

Draft Order in Council laid before Parliament under the Northern Ireland Act 1974, Schedule 1 paragraph 1(4)(a), for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

1999 No. (N.I.)

NORTHERN IRELAND

The Strategic Planning (Northern Ireland) Order 1999

Made - - - -

Coming into operation in accordance with Article 1(2)

At the Court at , the day of 1999

Present,

The Queen's Most Excellent Majesty in Council

Whereas a draft of this Order has been approved by a resolution of each House of Parliament:

Now, therefore, Her Majesty, in exercise of the powers conferred by paragraph 1 of Schedule 1 to the Northern Ireland Act 1974 and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

Title and commencement

1.—(1) This Order may be cited as the Strategic Planning (Northern Ireland) Order 1999.

(2) This Order shall come into operation on the day appointed under Article 1(2) of the Departments (Northern Ireland) Order 1999 for the coming into operation of certain provisions of that Order.

Interpretation

2.—(1) The Interpretation Act (Northern Ireland) 1954 shall apply to Article 1 and the following provisions of this Order as it applies to a Measure of the Northern Ireland Assembly.

(2) In this Order “the Department” means the Department for Regional Development.

(3) This Order shall be construed as one with the Planning (Northern Ireland) Order 1991.

Regional development strategy

3.—(1) The Department shall formulate, in consultation with other Northern Ireland departments, a regional development strategy for Northern Ireland, that is to say a strategy for the long-term development of Northern Ireland.

(2) Any act which—

(a) was done at any time before the coming into operation of this Order by the Department of the Environment under Article 3 of the Planning (Northern Ireland) Order 1991; and

(b) could have been done under this Article had it been in operation at that time,

shall have effect as if done by the Department under this Article.

General powers of the Department

4. The Department shall—

(a) provide policy guidance and advice in relation to its regional development strategy and the implementation thereof;

(b) draw up proposals for the implementation of that strategy;

Departments to have regard to regional development strategy

5. In exercising any functions in relation to development in Northern Ireland—

(a) a Northern Ireland department; and

(b) a department of the Government of the United Kingdom;

shall have regard to the regional development strategy.

Power to undertake surveys and studies

6.—(1) The Department may undertake, or cause to be undertaken, such surveys or studies as it may consider necessary for the purposes of its functions under this Order, including surveys or studies relating to any of the following matters—

(a) the physical, social and economic characteristics of any area, including the purposes for which land is used;

(b) the size, composition and distribution of the population of an area;

(c) the communications, transport system and traffic of an area;

(d) any changes in relation to the foregoing matters and the effect which the changes are likely to have on the long-term development of Northern Ireland or any part thereof or the planning of that development.

(2) The Department may, for the purpose of the exercise of any of its functions under this Order—

(a) consult with such persons as it thinks fit; and

(b) where it considers it appropriate to do so, cause a public local inquiry to be held.

(3) Without prejudice to section 23 of the Interpretation Act (Northern Ireland) 1954, the Department may make rules regulating the procedure to be followed in connection with inquiries held by or on behalf of the Department under this Order.

Power to appoint advisory bodies or committees

7. The Minister for Regional Development may appoint such advisory bodies or committees as he considers necessary to assist the Department in the exercise and performance of the functions conferred on the Department by this Order.

Consequential amendments, etc.

8.—(1) The statutory provisions set out in the Schedule shall have effect subject to the amendments specified in that Schedule.

(2) The Department may by order make such provision (including provision amending or repealing any statutory provision) as appears to it to be necessary or expedient for the purposes of giving effect to, or in consequence of, this Order.

(3) No order shall be made under paragraph (2) unless a draft of the order has been laid before and approved by resolution of the Assembly.

Clerk of the Privy Council

SCHEDULE

Article 8(1).

CONSEQUENTIAL AMENDMENTS

Property (Northern Ireland) Order 1978 (NI 4)

1. In Article 5(5)(c) after “exemplified by” insert “the regional development strategy formulated under Article 3 of the Strategic Planning (Northern Ireland) Order 1999 or by”.

The Planning (Northern Ireland) Order 1991 (NI 11)

2. In Article 2(2) at the appropriate place in alphabetical order insert—
““regional development strategy” means the strategy formulated by the Department for Regional Development under the Strategic Planning (Northern Ireland) Order 1999;”.
3. In Article 3 after paragraph (1) insert—
“(1A) The Department shall ensure that any such policy is consistent with the regional development strategy.”.
4. In Article 4 after paragraph (1) insert—
“(1A) A development plan for an area must be consistent with the regional development strategy.”.
5. In Article 86 at the end add—
“(6) A development scheme adopted or amended under this Article must be consistent with the regional development strategy.”.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order requires the Department for Regional Development to formulate a regional development strategy for Northern Ireland and co-ordinate its implementation.