
STATUTORY INSTRUMENTS

2017 No. 314

**The Infrastructure Planning Fees
(Amendment) Regulations 2017**

Amendment to the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011

3.—(1) The Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011⁽¹⁾ are amended as follows.

(2) For regulation 71, substitute—

“**71.—(1)** The Secretary of State must from time to time—

- (a) carry out a review of Schedule 2, and
- (b) publish a report setting out the conclusions of the review.

(2) The first report must be published before 6th April 2022.

(3) Subsequent reports must be published at intervals not exceeding 5 years.

(4) Section 30(4) of the Small Business, Enterprise and Employment Act 2015 requires that a report published under this regulation must, in particular—

- (a) set out the objectives intended to be achieved by the regulatory provision referred to in paragraph (1)(a);
- (b) assess the extent to which those objectives are achieved;
- (c) assess whether those objectives remain appropriate; and
- (d) if those objectives remain appropriate, assess the extent to which they could be achieved in another way which involves less onerous regulatory provision.

(5) In this regulation, “regulatory provision” has the same meaning as in sections 28 to 32 of the Small Business, Enterprise and Employment Act 2015 (see section 32 of that Act.)”

(3) In paragraph 2(3) of Schedule 2, for “£4,500” substitute “£6,750”.

(4) In paragraph 3 of Schedule 2, for sub-paragraph (3) substitute—

“(3) The pre-examination fee is—

- (a) where a single appointed person will handle the application, £12,750;
- (b) where two appointed persons will handle the application, £25,500;
- (c) where three appointed persons will handle the application, £38,250;
- (d) where more than three appointed persons will handle the application, £57,750.”

(5) In paragraph 5 of Schedule 2, for the definition of “initial payment” in sub-paragraph (2) substitute—

““initial payment” in relation to a notice under sub-paragraph (1) means—

(1) [S.I. 2011/2055](#). Schedule 2 was amended by [S.I. 2012/635](#) and [S.I. 2015/760](#).

- (a) where the examination is to be handled by a single appointed person, £923 for each estimated relevant day;
 - (b) where the examination is to be handled by two appointed persons, £1,467 for each estimated relevant day;
 - (c) where the examination is to be handled by three appointed persons, £2,010 for each estimated relevant day;
 - (d) where the examination is to be handled by more than three appointed persons, £3,060 for each estimated relevant day.”
- (6) In paragraph 6 of Schedule 2, for sub-paragraph (2) substitute—
- “(2) The final payment is—
 - (a) where a single appointed person has examined the application, £1,845 for each relevant day;
 - (b) where two appointed persons have examined the application, £2,933 for each relevant day;
 - (c) where three appointed persons have examined the application, £4,020 for each relevant day;
 - (d) where more than three appointed persons have examined the application, £6,120 for each relevant day

less the initial payment referred to in paragraph 5.”

- (7) After paragraph 7 in Schedule 2, insert—

“Fees payable on or after 1st April 2018

8.—(1) Each relevant fee is increased by the appropriate percentage on 1st April 2018, and on 1st April in any subsequent year, if the appropriate percentage is greater than zero.

(2) The appropriate percentage is the CPI 12-month percentage rate published for the preceding September.

(3) The amount of any increase is in pounds sterling, rounded up or down to the nearest pound.

(4) In any year, the increase in a relevant fee described in paragraph (1) applies only where the obligation to pay that fee arises on or after 1st April in that year.

- (5) In this regulation—

“the CPI 12-month percentage rate” means the measure of the change in prices between one month and the same month in the subsequent year, published by the Statistics Board, a body corporate established by section 1 of the Statistics and Registration Service Act 2007(2); and

“relevant fee” means any fee prescribed in any of paragraphs 2, 3, 5 or 6 of this Schedule.”