



Planning and Compensation Act 1991

1991 CHAPTER 34

PART I

TOWN AND COUNTRY PLANNING: ENGLAND AND WALES

Miscellaneous

30 Orders as to costs where inquiry or hearing does not take place.

(1) After section 322 of the principal Act there is inserted—

“322A Orders as to costs: supplementary.

(1) This section applies where—

(a) for the purposes of any proceedings under this Act—

(i) the Secretary of State is required, before a decision is reached, to give any person an opportunity, or ask any person whether he wishes, to appear before and be heard by a person appointed by him; and

(ii) arrangements are made for a local inquiry or hearing to be held;

(b) the inquiry or hearing does not take place; and

(c) if it had taken place, the Secretary of State or a person appointed by him would have had power to make an order under section 250(5) of the ^{M1}Local Government Act 1972 requiring any party to pay any costs of any other party.

(2) Where this section applies the power to make such an order may be exercised, in relation to costs incurred for the purposes of the inquiry or hearing, as if it had taken place.”

(2) In section 89(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and section 37(2) of the ^{M2} Planning (Hazardous Substances) Act 1990 (application

*Changes to legislation: There are currently no known outstanding effects for the
Planning and Compensation Act 1991, Section 30. (See end of Document for details)*

of provisions of the principal Act) before “323” there is inserted “ 322A (orders as to costs: supplementary) ”.

.....
Commencement Information

I1 S. 30 partly in force; s. 30 in force for certain purposes at 02.01.1992 see s. 84(2)(3) and S.I. 1991/2728, arts. 3, 4.

.....
Marginal Citations

M1 1972 c. 70.

M2 1990 c. 10.

Changes to legislation:

There are currently no known outstanding effects for the Planning and Compensation Act 1991, Section 30.