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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 local inquiries relating to applications for planning permission or for the approval of a local planning authority required under a development order held by the Secretary of State in England, where he thinks that the development to which the application relates is of national or regional importance. They have been made in consequence of the enactment of the Planning and Compulsory Purchase Act 2004 which inserted new sections 76A and 76B into the Town and Country Planning Act 1990.

The Rules apply in relation to England only. They reproduce, with amendments, the Town and Country Planning (Major Infrastructure Projects Inquiries Procedure) (England) Rules 2002. The principal changes made by these Rules to apply to major infrastructure project inquiries is to enable inquiries to be held in concurrent sessions by a number of inspectors, where the lead inspector so recommends to the Secretary of State and to provide for publicity for inspector's notes of pre-inquiry meetings and recommendations.

Rules 4 to 8 provide for notification that the inquiry will take place, provision of preliminary information, registration by interested parties, the appointment of a technical adviser and mediation. Rules 9 and 10 provide for the procedure to be followed at pre-inquiry meetings and publicity following such meetings. Rules 11 to 18 provide for statements of case, statements of common ground and proofs of evidence, the setting of a timetable and date for the inquiry, the notification of that date and the appointment of any assessor, the persons who are entitled to appear at an inquiry and representatives of government departments. Rules 19 to 25 provide for procedure at and after the inquiry, including provisions for site visits, notification of decisions and the procedure to be followed if the decision is subsequently quashed in legal proceedings. Rule 26 provides for the service of documents and rule 27 modifies the Rules in relation to cases where the Mayor of London has directed the local planning authority to refuse the application. Rule 28 revokes the Town and Country Planning (Major Infrastructure Project Inquiries Procedure) (England) Rules 2002 to the extent that they apply to any local inquiry to which these Rules apply - subject to certain savings and transitional provisions.

A Regulatory Impact Assessment has been prepared in relation to the Rules. It has been placed in the Library of each House of Parliament and copies may be obtained from the Planning Directorate, Office of the Deputy Prime Minister, Room 4/H2, Eland House, Bressenden Place, London SW1E 5DU (Telephone 020 7944 3945).