



Levelling-up and Regeneration Act 2023

2023 CHAPTER 55

PART 3

PLANNING

CHAPTER 6

OTHER PROVISION

133 Participation in certain proceedings conducted by, or on behalf of, the Secretary of State

- (1) The Secretary of State may, to the extent not otherwise able to do so, require or permit a person who takes part in relevant proceedings conducted by the Secretary of State to do so (wholly or partly) remotely.
- (2) The references in [subsection \(1\)](#) to the Secretary of State include references to a person appointed by the Secretary of State.
- (3) “Relevant proceedings” means any inquiry, hearing, examination, meeting or other proceedings under an Act (whenever passed or made) which relate to planning, development or the compulsory purchase of land.
- (4) Relevant proceedings include, in particular—
 - (a) any proceedings to which section 319A of TCPA 1990 applies (see subsections (7) to (10) of that section);
 - (b) any proceedings under section 20 of, or paragraph 6 of Schedule 3 to, the Listed Buildings Act;
 - (c) any proceedings under section 21 of, or paragraph 6 of the Schedule to, the Hazardous Substances Act;
 - (d) any proceedings under section 13A of, or paragraph 4A of Schedule 1 to, the Acquisition of Land Act 1981;
 - (e) any proceedings under Part 10A or Part 11 of the Planning Act 2008;

Changes to legislation: There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Section 133. (See end of Document for details)

- (f) an examination under Part 2 of PCPA 2004;
 - (g) an examination under Chapter 2 or 3 of Part 6 of the Planning Act 2008 (including any meetings under Chapter 4 of that Part) in relation to an application for an order granting development consent;
 - (h) an examination under Schedule 4B to the TCPA 1990 in relation to a draft neighbourhood development order.
- (5) For the purposes of this section a person takes part in relevant proceedings remotely if they take part through—
- (a) a live telephone link,
 - (b) a live television link, or
 - (c) any other arrangement which does not involve the person attending the proceedings in person.

Commencement Information

II [S. 133](#) 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 133.