

**2024 No. 317**

**TRIBUNALS AND INQUIRIES**

**INFRASTRUCTURE PLANNING**

**The Infrastructure Planning (Examination Procedure)  
(Amendment) Rules 2024**

<i>Made</i>	- - - -	<i>6th March 2024</i>
<i>Laid before Parliament</i>		<i>8th March 2024</i>
<i>Coming into force</i>		<i>30th April 2024</i>

The Lord Chancellor makes these Rules in exercise of the powers conferred by sections 88(6), 90(3), 97(1), (4) and (5) and 232(3) of the Planning Act 2008(a).

**Citation, commencement and extent**

**1.**—(1) These Rules may be cited as the Infrastructure Planning (Examination Procedure) (Amendment) Rules 2024 and come into force on 30th April 2024.

(2) These Rules extend to England and Wales.

**Amendments to the Infrastructure Planning (Examination Procedure) Rules 2010**

**2.** The Infrastructure Planning (Examination Procedure) Rules 2010(b) are amended in accordance with regulations 3 to 5.

**Amendment of rule 10: Written representations**

**3.** In rule 10, sub-paragraph (2) omit “(being a date not earlier than the end of a period of 21 days)”.

**Amendment of rule 13: Notification of hearings**

**4.** In rule 13—

(a) In paragraph (1) substitute “ensure that the deadline is at least 21 days after the date on which notice of the deadline is given” with “give such notice of the deadline as appears to it to be reasonable”.

(b) in paragraph (3) substitute “ensure that at least 21 days’ notice is given of any hearing” with “give such notice of any hearing as appears to it to be reasonable”.

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(a) 2008 c. 29. Section 88 was amended by section 138(5) of the Localism Act 2011 (c. 20). Section 97 was amended by paragraph 40(b) of Schedule 1 to the Public Bodies (Abolition of Administrative Justice and Tribunals Council) Order 2013 (S.I. 2013/2042). The amendments to section 232 are not relevant to this instrument.

(b) S.I. 2010/103.

- (c) in paragraph (6)—
  - (i) omit “the applicant must not later than 21 days”;
  - (ii) in the words before sub-paragraph (a) after “hearing” insert “, and as soon as practicable after being informed of that date, the applicant must—”.
- (d) in paragraph (7)(a) after “situated” insert “or on a website maintained by or on behalf of the applicant”.

#### **Amendment of rule 22: Form and service of notices etc**

##### **5. In rule 22—**

- (a) in sub-paragraph (2)(c) omit “subject to paragraphs (3) to (6)”;
- (b) omit paragraphs (3) to (6).

#### **Transitional provision**

**6.** The amendments in these rules do not apply to any application for an order granting development consent under section 37 (Applications for orders granting development consent) of the Act made before 30th April 2024.

6th March 2024

*Alex Chalk*  
Lord Chancellor  
Ministry of Justice

### **EXPLANATORY NOTE**

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

The Planning Act 2008 (c. 29) provides for the granting of development consent for certain types of nationally significant infrastructure projects.

This instrument amends the Infrastructure Planning (Examination Procedure) Rules 2010 (“the 2010 Rules”).

Rule 3 removes the requirement in Rule 10 of the 2010 Rules for a minimum of 21 days’ notice to be given by the Examining authority when specifying the date by which a written representation is to be received.

Rule 4 amends Rule 13 of the 2010 Rules by removing certain minimum notice periods relating to notification of hearings under sections 92(2) and 93(1) of the Act. It also expands the meaning of “by local advertisement” to include by publication on the applicant’s website.

Rule 5 amends Rule 22 of the 2010 Rules by removing the requirement for consent to be given by the recipient for any representation, notice or other document required or authorised to be sent under any provision of the Rules by electronic transmission.

Rule 6 is a transitional provision so that the amendments in these rules do not apply to any application for an order granting development consent under section 37 of the Act made before 30th April 2024.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

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£5.78

<http://www.legislation.gov.uk/id/uksi/2024/317>

ISBN 978-0-34-825883-7



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