

*These notes refer to the Planning Act (Northern Ireland)
2011 (c.25) which received Royal Assent on 4 May 2011*

Planning Act (Northern Ireland) 2011

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 9: The Planning Appeals Commission (Planning Appeals Commission).

Section 203: The Planning Appeals Commission (Planning Appeals Commission)

This section describes the continued governance arrangements of the Planning Appeals Commission including its senior structure, impartiality and administration. These provisions were transferred to OFMdFM by the [Departments \(Transfer of Functions\) Order \(NI\) 2001, SR 2001, No. 229](#).

Section 204: Procedure of appeals commission

This section describes the procedures of the Planning Appeals Commission, including the appointment of members of the appeals commission to hear appeals, inquiries / independent examinations or hearings and after consultation with the commission and the Department (OFMdFM), the appointment of assessors to sit with the members appointed to advise the member on any matters arising. OFMdFM may make rules regulating the procedure for proceedings before the Planning Appeals Commission.

Section 205: Power to award costs

This section enables the Planning Appeals Commission to make an order requiring the costs of a party to an appeal to be paid. When the Commission makes an order, parties will normally come to an agreement amongst themselves, but in the event agreement cannot be reached between the parties, disputes can be referred to the Taxing Master of the High Court.

Section 206: Orders as to costs; supplementary

This section applies the provisions relating to award of costs to circumstances where a hearing has been cancelled.