

---

STATUTORY INSTRUMENTS

---

**2002 No. 2684**

**The Town and Country Planning (Enforcement)  
(Hearings Procedure) (England) Rules 2002**

**Hearing statements**

5.—(1) The appellant and the local planning authority shall send 2 copies of their hearing statement to the Secretary of State within 6 weeks of the starting date.

(2) The Secretary of State may in writing require the appellant and the local planning authority to provide such further information about the matters contained in their hearing statement as he may specify; such information shall be provided in writing and the appellant or the local planning authority, as the case may be, shall send 2 copies to the Secretary of State within such period as the Secretary of State may reasonably require.

(3) Any person who was notified about the appeal under rule 4(2)(b), shall send to the Secretary of State 3 copies of any written comments they wish to make concerning the appeal within 6 weeks of the starting date.

(4) The appellant and the local planning authority shall send to the Secretary of State 2 copies of any comments the local planning authority and the appellant wish to make on—

- (a) each other's hearing statement;
- (b) comments made pursuant to paragraph (3); and
- (c) comments made to them by any other person,

within 9 weeks of the starting date.

(5) The Secretary of State shall send, as soon as practicable after receipt, a copy of any—

- (a) hearing statement received by him pursuant to paragraph (1), further information provided pursuant to paragraph (2) and any comments received pursuant to paragraph (4) from, in each case, the appellant or the local planning authority to the other of those two parties; and
- (b) written comments made by persons pursuant to paragraph (3), to the local planning authority and the appellant.

(6) The local planning authority shall give any person who so requests a reasonable opportunity to inspect, and where practicable, take copies of—

- (a) the local planning authority's completed questionnaire, hearing statement and any document copied to the authority under paragraph (5); and
- (b) further information provided by the authority under paragraph (2) and comments made by the authority under paragraph (4),

and shall specify in their hearing statement the time and place where such documents may be inspected.

(7) The Secretary of State shall send to the inspector, as soon as practicable after receipt, any hearing statement, document, part of any document or written comments sent to the Secretary of State within the relevant period specified for sending such documents pursuant to paragraphs (1) to (4).

---

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

---

(8) In the case of a non-transferred appeal, the Secretary of State, and in the case of a transferred appeal, the inspector, may in determining the appeal disregard any comments made pursuant to paragraphs (3) and (4) which are sent after the relevant specified period.