
STATUTORY INSTRUMENTS

2000 No. 2307

TRIBUNALS AND INQUIRIES, ENGLAND

The Fees for Inquiries (Standard Daily Amount) (England) Regulations 2000

Made - - - - *24th August 2000*
Laid before Parliament *5th September 2000*
Coming into force - - *1st October 2000*

The Secretary of State for the Environment, Transport and the Regions and the Minister of Agriculture, Fisheries and Food, each being a Minister authorised under or by virtue of statutory provisions mentioned in section 42(1) of the Housing and Planning Act 1986⁽¹⁾ to recover costs incurred by him in relation to an inquiry or by statutory provisions to which section 42 is applied⁽²⁾, in exercise of the powers conferred on them by section 42(4) of that Act, and of all other powers enabling them in that behalf, hereby make the following Regulations:—

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Fees for Inquiries (Standard Daily Amount) (England) Regulations 2000 and shall come into force on 1st October 2000.

(2) These Regulations extend to England only.

Application

2. These Regulations apply to inquiries in relation to which the Secretary of State or the Minister of Agriculture, Fisheries and Food (as the case may be) is entitled to recover his costs under or by virtue of any of the following provisions, namely—

(a) section 250(4) of the Local Government Act 1972⁽³⁾ (general provisions as to costs of inquiries),

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- (1) 1986 c. 63. Section 42(1)(b) was repealed by Part I of Schedule 3 to the Water Consolidation (Consequential Provisions) Act 1991 (c. 60) and section 42(1)(d) was repealed by Part II of Schedule 12 to the Local Government and Housing Act 1989 (c. 42). The National Assembly for Wales (Transfer of Functions) Order 2000 (S.I.2000/253 (W.5)) provides in relation to the 1986 Act: “No functions are transferred but it is directed that the functions under section 42 shall be exercisable by the Assembly concurrently with any Minister of the Crown by whom they are exercisable”.
- (2) Section 69(7) of the Land Drainage Act 1991 provides that section 42 of the Housing and Planning Act 1986 shall apply where either of the Ministers is duly authorised to recover costs incurred by him in relation to an inquiry as it applies where a Minister is so authorised by virtue of an enactment specified in section 42(1) of the 1986 Act.
- (3) 1972 c. 70.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (b) section 129(1)(d) of the Road Traffic Regulation Act 1984⁽⁴⁾ (costs of inquiry under that Act), and
 - (c) section 69(5) of the Land Drainage Act 1991⁽⁵⁾ (costs of inquiry under that Act),
- other than inquiries opened before 1st October 2000.

Standard daily amount

3. The standard daily amount prescribed under section 42(4) of the Housing and Planning Act 1986 for inquiries to which these Regulations apply is—

- (a) in relation to inquiries opened before 1st October 2001, £561; and
- (b) in relation to inquiries opened on or after 1st October 2001, £630.

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

Beverley Hughes
Parliamentary Under Secretary of State,
Department of the Environment, Transport and
the Regions

18th August 2000

Signed by authority of the Minister of Agriculture, Fisheries and Food

E. A. Morley
Parliamentary Secretary, Ministry of Agriculture,
Fisheries and Food

24th August 2000

(4) 1984 c. 27.
(5) 1991 c. 59.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which apply to England only, apply where a Minister is authorised under or by virtue of specified provisions to recover his costs in connection with the holding of an inquiry.

These Regulations specify a standard amount which may be charged for each day on which the inquiry sits or the person appointed to hold it is otherwise engaged on work connected with it. The amount is £561 per day in relation to inquiries opening after 1st October 2000 but before 1st October 2001, and £630 in relation to inquiries opened on or after 1st October 2001. This is an increase of approximately 14% of the previous standard daily amount in relation to inquiries opened before 1st October 2001, with a further increase of approximately 12% in relation to inquiries opened on or after that date.