
STATUTORY INSTRUMENTS

2002 No. 2685

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

Date and notification of inquiry

9.—(1) The date fixed by the Secretary of State for the holding of an inquiry shall be—

- (a) not later than 20 weeks after the starting date unless he considers such a date impracticable; or
- (b) the earliest date after that period which he considers to be practicable.

(2) Unless the Secretary of State agrees a lesser period of notice with the appellant and the local planning authority, he shall give not less than 4 weeks written notice of the date, time and place fixed by him for the holding of an inquiry to every person entitled to appear at the inquiry.

(3) The Secretary of State may vary the date fixed for the holding of an inquiry, whether or not the date as varied is within the period of 20 weeks mentioned in paragraph (1); and paragraph (2) shall apply to a variation of a date as it applied to the date originally fixed.

(4) The Secretary of State may vary the time or place for the holding of an inquiry and shall give such notice as appears to him to be reasonable.

(5) The Secretary of State may in writing require the local planning authority to take one or more of the following steps—

- (a) not less than 2 weeks before the date fixed for the holding of an inquiry, to publish a notice of the inquiry in one or more newspapers circulating in the locality in which the land is situated;
- (b) to send a notice of the inquiry to such persons or classes of persons as he may specify, within such period as he may specify; or
- (c) to post a notice of the inquiry in a conspicuous place near to the land, within such period as he may specify.

(6) Where the land is under the control of the appellant, he shall—

- (a) if so required in writing by the Secretary of State, affix a notice of the inquiry firmly to the land or to some object on or near the land, in such manner as to be readily visible to and legible by members of the public; and
- (b) not remove the notice, or cause or permit it to be removed, for such period before the inquiry as the Secretary of State may specify.

(7) Every notice of inquiry published, sent or posted pursuant to paragraph (5), or affixed pursuant to paragraph (6), shall contain—

- (a) a clear statement of the date, time and place of the inquiry and of the powers enabling the inspector to determine the appeal in question;
- (b) a written description of the land sufficient to identify approximately its location;
- (c) a brief description of the subject matter of the appeal; and

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- (d) details of where and when copies of the local planning authority's completed questionnaire and any document sent by and copied to the authority pursuant to rule 6 may be inspected.