
STATUTORY INSTRUMENTS

1990 No. 1510

**The Planning and Building Regulations
(Amendment) (Northern Ireland) Order 1990**

PART II

PLANNING

Amendments to the Planning (Northern Ireland) Order 1972

Appointment of assessors

24. In Article 89 of the Planning Order (procedure of appeals commission) for paragraph (1) there shall be substituted the following paragraphs—

“(1) Where, under this Order or any other transferred provision, the appeals commission may determine an appeal—

- (a) the appeal shall be heard by such member of the appeals commission as the chief commissioner may appoint in that behalf;
- (b) except where an appeal is to be decided solely by reference to written representations, the chief commissioner may, after consultation with the appeals commission and the Department, appoint an assessor to sit with the member appointed under sub-paragraph (a) at the appeal to advise him on any matters arising;
- (c) notwithstanding sub-paragraphs (a) and (b), any decision on the appeal shall be made by the appeals commission.

(1A) Where, under this Order or any other transferred provision, the appeals commission may hold an inquiry or hearing—

- (a) the inquiry or hearing shall be held by such member of the appeals commission as the chief commissioner may appoint in that behalf;
- (b) the chief commissioner may, after consultation with the appeals commission and the Department, appoint an assessor to sit with the member appointed under sub-paragraph (a) at the inquiry or hearing to advise him on any matters arising;
- (c) notwithstanding sub-paragraphs (a) and (b), any report on the inquiry or hearing shall be made by the appeals commission.

(1B) The appeals commission may pay to any assessor appointed under paragraph (1) (b) or (1A)(b) such fees and allowances as the commission, with the approval of the Department, may approve.”.