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STATUTORY INSTRUMENTS

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**2002 No. 2686**

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

**Procedure where pre-inquiry meeting is to be held**

- 6.—(1) The Secretary of State shall hold a pre-inquiry meeting—
- (a) if he expects an inquiry to last for 4 days or more, unless he considers it unnecessary;
  - (b) for shorter inquiries, if it appears to him necessary.
- (2) Where the Secretary of State decides to hold a pre-inquiry meeting the following provisions shall apply—
- (a) the Secretary of State shall send to the appellant and the local planning authority—
    - (i) notice of his intention to hold a pre-inquiry meeting; and
    - (ii) a statement of the matters about which he particularly wishes to be informed for the purposes of his consideration of the appeal in question;
  - (b) the local planning authority shall publish in a newspaper circulating in the locality in which the land is situated a notice of the Secretary of State's intention to hold a pre-inquiry meeting and of the statement sent in accordance with paragraph (2)(a)(ii) above; and
  - (c) the appellant and the local planning authority shall send 2 copies of their outline statement to the Secretary of State within 8 weeks of the starting date.
- (3) The Secretary of State shall, as soon as practicable after receipt, send a copy of the local planning authority's outline statement to the appellant and a copy of the appellant's outline statement to the local planning authority.
- (4) The Secretary of State may in writing require any other person who has notified him of an intention or a wish to appear at the inquiry to send an outline statement to him, the appellant and the local planning authority.
- (5) A person required to send an outline statement under paragraph (4) shall send it to the Secretary of State, the appellant and the local planning authority within 4 weeks of the date on which the Secretary of State so requires.
- (6) The pre-inquiry meeting (or where there is more than one, the first pre-inquiry meeting) shall be held within 16 weeks of the starting date.
- (7) The Secretary of State shall give not less than 3 weeks written notice of the pre-inquiry meeting to—
- (a) the appellant;
  - (b) the local planning authority;
  - (c) any person known at the date of the notice to be entitled to appear at the inquiry; and
  - (d) any other person whose presence at the pre-inquiry meeting appears to him to be desirable.
- (8) Rule 11(6) shall apply to a pre-inquiry meeting as it does to the holding of an inquiry.
- (9) The inspector—

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

(10) Where a pre-inquiry meeting has been held pursuant to paragraph (1), the inspector may hold a further pre-inquiry meeting and he shall arrange for such notice to be given of a further pre-inquiry meeting as appears to him necessary; and paragraph (9) shall apply to such a pre-inquiry meeting.

(11) If the Secretary of State requests any further information from the appellant or the local planning authority at the pre-inquiry meeting, they shall send—

- (a) 2 copies of it to him; and
- (b) in the case of an enforcement appeal, a copy to any person on whom a copy of the enforcement notice has been served,

within 4 weeks of the conclusion of the pre-inquiry meeting.

(12) Where the Secretary of State receives further information pursuant to paragraph (11) he shall, as soon as practicable after receipt—

- (a) send a copy of such further information received from the appellant to the local planning authority; and
- (b) send a copy of such further information received from the local planning authority to the appellant.