
Changes to legislation: Localism Act 2011, Cross Heading: Fees is up to date with all changes known to be in force on or before 21 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 13

INFRASTRUCTURE PLANNING COMMISSION: TRANSFER OF FUNCTIONS TO SECRETARY OF STATE

PART 1

AMENDMENTS OF THE PLANNING ACT 2008

Fees

- 3 (1) Amend section 4 (regulations setting fees for performance of Commission's functions) as follows.
- (2) In subsection (1) for “charging of fees by the Commission in connection with the performance of any of its functions” substitute “ charging of fees by the Secretary of State in connection with the performance of any of the Secretary of State's major-infrastructure functions ”.
- (3) In subsection (3) (power to set fees calculated by reference to costs incurred)—
- (a) for “incurred by the Commission” substitute “ incurred by the Secretary of State ”, and
- (b) for “its functions” (in both places) substitute “ the Secretary of State's major-infrastructure functions ”.
- (4) After subsection (3) insert—
- “(4) In this section “the Secretary of State's major-infrastructure functions” means—
- (a) the Secretary of State's functions under Parts 2 to 8 and under Part 12 so far as applying for the purposes of those Parts,
- (b) the giving of advice to which section 51 applies, and
- (c) the Secretary of State's functions, in relation to proposed applications for orders granting development consent, under statutory provisions implementing—
- (i) Council Directive [85/337/EC](#) on the assessment of the effects of certain public and private projects on the environment, as amended from time to time, or
- (ii) provisions of an EU instrument which from time to time replace provisions of that Directive.
- (5) In subsection (4)(c) “statutory provision” means a provision of an Act or of an instrument made under an Act.”
- (5) In the heading of Part 1 for “The Infrastructure Planning Commission” substitute “ Infrastructure planning: fees ”.

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Commencement Information

- I1** Sch. 13 para. 3 in force at 15.1.2012 for specified purposes by S.I. 2012/57, **art. 2(a)**
- I2** Sch. 13 para. 3 in force at 1.4.2012 in so far as not already in force by S.I. 2012/628, **art. 7(a)**

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 158(8)-(9B) substituted for s. 158(8)(9) by [2016 c. 22 s. 121\(2\)\(e\)](#)
- s. 202(3A) inserted by [2023 c. 55 s. 176\(2\)](#)