
STATUTORY INSTRUMENTS

1974 No. 419

**The Town and Country Planning
(Inquiries Procedure) Rules 1974**

Interpretation

- 3.—(1) In these Rules, unless the context otherwise requires—
- “the Act” means the Town and Country Planning Act 1971;
 - “the Act of 1972” means the Local Government Act 1972;
 - “applicant” in the case of an appeal means the appellant;
 - “appointed person” means the person appointed by the Secretary of State to hold the inquiry;
 - “conservation area” means an area designated under section 277 of the Act;
 - “county planning authority” and “district planning authority” have the meanings assigned to them by section 1 of the Act;
 - “inquiry” means a local inquiry to which these Rules apply;
 - “the land” means the land (including trees and buildings) to which the inquiry relates;
 - “listed buildings” has the meaning assigned to it by section 54 of the Act;
 - “listed building consent” means consent required by section 55 (2) of the Act in respect of works for the demolition, extension or alteration of a listed building and the consent required by that subsection as applied by section 8 of the Town and Country Planning (Amendment) Act 1972 for works for the demolition of a building in a conservation area;
 - “local authority” has the meaning assigned to it by section 290(1) of the Act;
 - “local planning authority” means—
 - (a) the county planning authority or district planning authority, as the case may be, who were responsible for dealing with the relevant application (or in the case of an application referred to the Secretary of State would have been so responsible had it not been so referred), or
 - (b) any local authority or committee (including a National Park Committee) exercising the functions of the said planning authority in relation to the application by virtue of any arrangement made under section 101 of the Act of 1972;
 - “National Park Committee” has the meaning assigned to it by paragraph 5 of Schedule 17 to the Act of 1972;
 - “referred application” means an application referred to the Secretary of State under section 35 of the Act, or that section as applied by a tree preservation order, or under regulation 28 of the Town and Country Planning (Control of Advertisements) Regulations 1969 or under paragraph 4 of Schedule 11 to the Act;
 - “section 29 parties” means—
 - (i) in relation to referred applications, persons from whom representations are received within the time prescribed—
 - (a) in pursuance of section 29(2) or (3) of the Act, as applied by section 35(4), or

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- (b) in the case of applications referred under paragraph 4 of Schedule 11 to the Act, in pursuance of regulations made under paragraph 2 of the said Schedule; and
- (ii) in relation to appeals, persons from whom representations are received within the time prescribed—
 - (a) by the local planning authority in pursuance of section 29(3) of the Act, or by the Secretary of State in pursuance of section 29(3) as applied by section 36(5), or
 - (b) in the case of appeals brought under paragraph 8 of Schedule 11 to the Act, in pursuance of regulations made under paragraph 2 of the said Schedule.
- (2) Without prejudice to the foregoing provisions of this rule, the Secretary of State may require the local planning authority to take one or more of the following steps—
 - (a) to publish in one or more newspapers circulating in the locality in which land is situated such notices of the inquiry as he may direct;
 - (b) to serve notice of the inquiry in such form and on such persons or classes of persons as he may specify;
 - (c) to post such notices of the inquiry as he may direct in a conspicuous place or places near to the land;but the requirements as to the period of notice contained in paragraph (1) of this rule shall not apply to any such notices.
- (3) Where the land is under the control of the applicant, he shall, if so required by the Secretary of State, affix firmly to some object on the land, in such a manner as to be readily visible to and legible by the public, such notice of the inquiry as the Secretary of State may specify, and thereafter for such period before the inquiry as the Secretary of State may specify, the applicant shall not remove the notice, or cause or permit it to be removed.