



# Planning Act 2008

## 2008 CHAPTER 29

### PART 1

#### [<sup>F1</sup>INFRASTRUCTURE PLANNING: FEES]

##### Textual Amendments

- F1** Words in Pt. 1 heading substituted (15.1.2012 for specified purposes, 1.4.2012 in so far as not already in force) by [Localism Act 2011 \(c. 20\), s. 240\(2\)](#), [Sch. 13 para. 3\(5\)](#); [S.I. 2012/57, art. 2\(a\)](#); [S.I. 2012/628, art. 7\(a\)](#)

#### <sup>F2</sup>1 **The Infrastructure Planning Commission**

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##### Textual Amendments

- F2** Ss. 1-3 repealed (1.4.2012) by [Localism Act 2011 \(c. 20\), s. 240\(2\)](#), [Sch. 13 para. 2](#), [Sch. 25 Pt. 20](#); [S.I. 2012/628, art. 7](#)

#### <sup>F2</sup>2 **Code of conduct**

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##### Textual Amendments

- F2** Ss. 1-3 repealed (1.4.2012) by [Localism Act 2011 \(c. 20\), s. 240\(2\)](#), [Sch. 13 para. 2](#), [Sch. 25 Pt. 20](#); [S.I. 2012/628, art. 7](#)

*Status: Point in time view as at 01/04/2012.*

*Changes to legislation: Planning Act 2008, Part 1 is up to date with all changes known to be in force on or before 09 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)*

### **F<sup>2</sup>3 Register of Commissioners' interests**

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#### **Textual Amendments**

**F2** Ss. 1-3 repealed (1.4.2012) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), Sch. 13 para. 2, [Sch. 25 Pt. 20](#); [S.I. 2012/628](#), art. 7

### **4 Fees**

- (1) The Secretary of State may make regulations providing for the [F<sup>3</sup>charging of fees by the Secretary of State in connection with the performance of any of the Secretary of State's major-infrastructure functions].
- (2) Regulations under subsection (1) may in particular make provision—
  - (a) about when a fee (including a supplementary fee) may, and may not, be charged;
  - (b) about the amount which may be charged;
  - (c) about what may, and may not, be taken into account in calculating the amount charged;
  - (d) about who is liable to pay a fee charged;
  - (e) about when a fee charged is payable;
  - (f) about the recovery of fees charged;
  - (g) about waiver, reduction or repayment of fees;
  - (h) about the effect of paying or failing to pay fees charged;
  - (i) for the supply of information for any purpose of the regulations.
- (3) The regulations may provide for the amounts of fees to be calculated by reference to costs [F<sup>4</sup>incurred by the Secretary of State]—
  - (a) in the performance of any of [F<sup>5</sup>the Secretary of State's major-infrastructure functions], and
  - (b) in doing anything which is calculated to facilitate, or is conducive or incidental to, the performance of any of [F<sup>5</sup>the Secretary of State's major-infrastructure functions].
- [F<sup>6</sup>(4) In this section “the Secretary of State's major-infrastructure functions” means—
  - (a) the Secretary of State's functions under Parts 2 to 8 and under Part 12 so far as applying for the purposes of those Parts,
  - (b) the giving of advice to which section 51 applies, and
  - (c) the Secretary of State's functions, in relation to proposed applications for orders granting development consent, under statutory provisions implementing—
    - (i) Council Directive [85/337/ EC](#) on the assessment of the effects of certain public and private projects on the environment, as amended from time to time, or
    - (ii) provisions of an EU instrument which from time to time replace provisions of that Directive.
- (5) In subsection (4)(c) “statutory provision” means a provision of an Act or of an instrument made under an Act. ]

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### Textual Amendments

- F3** Words in s. 4(1) substituted (15.1.2012 for specified purposes, 1.4.2012 in so far as not already in force) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), [Sch. 13 para. 3\(2\)](#); S.I. 2012/57, art. 2(a); S.I. 2012/628, art. 7(a)
- F4** Words in s. 4(3) substituted (15.1.2012 for specified purposes, 1.4.2012 in so far as not already in force) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), [Sch. 13 para. 3\(3\)\(a\)](#); S.I. 2012/57, art. 2(a); S.I. 2012/628, art. 7(a)
- F5** Words in s. 4(3) substituted (15.1.2012 for specified purposes, 1.4.2012 in so far as not already in force) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), [Sch. 13 para. 3\(3\)\(b\)](#); S.I. 2012/57, art. 2(a); S.I. 2012/628, art. 7(a)
- F6** S. 4(4)(5) inserted (15.1.2012 for specified purposes, 1.4.2012 in so far as not already in force) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), [Sch. 13 para. 3\(4\)](#); S.I. 2012/57, art. 2(a); S.I. 2012/628, art. 7(a)

### Commencement Information

- I1** S. 4 in force at 1.10.2009 in so far as not already in force by S.I. 2009/2260, [art. 2\(a\)](#)

**Status:**

Point in time view as at 01/04/2012.

**Changes to legislation:**

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