEVELOPMENT PLANS

*Local development plans*

**Department's default powers**

**16.—**(1) This section applies if the Department thinks that a council is failing or omitting to do anything it is necessary for it to do in connection with the preparation or revision of a development plan document.

(2) The Department may—

- (a) prepare the document; or
- (b) revise the document.

(3) The Department must give reasons for anything it does in pursuance of subsection (2).

(4) The Department must cause an independent examination to be carried out by—

- (a) the planning appeals commission; or
- (b) a person appointed by the Department,

and section 10(5) to (8) applies accordingly.

(5) The Department must publish the recommendations and reasons of the person appointed to hold the examination.

(6) The Department must consider recommendations made in accordance with section 10(8) (as applied by subsection (4) of this section) and may approve the document with or without modification.

(7) The council must reimburse the Department for any expenditure the Department incurs in connection with anything—

- (a) which is done by it under subsection (2), and
- (b) which the council failed or omitted to do as mentioned in subsection (1).