

Status: Point in time view as at 06/04/2009.

Changes to legislation: Town and Country Planning Act 1990, Cross Heading: Determination of appeals by appointed person is up to date with all changes known to be in force on or before 19 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)

SCHEDULES

SCHEDULE 6

DETERMINATION OF CERTAIN APPEALS BY PERSON APPOINTED BY SECRETARY OF STATE

Modifications etc. (not altering text)

C1 Sch. 6 excluded (27.5.1997) by 1997 c. 8, ss. 70(4), 278(2), **Sch. 7 para. 7** (with s. 64)

Determination of appeals by appointed person

- 1 (1) The Secretary of State may by regulations prescribe classes of appeals under sections 78 [^{F1}106B], 174, 195 and 208, [^{F2}of this Act, paragraph 5 of Schedule 2 to the Planning and Compensation Act 1991][^{F3}and paragraphs 6(11) and (12) and 11(1) of Schedule 13 and paragraph 9(1) of Schedule 14 to the Environment Act 1925] which are to be determined by a person appointed by the Secretary of State for the purpose instead of by the Secretary of State.
- (2) Those classes of appeals shall be so determined except in such classes of case—
- (a) as may for the time being be prescribed, or
- (b) as may be specified in directions given by the Secretary of State.
- (3) Regulations made for the purpose of this paragraph may provide for the giving of publicity to any directions given by the Secretary of State under this paragraph.
- (4) This paragraph shall not affect any provision in this Act or [^{F4}any other Act or any instrument made under this Act or any other Act] that an appeal shall lie to, or a notice of appeal shall be served on, the Secretary of State.
- (5) A person appointed under this paragraph is referred to in this Schedule as “an appointed person”.

Textual Amendments

- F1** Words in Sch. 6 para. 1(1) inserted (9.11.1992) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), s. 32, **Sch. 7 para. 54(2)**; S.I. 1992/2831, **art. 2**
- F2** Words in Sch. 6 para. 1(1) inserted (6.4.2009 for E., 28.11.2014 for W.) by Planning Act 2008 (c. 29), **ss. 198(2)(a)**, 241 (with s. 226); S.I. 2009/400, **art. 5**; S.I. 2014/2780, **art. 2**
- F3** Words in Sch. 6 para. 1(1) inserted (1.2.1996) by 1995 c. 25, s. 120(1), **Sch. 22 para. 44** (with ss. 7(6), 115, 117); S.I. 1996/186, **art. 2**
- F4** Words in Sch. 6 para. 1(4) substituted (6.4.2009 for E., 28.11.2014 for W.) by Planning Act 2008 (c. 29), **ss. 198(2)(b)**, 241 (with s. 226); S.I. 2009/400, **art. 5**; S.I. 2014/2780, **art. 2**

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