
STATUTORY INSTRUMENTS

2002 No. 2685

The Town and Country Planning (Enforcement) (Determination by Inspectors) (Inquiries Procedure) (England) Rules 2002

Appearances at inquiry

11.—(1) The persons entitled to appear at the inquiry are—

- (a) the appellant;
- (b) the local planning authority;
- (c) any of the following bodies if the land is situated in their area and they are not the local planning authority—
 - (i) a county or a district council;
 - (ii) an enterprise zone authority designated under Schedule 32 to the Local Government, Planning and Land Act 1980⁽¹⁾;
 - (iii) the Broads Authority, within the meaning of the Norfolk and Suffolk Broads Act 1988⁽²⁾;
 - (iv) a housing action trust specified in an order made under section 67(1) of the Housing Act 1988⁽³⁾;
- (d) where the land is in an area previously designated as a new town, the Commission for the New Towns;
- (e) in the case of an enforcement appeal, any person on whom a copy of the enforcement notice has been served;
- (f) in the case of an appeal under section 195 of the Planning Act, any person having an interest in the land;
- (g) the Historic Buildings and Monuments Commission for England where—
 - (i) the inquiry relates to an enforcement notice under section 38 of the Listed Buildings Act;
 - (ii) the listed building is in Greater London; and
 - (iii) if an application for listed building consent had been made for the works set out in the enforcement notice, the Commission would have been notified of the application under a direction given under section 15(5) of the Listed Buildings Act;
- (h) any other person who has served a statement of case in accordance with rule 6(6).

(2) Nothing in paragraph (1) shall prevent the inspector from permitting any other person to appear at an inquiry and such permission shall not be unreasonably withheld.

(3) Any person entitled or permitted to appear may do so on his own behalf or be represented by any other person.

(1) 1980 c. 65, to which there are amendments not relevant to these Rules.

(2) 1988 c. 4, to which there are amendments not relevant to these Rules.

(3) 1988 c. 50, section 67(1) was amended by sections 3, 4, Schedule 1, part 1 and Schedule 2, paragraph 79(3) of the Planning (Consequential Provisions) Act 1990 (c. 11).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.
