



Town and Country Planning Act 1990

1990 CHAPTER 8

PART III

CONTROL OVER DEVELOPMENT

Secretary of State's powers as respects planning applications and decisions

[^{F1}76B Major infrastructure projects: inspectors

- (1) This section applies if the Secretary of State appoints an inspector under section 76A(4)(b) (the lead inspector).
- (2) The Secretary of State may direct the lead inspector—
 - (a) to consider such matters relating to the application as are prescribed;
 - (b) to make recommendations to the Secretary of State on those matters.
- (3) After considering any recommendations of the lead inspector the Secretary of State may—
 - (a) appoint such number of additional inspectors as he thinks appropriate;
 - (b) direct that each of the additional inspectors must consider such matters relating to the application as the lead inspector decides.
- (4) An additional inspector must—
 - (a) comply with such directions as to procedural matters as the lead inspector gives;
 - (b) report to the lead inspector on the matters he is appointed to consider.
- (5) A copy of directions given as mentioned in subsection (4)(a) must be given to—
 - (a) the person who made the application;
 - (b) the local planning authority;
 - (c) any other person who requests it.
- (6) If the Secretary of State does not act under subsection (3) he must direct the lead inspector to consider the application on his own.

Status: Point in time view as at 04/12/2020.

Changes to legislation: *Town and Country Planning Act 1990, Section 76B is up to date with all changes known to be in force on or before 16 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

- (7) In every case the lead inspector must report to the Secretary of State on—
- (a) his consideration of the application;
 - (b) the consideration of the additional inspectors (if any) of the matters mentioned in subsection (3)(b).
- (8) The function of the lead inspector in pursuance of subsection (2)—
- (a) may be exercised from time to time;
 - (b) includes making recommendations as to the number of additional inspectors required from time to time.
- (9) The power of the Secretary of State under subsection (3) to appoint an additional inspector includes power to revoke such an appointment.]

Textual Amendments

- F1** Ss. 76A, 76B inserted (6.8.2004 for certain purposes, 24.8.2005 for E. and otherwise prosp.) by [Planning and Compulsory Purchase Act 2004 \(c. 5\)](#), **ss. 44, 121**; [S.I. 2004/2097](#), **art. 2**; [S.I. 2005/2081](#), **art. 2** (subject to savings in [art. 4](#))

Status:

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