2002 No. 452

TOWN AND COUNTRY PLANNING, ENGLAND
TRIBUNALS AND INQUIRIES, ENGLAND

Town and Country Planning (Costs of Inquiries etc.) (Standard Daily Amount) (England) Regulations 2002

Made - - - - -	*1st March 2002*
Laid before Parliament	*8th March 2002*
Coming into force - -	*31st March 2002*

The Secretary of State for Transport Local Government and the Regions, in exercise of the powers conferred upon him by section 303A(5) of the Town and Country Planning Act 1990(**a**) and of all other powers enabling him in that behalf hereby makes the following Regulations:

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Town and Country Planning (Costs of Inquiries etc.) (Standard Daily Amount) (England) Regulations 2002 and shall come into force on 31st March 2002.

(2) These Regulations extend to England only.

Application

2.—(1) These Regulations apply in relation to any person, other than a person described in paragraph (2) below, appointed by the Secretary of State to hold, or as one of the persons who are to hold, a qualifying inquiry opening on or after the date on which these Regulations come into force.

(2) These Regulations do not apply in relation to any person who is appointed to conduct, or is appointed as one of the persons who are to conduct, an examination in public under section 35B(1) of the Town and Country Planning Act 1990 ("the 1990 Act")(**b**) and whose remuneration and travelling or subsistence allowances (if any) in respect of that appointment are to be paid as mentioned in section 303A(7) of the 1990 Act.

(**a**) 1990 c. 8. Section 303A of the Town and Country Planning Act 1990 was inserted by section 1 of the Town and Country Planning (Costs of Inquiries etc.) Act 1995 (c. 49). *See* section 336(1) of the 1990 Act for the definition of "prescribed". The functions of the Secretary of State under the section cited were, 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), article 2; see the entry in Schedule 1 for the Town and Country Planning Act 1990.

(**b**) Section 35B of the 1990 Act was inserted by section 27 of, and paragraph 17 of Schedule 4 to, the Planning and Compensation Act 1991 (c. 34).

[DTLR 2326]

Standard daily amount

3. The standard daily amount prescribed under section 303A(5) of the 1990 Act is £516.

Signed by authority of the Secretary of State
for Transport, Local Government and the Regions

Sally Keeble
Parliamentary Under-Secretary of State
Department for Transport, Local Government and the Regions

1st March 2002

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which apply to England only, apply where the Secretary of State is authorised to recover costs borne by him in connection with unitary development plan, local plan or simplified planning zone inquiries or other hearings or examinations in public in respect of structure plans ("qualifying inquiries").

The Regulations specify a standard daily amount which may be charged for each day the person appointed to hold it is engaged in the conduct of the inquiry or other hearing or is otherwise engaged on work connected with it. The amount is £516 per day in relation to qualifying inquiries opening on or after the date these Regulations come into force. This is an increase of approximately 10.5 per cent of the previous standard daily amount of £467, prescribed in 2000 (S.I. 2000/3089).

These Regulations do not apply in relation to a person who is appointed to conduct an examination in public, under section 35B(1) of the Town and Country Planning Act 1990, where that person's remuneration and travelling or subsistence allowances (if any) are to be paid by the local planning authority. The Town and Country Planning (Costs of Inquiries etc.) (Examination in Public) (England) Regulations 2000 (S.I. 2000/2311) apply in such cases.

STATUTORY INSTRUMENTS

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