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## EXPLANATORY NOTE

*(This note is not part of the Rules)*

These Rules prescribe the procedure to be followed in connection with public local inquiries relating to the authorisation of compulsory purchase orders. They replace the Compulsory Purchase by Non-Ministerial Acquiring Authorities (Inquiries Procedure) Rules 1990 and the Compulsory Purchase by Ministers (Inquiries Procedure) Rules 1994. They relate to orders where a Minister is either the confirming authority in the case of a non-ministerial order or, in the case of inquiries relating to a compulsory purchase order made in draft by a UK government Minister, the appropriate authority.

In addition to the replacement of the term “statutory objector” by “remaining objector”, in consequence of amendments made to the Acquisition of Land Act 1981 by the Planning and Compulsory Purchase Act 2004, there are a number of minor procedural changes. The deadline for serving notice of intention to hold an inquiry has been extended to five weeks from the end of the objection period. This allows for the consent stage in the written representations procedure which objectors may use as an alternative to the inquiry procedure as part of the decision process. The requirement that statements of case for non-ministerial order inquiries should be sent at least 28 days before the date fixed for the inquiry has been removed. Some terms have been modernised. The Rules now refer to the “authorising authority” which is the confirming authority in the case of a non-ministerial Order or the appropriate authority in the case of a Ministerial Order.

Rule 3 provides for written notice from the authorising authority of its intention to cause an inquiry to be held which commences the procedure. Pre-inquiry meetings are dealt with in rules 4 to 6. Rule 7 deals with statements of case and rules 8 to 14 with the inquiry timetable, appointment of assessor, the date and public notification of the inquiry and appearances at the inquiry including the representation of a Minister or government department at inquiry. The handling of evidence at inquiry is dealt with in rule 15 and rules 16 to 19 deals with procedure at the inquiry, site inspections and post-inquiry procedures (including notice of decisions). Rules 20 to 22 deal with the power to extend time, sending of notices by post and revocation (with a saving provision) of the 1990 and 1994 Rules referred to above.

A full regulatory impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.