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STATUTORY INSTRUMENTS

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**1996 No. 493 (S.44)**

**TOWN AND COUNTRY PLANNING, SCOTLAND**

**The Town and Country Planning (Costs of Inquiries etc.)  
(Standard Daily Amount) (Scotland) Regulations 1996**

<i>Made</i>	- - - -	<i>27th February 1996</i>
<i>Laid before Parliament</i>		<i>11th March 1996</i>
<i>Coming into force</i>	- -	<i>1st April 1996</i>

The Secretary of State, in exercise of the powers conferred on him by sections 11(1B) and (2), 273(1) and 275(1) of, and paragraph 7(3B) of Schedule 6A to, the Town and Country Planning (Scotland) Act 1972(1) and of all other powers enabling him in that behalf, hereby makes the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Town and Country Planning (Costs of Inquiries etc.) (Standard Daily Amount) (Scotland) Regulations 1996 and shall come into force on 1st April 1996.

**Interpretation**

2. In these Regulations—

“the Act” means the Town and Country Planning (Scotland) Act 1972.

**Application**

3. These Regulations apply where a person is appointed by the planning authority whether before 1st April 1996 or on or after that date to hold a local inquiry or other hearing under section 11 of, or paragraph 7 of Schedule 6A to, the Act, in respect of the performance on or after 1st April 1996 of his functions in relation to the inquiry or hearing.

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(1) 1972 c. 52; section 11(1B) was inserted by the Town and Country Planning (Cost of Inquiries etc.) Act 1995 (c. 49) (“the 1995 Act”), section 3(2)(a); section 11(2) was amended by the 1995 Act, section 3(2)(b); section 273(1) was amended by the Planning and Compensation Act 1991 (c. 34) (“the 1991 Act”), Schedule 17, paragraph 18; section 275(1) contains a definition of “prescribed” relevant to the exercise of the statutory powers under which these Regulations are made; Schedule 6A was inserted by the Housing and Planning Act 1986 (c. 63), section 26(2) and Part III of Schedule 6; paragraph 7(1) to (3) of Schedule 6A was substituted by the 1991 Act, Schedule 11, paragraph 2(1); and paragraph 7(3B) of Schedule 6A was inserted by the 1995 Act, section 3(3)(a).

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*Status: This is the original version (as it was originally made).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

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### **Remuneration**

4. Where these Regulations apply, the sum which the planning authority shall pay in accordance with section 11(1A) of or paragraph 7(3A) of Schedule 6A to the Act shall be a standard daily amount applicable in respect of each day on which the person appointed to hold the local inquiry or other hearing is engaged in holding, or in work connected with, the inquiry or hearing.

### **Standard daily amount**

5. The standard daily amount referred to in regulation 4 above and prescribed under section 11(1B) of, and paragraph 7(3B) of Schedule 6A, to the Act is £275.

### **Amendment**

6. In regulation 33(2) of the Town and Country Planning (Structure and Local Plans) (Scotland) Regulations 1983(2) the words “remuneration and” shall be omitted.

St Andrew’s House,  
Edinburgh  
27th February 1996

*George Kynoch*  
Parliamentary Under Secretary of State, Scottish  
Office

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations are made under section 11 of and paragraph 7 of Schedule 6A to the Town and Country Planning (Scotland) Act 1972 as amended by section 3 of the Town and Country Planning (Costs of Inquiries Etc.) Act 1995.

The Regulations set out a standard daily amount which planning authorities shall pay in respect of each day on which a person appointed to conduct a local plan or simplified planning zone inquiry or hearing is engaged in such work. Regulation 5 sets the standard daily amount at £275.

Regulation 6 amends the Town and Country Planning (Structure and Local Plans) (Scotland) Regulations 1983. This minor amendment is necessary to make it clear that remuneration of a person appointed to conduct a local plan inquiry is payable under these new Regulations rather than the 1983 Regulations.