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STATUTORY INSTRUMENTS

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**1996 No. 2382**

**The Town and Country Planning (Costs of Inquiries etc.) (Examination in Public) Regulations 1996**

**Citation and commencement**

1. These Regulations may be cited as the Town and Country Planning (Costs of Inquiries etc.) (Examination in Public) Regulations 1996 and shall come into force on 10th October 1996.

**Application**

2. These Regulations apply in relation to any person, (“the appointed person”) who is appointed to conduct, or is appointed as one of the persons who are to conduct, an examination in public under section 35B(1) of the Town and Country Planning Act 1990 (“the 1990 Act”) and whose remuneration, and travelling or subsistence allowances (if any), in respect of that appointment are to be paid to him by the local planning authority causing the examination to be held.

**Standard daily amount**

3. The standard daily amount prescribed under section 303A(8) of the 1990 Act is £273.

**Travelling allowances**

4.—(1) The travelling allowance prescribed under section 303A(8) of the 1990 Act in respect of the appointed person where he travels by means of his own private motor vehicle, or such a vehicle for his use, is—

- (a) 23.8 pence per mile where he travels more than 120 miles in a day in connection with the examination in public, in respect of that day;
- (b) in any other case the amount per mile specified in the second column in Schedule 1 to these Regulations in relation to the cylinder capacity of the engine of the vehicle as specified in the first column of that Schedule.

(2) Where paragraph (1) applies, if the appointed person is accompanied by a passenger who is also an appointed person, the appointed person who is not a passenger is entitled to an additional allowance of 2 pence for every mile he travels in connection with the examination in public for the first such passenger and 1 pence per mile for every other such passenger.

(3) The travelling allowance prescribed in respect of the appointed person where he travels by means of transport other than that described in paragraph (1) is the actual cost of first class or other class of rail, bus, coach or taxi fares which he incurs except that taxi fares are included within such an allowance only to the extent that it is not reasonably practicable for the appointed person to travel by means of rail, bus or coach.

**Subsistence allowance**

5. The subsistence allowance prescribed under section 303A(8) of the 1990 Act is, except as specified in paragraphs (2) and (3), in respect of absence of the appointed person from his usual

place of residence of the duration described in the first column of Schedule 2 to these Regulations, the amount specified in relation to it in the second column of that Schedule.

(2) Subject to paragraph (3), for each complete period of 24 hours the appointed person necessarily spends away from his usual place of residence to enable him to conduct the business of the examination in public he shall be entitled to an allowance of—

- (a) £62.45 per night spent away from that place of residence, where the examination in public is in the area of the London boroughs, the City of London, the City of Westminster, the Inner Temple or the Middle Temple;
- (b) £60.00 per night in any other case; and
- (c) £5.00 for incidental expenses.

(3) The subsistence allowance specified shall be the actual cost of accommodation and meals where the cost of the only suitable accommodation and meals which can be obtained exceeds the allowance specified in paragraph (2).

Signed by authority of the Secretary of State for the Environment

5th September 1996

*Paul Beresford*  
Parliamentary Under Secretary of State,  
Department of the Environment

Signed by authority of the Secretary of State for Wales

6th September 1996

*Gwilym Jones*  
Parliamentary Under Secretary of State, Welsh  
Office