



# Levelling-up and Regeneration Act 2023

## 2023 CHAPTER 55

### PART 3

#### PLANNING

### CHAPTER 6

#### OTHER PROVISION

#### **126 Fees for certain services in relation to nationally significant infrastructure projects**

(1) After section 54 of the Planning Act 2008 (rights of entry: Crown land) insert—

#### **“CHAPTER 4**

#### **FEES**

#### **54A Power to provide for fees for certain services in relation to nationally significant infrastructure projects**

- (1) The Secretary of State may make regulations for and in connection with the charging of fees by prescribed public authorities in relation to the provision of relevant services.
- (2) A “relevant service” means any advice, information or other assistance (including a response to a consultation) provided in connection with—
  - (a) an application or proposed application—
    - (i) for an order granting development consent, or
    - (ii) to make a change to, or revoke, such an order, or
  - (b) any other prescribed matter relating to nationally significant infrastructure projects.

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**Changes to legislation:** There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Section 126. (See end of Document for details)

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- (3) The regulations under [subsection \(1\)](#) may in particular make provision—
- (a) about when a fee (including a supplementary fee) may, and may not, be charged;
  - (b) about the amount which may be charged;
  - (c) about what may, and may not, be taken into account in calculating the amount charged;
  - (d) about who is liable to pay a fee charged;
  - (e) about when a fee charged is payable;
  - (f) about the recovery of fees charged;
  - (g) about waiver, reduction or repayment of fees;
  - (h) about the effect of paying or failing to pay fees charged (including provision permitting a public authority prescribed under [subsection \(1\)](#) to withhold a relevant service that they would otherwise be required to provide under an enactment until any outstanding fees for that service are paid);
  - (i) for the supply of information for any purpose of the regulations;
  - (j) conferring a function, including a function involving the exercise of a discretion, on any person.
- (4) A public authority prescribed under [subsection \(1\)](#) must have regard to any guidance published by the Secretary of State in relation to the exercise of its functions under the regulations.
- (5) In this section, “public authority” means any person certain of whose functions are of a public nature.”

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**Commencement Information**

**II** [S. 126](#) in force at 26.12.2023, see [s. 255\(3\)\(a\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Section 126.