STATUTORY INSTRUMENTS

2026 No. 187

TOWN AND COUNTRY PLANNING, ENGLAND

The Town and Country Planning (Costs of Independent Examinations for Local Planning etc.) (Standard Daily Amount) (England) Regulations 2026

Made - - - -	*at 8.13 a.m. on 3rd March 2026*
Laid before Parliament	*4th March 2026*
Coming into force - -	*25th March 2026*

The Secretary of State makes these Regulations in exercise of the powers conferred by section 303A(5) of the Town and Country Planning Act 1990(**a**) and sections 15LE(1) and 15LE(2)(j) of the Planning and Compulsory Purchase Act 2004(**b**).

Citation, commencement, extent and application

1.—(1) These Regulations may be cited as the Town and Country Planning (Costs of Independent Examinations for Local Planning etc.) (Standard Daily Amount) (England) Regulations 2026.

(2) These Regulations come into force on 25th March 2026.

(3) These Regulations extend to England and Wales and apply in relation to England only.

Interpretation

2. In these Regulations—

"the 2004 Act" means the Planning and Compulsory Purchase Act 2004;

"the 2006 Regulations" means the Town and Country Planning (Costs of Independent Examinations) (Standard Daily Amount) (England) Regulations 2006(**c**).

(**a**) 1990 c. 8. Section 303A was inserted by section 1(1) of the Town and Country Planning (Costs of Inquiries etc.) Act 1995 (repealed) (c. 49). Section 303A of the Town and Country Planning Act 1990 ("the 1990 Act") was partially amended (including substitutions) and repealed, with savings, by Schedule 6 and Schedule 9 to the Planning and Compulsory Purchase Act 2004 (c. 5). Section 303A of the 1990 Act was amended by section 148 of the Housing and Planning Act 2016 (c. 22) and paragraph 7 of Schedule 8 to the Levelling-up and Regeneration Act 2023 (c. 55). There are other amendments to section 303A of the 1990 Act that are not relevant to these Regulations. See section 336(1) of the 1990 Act for the definition of "prescribed" and section 303A(1B) and (9A) of the 1990 Act for the definition of "appropriate authority". Functions of the Secretary of State under this provision, so far as exercisable in relation to Wales, transferred to the National Assembly for Wales, by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).

(**b**) 2004 c. 5. Section 15LE was inserted by section 97 of, and Schedule 7 to, the Levelling-up and Regeneration Act 2023 (c. 55).

(**c**) S.I. 2006/3227.

Revocation of the 2006 Regulations

3. The 2006 Regulations are revoked, subject to the saving in regulation 4.

Saving for examinations under Part 2 of the 2004 Act

4.—(1) Despite the revocation in regulation 3, the 2006 Regulations continue to apply for the purposes of a saved examination.

(2) In this regulation, a "saved examination" means an examination to which Schedule 1 to the Levelling-up and Regeneration Act 2023 (Commencement No. 11 and Saving and Transitional Provisions) Regulations 2026(**a**) applies.

Standard daily amount

5.—(1) In relation to a specified examination carried out by a person appointed by the Secretary of State, the standard daily amount prescribed under section 303A(5) of the Town and Country Planning Act 1990 is £993, or an appropriate proportion of that amount in relation to part of a day.

(2) In this regulation, "specified examination" means an independent examination under section 15D, 15H(3)(b) or 15HA(6)(a) of the 2004 Act(**b**) and includes an independent examination held under any of those provisions as applied in relation to a minerals and waste plan by section 15CB(8) of the 2004 Act(**c**).

Remuneration and allowances payable for observations or advice

6.—(1) This regulation applies in relation to a person appointed to provide observations or advice under section 15CA(3) of the 2004 Act(**d**), including where that person is appointed under that provision as applied in relation to a minerals and waste plan by section 15CB(8) of that Act.

(2) Subject to paragraph (4), the maximum daily remuneration payable to a person referred to in paragraph (1) for the purpose of providing observations or advice, is £993.

(3) The person referred to in paragraph (1) must additionally be paid an allowance for travelling and subsistence, if such costs are incurred, provided that allowance does not exceed the actual costs incurred by the person.

(4) Where the person works for part of a day providing observations or advice, the maximum remuneration payable to them must be no more than the proportion of the amount in paragraph (2) that is equivalent to the proportion of the day worked.

