



2011 CHAPTER 25

Part 14

Miscellaneous and general provisions

Duty to respond to consultation

Duty to respond to consultation

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.

Changes to legislation: There are currently no known outstanding effects for the Planning Act (Northern Ireland) 2011, Cross Heading: Duty to respond to consultation. (See end of Document for details)

(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.

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Modifications etc. (not altering text)

- C1** Ss. 228-235: transfer of functions (8.5.2016) by [The Departments \(Transfer of Functions\) Order \(Northern Ireland\) 2016 \(S.R. 2016/76\)](#), art. 1(2), **Sch. 5 Pt. 2** (with art. 9(2))
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Commencement Information

- I1** S. 229 in operation at 13.2.2015 for specified purposes by [S.R. 2015/49](#), art. 2, **Sch. 1**
- I2** S. 229 in operation at 1.4.2015 in so far as not already in operation by [S.R. 2015/49](#), art. 3, **Sch. 1** (with [Sch. 2](#)) (as amended (16.3.2016) by [S.R. 2016/159](#), art. 2)

Changes to legislation:

There are currently no known outstanding effects for the Planning Act (Northern Ireland) 2011, Cross Heading: Duty to respond to consultation.