



Planning Act 2008

2008 CHAPTER 29

PART 1

[^{F1}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)

Modifications etc. (not altering text)

- C1** [Pt. 1](#) applied (with modifications) (30.4.2020) by [The A585 Windy Harbour to Skippool Highway Development Consent Order 2020 \(S.I. 2020/402\)](#), arts. 1, **25** (with arts. 5, 22, 44)

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- F2** Ss. 1-3 repealed (1.4.2012) by [Localism Act 2011 \(c. 20\), s. 240\(2\)](#), [Sch. 13 para. 2](#), [Sch. 25 Pt. 20](#); S.I. 2012/628, art. 7

^{F2}2 **Code of conduct**

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Status: Point in time view as at 18/07/2023.

Changes to legislation: Planning Act 2008, Part 1 is up to date with all changes known to be in force on or before 05 August 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)

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F2 Ss. 1-3 repealed (1.4.2012) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), Sch. 13 para. 2, **Sch. 25 Pt. 20**; S.I. 2012/628, art. 7

F23 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F2 Ss. 1-3 repealed (1.4.2012) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), Sch. 13 para. 2, **Sch. 25 Pt. 20**; S.I. 2012/628, art. 7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 [^{F3}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 [^{F4}incurred by the Secretary of State]—
 - (a) in the performance of any of [^{F5}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 [^{F5}the Secretary of State's major-infrastructure functions].
- [^{F6}(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—

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- (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.]

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:

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Changes to legislation:

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