
STATUTORY INSTRUMENTS

1995 No. 1239

The Pipe-lines (Inquiries Procedure) Rules 1995

Procedure before inquiry

4.—(1) The Secretary of State shall, as soon as possible, notify the applicant of the substance of each objection received by him from a statutory objector and, so far as possible, of the substance of other objections.

(2) The Secretary of State may cause a pre-inquiry meeting to be held if it appears to him desirable and where he does so the following provisions shall apply.

(3) The Secretary of State shall serve with the relevant notice a notification of his intention to cause a pre-inquiry meeting to be held and a statement of the matters about which he particularly wishes to be informed for the purposes of his consideration of the application in question; and where another Minister of the Crown or a government department has expressed in writing to the Secretary of State a view that the application should not be granted either wholly or in part, or should be granted only subject to conditions, the Secretary of State shall set this out in his statement and shall supply a copy of the statement to the Minister or government department concerned.

(4) In respect of each locality through which the proposed pipe-line is to pass, the applicant shall cause to be published in one or more newspapers circulating in that locality, a notice of the Secretary of State's intention to cause a pre-inquiry meeting to be held and of the statement served in accordance with paragraph (3).

(5) The notice published pursuant to paragraph (4) shall refer to and include the text of any statement served in accordance with paragraph (3).

(6) The applicant and any statutory objector shall, not later than 8 weeks after the relevant date, serve an outline statement on each other and on the Secretary of State.

(7) The Secretary of State may in writing require any person who has notified him of an intention or a wish to appear at an inquiry to serve, within 4 weeks of being so required, an outline statement on the Secretary of State, on any statutory objector and on the applicant.

(8) The pre-inquiry meeting shall be held not later than 16 weeks after the relevant date.

(9) The Secretary of State shall give not less than 3 weeks' written notice of the pre-inquiry meeting to any statutory objector, the applicant, any person known at the date of the notice to be a person entitled to appear at the inquiry and any other person whose presence at the pre-inquiry meeting seems to him to be desirable; and he may require the applicant to take, in relation to notification of the pre-inquiry meeting, one or more steps which he may under rule 9 require him to take in relation to notification of the inquiry.

(10) The inspector shall preside at the pre-inquiry meeting and shall determine the matters to be discussed and the procedure to be followed, and he may require any person present at the meeting who, in his opinion, is behaving in a disruptive manner to leave it, and he may refuse to permit that person to return or to attend any further pre-inquiry meeting, or may permit him to return or to attend only on such conditions as he may specify.