

Changes to legislation: There are currently no known outstanding effects for the Planning (Wales) Act 2015, Cross Heading: Planning (Hazardous Substances) Act 1990 (c. 10). (See end of Document for details)

SCHEDULE 5

COSTS AND PROCEDURE ON APPEALS ETC: FURTHER AMENDMENTS

Planning (Hazardous Substances) Act 1990 (c. 10)

23 The Planning (Hazardous Substances) Act 1990 is amended as follows.

Annotations:

Commencement Information

- I1** Sch. 5 para. 23 partly in force; Sch. 5 para. 23 in force for specified purposes at 6.9.2015, see s. 58(2)(b)(4)(b)
- I2** Sch. 5 para. 23 in force at 1.3.2016 for specified purposes by S.I. 2016/52, art. 4(h) (with art. 17)
- I3** Sch. 5 para. 23 in force at 5.5.2017 in so far as not already in force by S.I. 2017/546, art. 3(e)

24 In section 25, in subsection (5), after “any proceedings” insert “ in England ”.

Annotations:

Commencement Information

- I4** Sch. 5 para. 24 partly in force; Sch. 5 para. 24 in force for specified purposes at 6.9.2015, see s. 58(2)(b)(4)(b)
- I5** Sch. 5 para. 24 in force at 1.3.2016 in so far as not already in force by S.I. 2016/52, art. 4(i) (with art. 17)

25 (1) Section 37 is amended as follows.

(2) In subsection (2)—

- (a) in the entry relating to section 322, after “held” insert “ : England ”;
- (b) after the entry relating to section 322A, insert— “ section 322C (costs: Wales) ”;
- (c) in the entry relating to section 323, after “applications” insert “ : England ”;
- (d) after the entry relating to section 323, insert— “ section 323A (procedure for certain proceedings: Wales) ”.

(3) Omit subsection (4).

Annotations:

Commencement Information

- I6** Sch. 5 para. 25 partly in force; Sch. 5 para. 25 in force for specified purposes at 6.9.2015, see s. 58(2)(b)(4)(b)
- I7** Sch. 5 para. 25(1)(2)(a)(b) in force at 1.3.2016 in so far as not already in force by S.I. 2016/52, art. 4(j) (with art. 17)
- I8** Sch. 5 para. 25(2)(c)(d)(3) in force at 5.5.2017 in so far as not already in force by S.I. 2017/546, art. 3(e)

26 In the Schedule, in paragraph 6—

- (a) in sub-paragraph (4), after “paragraph” insert “ in England ”;
- (b) after sub-paragraph (4) insert—

“(4A) Subsections (2) and (3) of that section apply to an inquiry held under this paragraph in Wales.”;

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- (c) in sub-paragraph (5), for “such inquiry” substitute “ inquiry held by virtue of this paragraph ”;
- (d) in sub-paragraph (8), after “proceedings” insert “ in England ”.

Annotations:

Commencement Information

- I9** Sch. 5 para. 26 partly in force; Sch. 5 para. 26 in force for specified purposes at 6.9.2015, see s. 58(2)(b)(4)(b)
- I10** Sch. 5 para. 26 in force at 1.3.2016 in so far as not already in force by S.I. 2016/52, art. 4(k) (with art. 17)

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