
STATUTORY INSTRUMENTS

2000 No. 1625

The Town and Country Planning Appeals (Determination by Inspectors) (Inquiries Procedure) (England) Rules 2000

Receipt of statements of case etc.

6.—(1) The local planning authority shall ensure that, within 6 weeks of the starting date, 2 copies of their statement of case have been received by the Secretary of State; and a copy of their statement of case has been received by any statutory party.

(2) The local planning authority shall—

(a) include in their statement of case—

(i) details of the time and place where the opportunity to inspect and take copies described in paragraph (13) below shall be afforded; and

(ii) where rule 4(2) applies, the terms of any direction given together with a statement of the reasons therefor together with any view expressed or representation made on which they intend to rely in their submissions at the inquiry; and

(b) where rule 4(2) applies, within the period mentioned in paragraph (1) send a copy of their statement of case to the person concerned.

(3) The appellant shall ensure that, within 6 weeks of the starting date, 2 copies of their statement of case have been received by the Secretary of State and a copy has been received by any statutory party.

(4) The Secretary of State shall, as soon as practicable after receipt, send a copy of the local planning authority's statement of case to the appellant and a copy of the appellant's statement of case to the local planning authority.

(5) The appellant and the local planning authority may in writing each require the other to send them a copy of any document, or of the relevant part of any document, referred to in the list of documents comprised in their statement of case; and any such document, or relevant part, shall be sent, as soon as practicable, to the party who required it.

(6) The Secretary of State may in writing require any other person who has notified him of an intention or a wish to appear at an inquiry, to send—

(a) 3 copies of their statement of case to him within 4 weeks of being so required; and

(b) a copy of their statement of case to any statutory party;

and the Secretary of State shall, as soon as practicable after receipt, send a copy of each such statement of case to the local planning authority and the appellant.

(7) The Secretary of State shall, as soon as practicable—

(a) send to any person from whom he requires a statement of case in accordance with paragraph (6) a copy of the statements of case of the appellant and the local planning authority; and

(b) inform that person of the name and address of every person to whom his statement of case is required to be sent.

(8) The Secretary of State may in writing require any person who has sent a statement of case in accordance with these Rules to provide such further information about the matters contained in the statement of case as he may specify and may specify the time within which the information shall be received by him.

(9) A local planning authority or appellant required to provide further information shall ensure that—

- (a) 2 copies of that information in writing have been received by the Secretary of State within the specified time; and
- (b) a copy has been received by any statutory party within the specified time,

and the Secretary of State shall, as soon as practicable after receipt, send a copy of the further information received from the local planning authority to the appellant and a copy of the further information received from the appellant to the local planning authority.

(10) Any other person required to provide further information shall ensure that—

- (a) 3 copies of that information in writing have been received by the Secretary of State within the specified time; and
- (b) a copy has been received by any statutory party within the specified time,

and the Secretary of State shall, as soon as practicable after receipt, send a copy of the further information to the local planning authority and the appellant.

(11) Any person other than the appellant who sends a statement of case to the Secretary of State shall send with it a copy of—

- (a) any document; or
- (b) the relevant part of any document,

referred to in the list comprised in that statement, unless a copy of the document or part of the document in question is already available for inspection pursuant to paragraph (13).

(12) The Secretary of State shall, as soon as practicable after receipt, send to the inspector any statement of case, document, further information and written comments sent to him in accordance with this rule and received by him within the relevant period, if any, specified in this rule.

(13) The local planning authority shall afford to any person who so requests a reasonable opportunity to inspect and, where practicable, take copies of—

- (a) any statement of case, written comments, information or other document a copy of which has been sent to the local planning authority in accordance with this rule; and
- (b) the local planning authority's completed questionnaire, and statement of case together with a copy of any document, or of the relevant part of any document, referred to in the list comprised in that statement, and any written comments, information or other documents sent by the local planning authority pursuant to this rule.

(14) If the local planning authority or the appellant wish to comment on another person's statement of case they shall ensure that within 9 weeks of the starting date—

- (a) 2 copies of their written comments have been received by the Secretary of State; and
- (b) a copy of their written comments has been received by any statutory party,

and the Secretary of State shall, as soon as practicable after receipt, send a copy of the written comments received from the local planning authority to the appellant and copy of the written comments received from the appellant to the local planning authority.

(15) Any person who sends a statement of case to the Secretary of State under this rule and who wishes to comment on another person's statement of case shall ensure that within 9 weeks of the starting date—

- (a) 3 copies of their written comments have been received by the Secretary of State; and
 - (b) a copy of their written comments has been received by any statutory party,
- and the Secretary of State shall, as soon as practicable after receipt, send a copy of the written comments to the local planning authority and the appellant.