

2004 No. 2209

TOWN AND COUNTRY PLANNING, ENGLAND

The Town and Country Planning (Regional Spatial Strategies)
(Examinations in Public)(Remuneration and
Allowances)(England) Regulations 2004

<i>Made</i> - - - -	<i>26th August 2004</i>
<i>Laid before Parliament</i>	<i>7th September 2004</i>
<i>Coming into force</i> - -	<i>28th September 2004</i>

The First Secretary of State, in exercise of the power conferred upon him by section 11(2)(h) of the Planning and Compulsory Purchase Act 2004(a) hereby makes the following Order:

Citation, commencement and application

1.—(1) These Regulations may be cited as the Town and Country Planning (Regional Spatial Strategies) (Examinations in Public) (Remuneration and Allowances) (England) Regulations 2004 and shall come into force on 28th September 2004.

(2) These Regulations shall apply in relation to England only.

(3) In these Regulations, “appointed person” means a person appointed by the Secretary of State under section 8(2) of the Planning and Compulsory Purchase Act 2004.

Amount of Remuneration

2.— The amount of remuneration payable to an appointed person is £342 in respect of each day on which he is engaged in the conduct of an examination under section 8 of the Planning and Compulsory Purchase Act 2004 or work connected with it.

Travelling Allowances

3. The travelling allowance payable to an appointed person is—

(a) where he travels by means of his own motor car, or other motor car for his own use, in connection with the examination in public—

(i) where it is not reasonably practicable for him to travel by means of rail, bus or coach, 40 pence for each mile up to 10,000 miles and 25 pence for each mile in excess of 10,000 miles;

(a) 2004 c. 5.

- (ii) where it is reasonably practicable for him to travel by means of rail, bus or coach, 25 pence for each mile;
- (iii) where he is accompanied by a passenger who is also an appointed person, the appointed person, who is not a passenger, is entitled to an additional allowance of 5 pence for each mile;
- (b) where he travels by means of his own motorcycle, or other motorcycle for his own use, 24 pence for each mile;
- (c) where he travels by means of pedal cycle, 20 pence for each mile;
- (d) where he travels by means of transport other than as described in sub-paragraphs (a) to (c), the rail, bus, coach or taxi fares actually incurred provided that, in the case of taxi fares, it was not reasonably practicable for the appointed person to travel by means of rail, bus or coach.

Subsistence allowances

4.—(1) The subsistence allowance payable, in respect of absence of an appointed person from his usual place of residence for the period described in the first column of the Schedule to these Regulations, is the actual cost of meals consumed by that person during that period or the amount specified in relation to it in the second column of the Schedule, whichever is the less.

(2) For each complete period of 24 hours that the appointed person spends away from his usual place of residence to enable him to conduct the examination in public, he shall be entitled to allowances of—

- (a) the actual cost of accommodation and meals during that period, subject to a maximum of—
 - (i) £95 for each night spent away from his usual place of residence, where the examination is held in the area of the London boroughs, the City of London, the Inner Temple or the Middle Temple;
 - (ii) £75 for each night where the examination is held in any other area; or
 - (iii) £25 for each night where the appointed person stays with friends or relatives; and
- (b) £5 for incidental expenses.

SCHEDULE

Regulation 4(1)

Subsistence Allowance

<i>Period of absence from usual place of residence</i>	<i>Subsistence Allowance</i>
Not less than 5 hours but not exceeding 10 hours	£4.50
More than 10 hours but not exceeding 12 hours	£9.50
More than 12 hours but not exceeding 24 hours	£14.00

Signed by the authority of the First Secretary of State

26th August 2004

Nick Raynsford
Minister of State
Office of the Deputy Prime Minister

EXPLANATORY NOTE

(This note is not part of the Order)

Section 1 of the Planning and Compulsory Purchase Act 2004 provides that there is to be a regional spatial strategy (“RSS”) for each region setting out the Secretary of State’s policies in relation to the development and use of land within the region. Each region’s RSS is reviewed by the regional planning body, which may prepare a draft revision of the RSS for submission to the Secretary of State. On receipt of a draft revision, the Secretary of State may decide that an examination in public should be held into the draft revision. Where he decides to do so, the examination must be held before a person appointed by the Secretary of State.

These Regulations provide for the remuneration and allowances payable by the Secretary of State to such appointed persons. Regulation 2 provides that the appointed person may be paid £342 for each day he is engaged on which on the examination in public or work connected with it. Regulations 3 and 4, to which the Schedule is relevant, provide the rates of travelling and subsistence allowances payable to the appointed persons.

STATUTORY INSTRUMENTS

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