
WELSH STATUTORY INSTRUMENTS

2017 No. 544

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

PART 5

Hearings

Procedure at hearing

33.—(1) The appointed person presides at any hearing and must determine the procedure at the hearing, subject to these Regulations.

(2) A hearing is to take the form of a discussion led by the appointed person and cross-examination is not to be permitted.

(3) Where the appointed person considers that cross-examination is required the appointed person must consider (after consulting the appellant) whether the hearing should be closed and an inquiry held instead.

(4) At the start of the hearing the appointed person must identify the matters on which the appointed person requires representations at the hearing.

(5) The appellant, the local planning authority and any person invited to take part in a hearing may call evidence.

(6) The appointed person may permit any other person to call evidence.

(7) The appointed person may refuse to permit the giving or production of evidence or presentation of any other matter which the appointed person considers to be irrelevant or repetitious.

(8) Where the appointed person refuses to permit the giving of oral evidence, the person wishing to give the evidence may submit to the appointed person representations in writing before the close of the hearing.

(9) The appointed person may—

- (a) require any person taking part in, or present at, a hearing who, in the appointed person's opinion, is behaving in a disruptive manner to leave; and
- (b) refuse to permit that person to return; or
- (c) permit that person to return only on such conditions as the appointed person may specify.

(10) Any person required to leave a hearing may submit to the appointed person representations in writing before the close of the hearing.

(11) The appointed person may take into account any written representation or any other document received by the appointed person from any person before a hearing opens or during the hearing provided the appointed person discloses it at the hearing.

(12) The appointed person may invite any person taking part in the hearing to make closing submissions and any person doing so must before the close of the hearing provide the appointed person with a copy of their closing submissions in writing.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (13) The appointed person may permit any person to make oral representations at the hearing.
- (14) Any person entitled or permitted to make oral representations at a hearing may do so on their own behalf or be represented by another person.