

SCHEDULES

SCHEDULE 13

INFRASTRUCTURE PLANNING COMMISSION: TRANSFER OF FUNCTIONS TO SECRETARY OF STATE

PART 1

AMENDMENTS OF THE PLANNING ACT 2008

Grant or refusal

- 58 (1) Amend section 117 (orders granting consent: formalities) as follows.
- (2) Omit subsections (2) and (5) (orders made by Panel or Council).
- (3) In subsection (3) (duty to publish order)—
- (a) for “appropriate authority” substitute “Secretary of State”, and
 - (b) for “the authority” substitute “the Secretary of State”.
- (4) For subsection (4) (order exercising powers under section 120(5)(a) or (b) must be in statutory instrument) substitute—
- “(4) If the order includes provision—
- (a) made under section 120(3) for or relating to any of the matters listed in paragraphs 32A and 32B of Schedule 5, or
 - (b) made in the exercise of any of the powers conferred by section 120(5)(a) or (b),
- the order must be contained in a statutory instrument.”
- (5) In subsection (6) for “is made, the appropriate authority” substitute “containing the order is made, the Secretary of State”.
- (6) Omit subsection (7) (meaning of “appropriate authority”).