

**PLANNING AMENDMENT  
(NORTHERN IRELAND) ORDER 2003**

**S.I. 2003 No. 430 (N.I. 8)**

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**EXPLANATORY MEMORANDUM**

**COMMENTARY ON ARTICLES**

*Miscellaneous*

***Article 31 – Powers of Department before the acquisition of land for planning purposes***

This Article introduces a new Article 91A to the Planning (NI) Order 1991 to enable the Department for Social Development (DSD) to enter into development agreements where it intends to acquire land in connection with a development scheme, or in the interests of the proper planning of an area, and has initiated the requisite statutory process. Where that Department is working in partnership with a developer, such agreements are beneficial in terms of giving a developer comfort to expend money in working up a detailed scheme and giving DSD comfort that it has a partner on board who will fund and implement the scheme and indemnify costs at an early stage. An agreement in advance of acquisition can also set the basis on which the land would be transferred at some future date subject in the usual way to the satisfaction of specific contingencies.