Signed by authority of the Secretary of State for Housing, Communities and Local Government

Matthew Pennycook
Minister of State
At 8.13 a.m. on 3rd March 2026 Ministry of Housing, Communities and Local Government

(**a**) S.I. 2026/169.
(**b**) Sections 15D, 15H(3)(b) and 15HA(6)(a) were inserted by section 97 of, and Schedule 7 to, the Levelling-up and Regeneration Act 2023 (c. 55).
(**c**) Section 15CB(8) was inserted by section 97 of, and Schedule 7 to, the Levelling-up and Regeneration Act 2023 (c. 55). The application of sections 15D, 15H and 15HA of the Planning and Compulsory Purchase Act 2004 (c. 5) in relation to a minerals and waste plan is modified by S.I. 2026/170.
(**d**) Section 15CA(3) was inserted by section 97 of, and Schedule 7 to, the Levelling-up and Regeneration Act 2023 (c. 55); its application in relation to a minerals and waste plan is modified by S.I. 2026/170.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which apply in relation to England only, apply where the Secretary of State is authorised to recover costs arising in connection with an independent examination under section 15D, section 15H(3)(b) or section 15HA(6)(a) of the Planning and Compulsory Purchase Act 2004 (c. 5) ("the 2004 Act").

Regulation 3 revokes the Town and Country Planning (Costs of Independent Examinations) (Standard Daily Amount) (England) Regulations 2006 (S.I. 2006/3227) ("the 2006 Regulations"), which set a fixed daily fee that local planning authorities in England pay to cover the cost of independent examinations of development plan documents under Part 2 of the 2004 Act.

Regulation 4 saves the 2006 Regulations for the purposes of a saved examination under Part 2 of the 2004 Act, as saved in accordance with the Levelling-up and Regeneration Act 2023 (Commencement No. 11 and Saving and Transitional Provisions) Regulations 2026 (S.I. 2026/169).

Regulation 5 specifies a standard daily amount which may be charged by a person appointed to hold a specified examination under the provisions of Part 2 of the 2004 Act, as amended by the Levelling-up and Regeneration Act 2023 (c. 55), for each day on which that person is engaged in the holding of, or work connected with, that examination. The amount is £993 per day. Where part of a day is worked, an appropriate proportion may be charged. This regulation applies to specified examinations of both local plans and documents which are to be or form part of minerals and waste plans.

Regulation 6 makes provision for remuneration to be payable to a person appointed to provide observations and advice under section 15CA(3) of the 2004 Act in relation to a proposed local plan, or in relation to a proposed document which is to be or form part of a minerals and waste plan. (Section 15CA(3) is applied in relation to a minerals and waste plan by section 15CB(8) of the 2004 Act, and its application in relation to a minerals and waste plan has been modified by the Planning and Compulsory Purchase Act 2004 (Local Planning) (Modification and Consequential Amendments) (England) Regulations 2026 (S.I. 2026/170)). The maximum remuneration is £993 for each day that a person is engaged in providing observations or advice in relation to a proposed local plan or a proposed document which is to be or form part of a minerals and waste plan, or an appropriate proportion of the daily amount where a full day has not been engaged. An allowance is also payable where costs are incurred on travel and subsistence in connection with the provision of observations and advice under section 15CA(3) of the 2004 Act.

A Regulatory Impact Assessment under the Better Regulation Framework has not been produced for this instrument. The Regulatory Impact Assessment for the Levelling-up and Regeneration Act 2023 provides analysis of the primary legislative measures from which the measures set out in this instrument derive. Copies can be obtained at https://publications.parliament.uk/pa/bills/cbill/58-03/0169/LevellingUpandRegenerationBillImpactAssessment.pdf or from the Ministry of Housing, Communities and Local Government at 2 Marsham Street, London, SW1P 4DF. The Annexes to that document can be obtained at https://publications.parliament.uk/pa/bills/cbill/58-03/0169/LevellingUpandRegenerationBillImpactAssessmentAnnexes.pdf or from the Ministry of Housing, Communities and Local Government at 2 Marsham Street, London, SW1P 4DF.

© Crown Copyright 2026

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Saul Nassé, Controller of His Majesty's Stationery Office and King's Printer of Acts of Parliament.

ISBN 978-0-34-828026-5



£6.40

http://www.legislation.gov.uk/id/uksi/2026/187