
STATUTORY INSTRUMENTS

2002 No. 2685

The Town and Country Planning (Enforcement) (Determination by Inspectors) (Inquiries Procedure) (England) Rules 2002

Representatives of government departments at inquiry

13.—(1) Where the Secretary of State or any other Minister of the Crown or any government department has expressed in writing to the local planning authority a view on an appeal and the authority refer to that view in a statement prepared pursuant to rule 6(1), the appellant may, not later than 4 weeks before the date of an inquiry, apply in writing to the Secretary of State for a representative of the Secretary of State or of the other Minister or department concerned to be made available at the inquiry.

(2) Where an application is made in accordance with paragraph (1), the Secretary of State shall make a representative available to attend the inquiry or, as the case may be, send the application to the other Minister or department concerned, who shall make a representative available to attend the inquiry.

(3) A person attending an inquiry as a representative pursuant to this rule shall state the reasons for the expressed view and shall give evidence and be subject to cross-examination to the same extent as any other witness.

(4) Nothing in paragraph (3) shall require a representative of a Minister or government department to answer any question, which in the opinion of the inspector, is directed to the merits of government policy.