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WELSH STATUTORY INSTRUMENTS

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**2017 No. 544**

**The Town and Country Planning (Referred Applications and Appeals Procedure) (Wales) Regulations 2017**

**PART 6**

**Inquiries**

**Public notice of inquiry**

**43.**—(1) The Welsh Ministers may 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 inquiry, post and maintain a notice of the inquiry—
  - (i) in a conspicuous place, or as close as is reasonably practicable to the land to which the appeal relates;
  - (ii) in one or more places where public notices are usually posted in the area in which the land to which the appeal relates is situated;
- (b) not less than 2 weeks before the date fixed for the inquiry, publish a notice of the inquiry by local advertisement in the area in which the land to which the appeal relates is situated;
- (c) send a notice of the hearing to such persons or classes of persons as they may specify, within such period as they may specify.

(2) Where a direction has been given under regulation 42(3), paragraph (1) has effect with the substitution—

- (a) for references to the inquiry, with references to the part of the inquiry which is to be held at a place specified in the direction; and
- (b) for references to the appeal, with references to that part of the appeal which is to be the subject of that part of the inquiry.

(3) Any notice posted under paragraph (1)(a) must be readily visible to, and legible by, members of the public.

(4) Where, without any fault or intention of the local planning authority, the notice is removed, obscured or defaced before the commencement of the inquiry, the local planning authority is not for that reason to be treated as having failed to comply with the requirements of paragraph (3) if the local planning authority has taken reasonable steps for the protection of the notice and, if need be, its replacement.

(5) A notice of an inquiry posted, published or sent under paragraph (1) must contain—

- (a) a statement of the date, time and place of the inquiry and of the powers enabling the Welsh Ministers to determine the appeal;
- (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 the place where and when copies of the application which is the subject of the appeal, the local planning authority's completed questionnaire and all other documents sent by and copied to the authority under these Regulations can be inspected.