

---

## EXPLANATORY NOTE

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

The Planning Act 2008 (c.29) establishes the Infrastructure Planning Commission (“IPC”) and provides for the granting of development consent for certain types of nationally significant infrastructure projects. Chapter 4 of Part 6 of the Act sets out the procedure for examining applications for development consent. This procedure provides that “interested parties”, among other things, can notify the IPC of a wish to be heard at an open-floor hearing and are entitled to make oral representations about the application at the open-floor hearing.

Section 102(1) of the Planning Act 2008 defines the term “interested party” for the purposes of Chapter 4 of Part 6 of that Act. Subsection (1)(b) provides that person is an “interested party” if they are a “statutory party”. Subsection (1)(e) provides that a person is an “interested party” if they made a “relevant representation”.

Section 102(3) provides that a “statutory party” is a person specified as such in regulations made the Secretary of State. Subsection (4) defines what is meant by a “relevant representation”.

Regulation 3 of these Regulations specifies who is a “statutory party” for the purposes of section 102. These are “affected persons” and those listed in the Schedule to these Regulations, in the circumstances described in the Schedule.

Regulation 4 prescribes the form in which a representation must be if it is to be a “relevant representation” for the purposes of section 102(1)(e). Paragraph (1) states that a relevant representation must be in the form of a registration form. Paragraph (2) prescribes the information the form must include.

An Impact Assessment has not been prepared for these Regulations as they do not have an additional impact on business, charities or the public sector beyond what was examined in the Impact Assessment that accompanied the Planning Bill when it was introduced in Parliament on 27<sup>th</sup> November 2007. That Impact Assessment can be found on the Communities and Local Government website (<http://www.communities.gov.uk>).