
STATUTORY INSTRUMENTS

2002 No. 2686

**The Town and Country Planning (Enforcement)
(Inquiries Procedure) (England) Rules 2002**

Proofs of evidence

16.—(1) Any person entitled to appear at an inquiry who proposes to give, or to call another person to give, evidence at the inquiry by reading a proof of evidence, shall—

- (a) subject to paragraph (2), send 2 copies, in the case of the local planning authority and the appellant, or 3 copies in the case of any other person, of the proof of evidence together with a written summary, to the Secretary of State; and
- (b) in the case of an enforcement appeal, simultaneously send copies of these to any person on whom a copy of the enforcement notice has been served,

and the Secretary of State shall, as soon as practicable after receipt, send a copy of each proof of evidence together with any summary to the local planning authority and the appellant.

(2) No written summary shall be required where the proof of evidence proposed to be read contains no more than 1500 words.

(3) The proof of evidence and any summary shall be sent to the Secretary of State no later than—

- (a) 4 weeks before the date fixed for the holding of the inquiry, or
- (b) where a timetable has been prepared pursuant to rule 10 which specifies a date by which the proof of evidence and any summary shall be sent to the Secretary of State, that date.

(4) The Secretary of State shall send to the inspector, as soon as practicable after receipt, any proof of evidence together with any summary sent to him pursuant to this rule within the relevant period, specified in this rule.

(5) Where a written summary is provided in accordance with paragraph (1), only that summary shall be read at the inquiry, unless the inspector permits or requires otherwise.

(6) Any person, required by this rule to send copies of a proof of evidence to the Secretary of State, or any other person, shall send with them the same number of copies of the whole, or the relevant part, of any document referred to in the proof of evidence, unless a copy of the document or part of the document in question is already available for inspection pursuant to rule 8(13).

(7) The local planning authority shall give any person who so requests a reasonable opportunity to inspect and, where practicable, take copies of any document sent to or by them in accordance with this rule.