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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**

**Procedure at inquiry**

**45.**—(1) The appointed person presides at the inquiry and must determine the procedure at the inquiry, subject to these Regulations.

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

(3) The appellant, the local planning authority and any person invited to take part in an inquiry may call evidence.

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

(5) The appellant, local planning authority and any persons invited to take part in the inquiry are to be heard in such order as the appointed person may determine.

(6) The appellant, local planning authority and any person invited to take part in an inquiry may cross examine persons giving evidence but, subject to the foregoing and paragraphs (7) and (8), the calling of evidence and the cross examination of persons giving evidence are otherwise at the discretion of the appointed person.

(7) The appointed person may refuse to permit—

- (a) the giving or production of evidence;
- (b) the cross-examination of persons giving evidence; or
- (c) the presentation of any matter,

which the appointed person considers to be irrelevant or repetitious.

(8) Where a person gives evidence at an inquiry by reading a summary of their written statement of evidence in accordance with regulation 44(6)—

- (a) the written statement referred to in regulation 44(1) is to be treated as tendered in evidence unless the person required to provide the summary notifies the appointed person of a wish to rely on the contents of that summary alone; and
- (b) the person whose evidence the written statement contains is to be open to cross examination on it to the same extent as if it were evidence that had been given orally.

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

(10) The appointed person may—

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**Status:** This is the original version (as it was originally made).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

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- (a) require any person taking part in, or present at, an inquiry 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.
- (11) Any person required to leave an inquiry may submit to the appointed person representations in writing before the close of the inquiry.
- (12) The appointed person may direct that facilities are afforded to any person taking part in an inquiry to take or obtain copies of documents that are open to public inspection.
- (13) The appointed person may take into account any written representation or any other document received by the appointed person from any person before an inquiry opens or during the inquiry provided that the appointed person discloses it at the inquiry.
- (14) The appointed person may invite any person taking part in the inquiry to make closing submissions.
- (15) Any person who makes closing submissions must by the close of the inquiry provide the appointed person with a copy of those closing submissions in writing.