



2011 CHAPTER 25

Part 10

Assessment of council's performance or decision making

Further provision as respects assessment of performance or decision making

209.—(1) Before conducting, or appointing a person to conduct, an assessment under section 207 or 208, the Department is to notify the council of its intention in that regard and as to the intended scope of the assessment; and on making any such appointment, it is to advise the council as to the identity of the appointed person.

(2) Without prejudice to the generality of subsection (1), in determining for the purposes of that subsection the intended scope of an assessment under section 208 the Department may in particular relate its determination to any or all of the following—

- (a) a type of application for planning permission,
- (b) a period of time within which such an application was made, or
- (c) a geographical area.

(3) For the purposes of any assessment conducted under section 207 or 208, the Department or the appointed person may require access at all reasonable times—

- (a) to any premises of the council, and
 - (b) to any document relating to the council which appears to the Department, or as the case may be to the appointed person, to be necessary for the purposes of the assessment.
- (4) As the case may be—

Changes to legislation: There are currently no known outstanding effects for the Planning Act (Northern Ireland) 2011, Section 209. (See end of Document for details)

- (a) the Department may require a person holding or accountable for any such document—
 - (i) to give the Department such information and explanation as it thinks necessary for those purposes, and
 - (ii) to attend in person to give the information or explanation or to produce the document, or
 - (b) the appointed person may require a person so holding or accountable—
 - (i) to give the appointed person such information and explanation as the appointed person thinks necessary for those purposes, and
 - (ii) to attend in person before the appointed person to give the information or explanation or to produce the document.
- (5) The council must provide the Department, or as the case may be, the appointed person, with—
- (a) every facility, and
 - (b) all information,
- which the Department or the appointed person may reasonably require to be provided for the purposes of the assessment.
- (6) The Department or, as the case may be, the appointed person, must—
- (a) give 3 days' notice of any requirement under this section, and
 - (b) if reasonably required to do so by the council, produce a document of identification.

Commencement Information

- I1** S. 209 in operation at 13.2.2015 for specified purposes by [S.R. 2015/49, art. 2](#), [Sch. 1](#)
- I2** S. 209 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:

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