



2011 CHAPTER 25

PART 14

MISCELLANEOUS AND GENERAL PROVISIONS

Duty to respond to consultation

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229.—(1) This section applies to a prescribed requirement to consult any person or body (the consultee) which exercises functions for the purposes of any statutory provision.

(2) A prescribed requirement to consult is a requirement—

- (a) with which the council or the Department must comply before granting any permission or consent under or by virtue of this Act; and
- (b) which is prescribed for the purposes of this subsection.

(3) The consultee must give a substantive response to any consultation mentioned in subsection (2) before the end of—

- (a) the period prescribed for the purposes of this subsection, or
- (b) such other period as is agreed in writing between the consultee and the council or the Department (as the case may be).

(4) The Department may also prescribe—

- (a) the procedure to be followed for the purposes of this section;
- (b) the information to be provided to the consultee for the purposes of the consultation;
- (c) the requirements of a substantive response.

(5) Anything prescribed for the purposes of subsections (1) to (4) must be prescribed by development order.

(6) A development order may—

- (a) require consultees to give the Department a report as to their compliance with subsection (3);
- (b) specify the form and content of the report;
- (c) specify the times at which the report is to be made.