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WELSH STATUTORY INSTRUMENTS

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**2005 No. 371 (W.35)**

**TOWN AND COUNTRY PLANNING, WALES  
TRIBUNALS AND INQUIRIES, WALES**

The Town and Country Planning (Costs of Inquiries etc.)  
(Standard Daily Amount) (Wales) Regulations 2005

*Made* - - - - 22 February 2005  
*Coming into force* - - 1 April 2005

The National Assembly for Wales (“the National Assembly”), in exercise of the powers conferred upon the Secretary of State by section 303A(5) of the Town and Country Planning Act 1990(1) (“the Act”) and now exercisable, in relation to Wales, by the National Assembly(2), hereby makes the following Regulations:

**Citation, commencement and application**

- 1.—(1) These Regulations may be cited as the Town and Country Planning (Costs of Inquiries etc.) (Standard Daily Amount) (Wales) Regulations 2005 and come into force on 1 April 2005.
- (2) These Regulations apply to Wales.

**Persons and inquiries to which these Regulations apply**

2. These Regulations apply in relation to any person appointed by the National Assembly to hold, or as one of the persons so appointed who are to hold, a qualifying inquiry within the meaning of that term in section 303A(1) of the Act which opens on or after the date on which these Regulations come into force.

**Standard daily amount**

3. Where a qualifying inquiry opens on or after 1 April 2005, the standard daily amount prescribed under section 303A(5) of the Act is £679.

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(1) 1990 c. 8. Section 303A of the Town and Country Planning Act 1990 was inserted by section 1 of the Town and Country Planning Act (Costs of Inquiries etc.) Act 1995 (c. 49). See section 336(1) of the 1990 Act for the definition of “prescribed”.

(2) The functions of the Secretary of State under the relevant sections were, so far as exercisable in relation to Wales, transferred to the National Assembly by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) and are now exercisable by the National Assembly by the National Assembly for Wales (Transfer of Functions) Order 2000 (S.I. 2000/253) (W.5), article 4; see the entry for the Town and Country Planning Act 1990 (c. 8) in Schedule 3 to the 2000 Order.

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**Status:** This is the original version (as it was originally made).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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### **Revocation and saving**

4. The Town and Country Planning (Costs of Inquiries etc) (Standard Daily Amount) (Wales) Regulations 2002<sup>(3)</sup> are revoked, otherwise than in relation to a qualifying inquiry to which those Regulations applied and which opened before, and remains open after, 1 April 2005.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998<sup>(4)</sup>.

22 February 2005

*D. Elis-Thomas*  
The Presiding Officer of the National Assembly

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(3) S.I. 2002/2801 (W.269).

(4) 1998 c. 38.

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## EXPLANATORY NOTE

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

These Regulations apply where the National Assembly for Wales is authorised to recover costs borne by it in connection with inquiries or other hearings relating to unitary development plans, local plans or simplified planning zones which have effect in Wales.

The Regulations prescribe a standard daily amount which may be charged for each day the person appointed to hold the inquiry or hearing is engaged in the conduct of it, or is otherwise engaged on work connected with it.

The amount prescribed by these Regulations, in relation to an inquiry or other hearing which opens on or after 1 April 2005, is £679.

This replaces the amount of £618, which was prescribed for the 2004/2005 year by The Town and Country Planning (Costs of Inquiries etc) (Standard Daily Amount) (Wales) Regulations 2002 ([S.I. 2002/2801](#)) ([W.269](#)), otherwise than in relation to a qualifying inquiry to which those Regulations applied and which opened before, and remains open after, 1 April 2005.