



Historic Environment (Wales) Act 2023

2023 asc 3

PART 5

SUPPLEMENTARY PROVISION ABOUT BUILDINGS OF SPECIAL INTEREST AND CONSERVATION AREAS

CHAPTER 2

PROCEEDINGS BEFORE THE WELSH MINISTERS

Costs of proceedings before Welsh Ministers

180 Payment of costs of Welsh Ministers

- (1) This section applies to the following proceedings—
 - (a) proceedings on an application, appeal or reference made to the Welsh Ministers under or by virtue of Part 3 or 4 (whether it is considered at a local inquiry, at a hearing or on the basis of representations in writing);
 - (b) any other local inquiry or hearing held or to be held by or on behalf of the Welsh Ministers under or by virtue of any provision of those Parts or this Part.
- (2) The Welsh Ministers may give a direction requiring the applicant or appellant, or a planning authority or other party to the proceedings, to pay the costs incurred by the Welsh Ministers in relation to the proceedings (or so much of those costs as the Welsh Ministers may direct).
- (3) The costs incurred by the Welsh Ministers in relation to any proceedings include—
 - (a) the entire administrative cost incurred by the Welsh Ministers in connection with the proceedings, including in particular a reasonable amount that they determine in respect of general staff costs and overheads of the Welsh Government;
 - (b) costs in respect of an inquiry or hearing that does not take place.

- (4) The Welsh Ministers may by regulations specify a standard daily amount for proceedings of a specified description.
- (5) Where proceedings of a specified description take place, the costs incurred by the Welsh Ministers are to be taken to be—
 - (a) the standard daily amount for each day (or an appropriate proportion of that amount for a part of a day) on which a specified person is engaged in dealing with the case;
 - (b) costs actually incurred in connection with dealing with the case on—
 - (i) travelling or subsistence allowances, or
 - (ii) the provision of accommodation or other facilities;
 - (c) any costs attributable to the appointment of specified persons to assist in dealing with the case;
 - (d) any legal costs or disbursements incurred or made by or on behalf of the Welsh Ministers in connection with the case.
- (6) In this section “specified” means specified in regulations made by the Welsh Ministers.