



The Planning Inspectorate

Setting Inquiry Dates – How you can help

<http://www.planning-inspectorate.gov.uk/pins/inquiries/index.htm>

You have chosen to have this appeal dealt with by way of a public local inquiry and we will be in touch with you shortly to arrange a suitable date.

To assist us in doing so we would ask you to give active early consideration to the following matters which set out the Inspectorate's position. Our intention is to seek your co-operation in setting a date acceptable to all parties that is, where possible, compatible with the arrangements set down in Circular 05/2000¹ (planning appeals) and 02/2002 (enforcement appeals).

Our Commitment to the parties

- Wherever possible we will aim to set an inquiry date between 14 and 20 weeks (or 22 weeks if the Secretary of State recovers the appeal) from the appeal start date in accordance with Rule 10 of the Inquiries Procedure Rules.
- We will give each party the opportunity of declining one offered date before proceeding to fix the date for the inquiry.
- We will give sympathetic consideration to requests to set a date that the parties have mutually agreed upon, provided it falls within the target range of 14 to 20 weeks (or 22 weeks) from the appeal start date and a suitable Inspector is available.
- After the date has been fixed we will not change it other than in exceptional circumstances. We will not normally, for example, change, cancel or postpone the date to await the outcome of another planning application or to conjoin a further appeal to one already before the Inspectorate unless there are no procedural or other implications which would interfere with progress on any of the appeals.

¹ <http://www.communities.gov.uk/index.asp?id=1144370>

How the parties can help in arranging suitable dates

- Discuss with the other party a mutually agreeable date, or preferably dates, within the 14-20 week (or 22 weeks) range and let us have the details without delay. We will try to meet them.
- You can also help by letting us know if you think the inquiry will last for more than one day and, if so, to indicate how much more time will be needed.
- Consider how many witnesses you intend to call, their fields of expertise and what contingency plans you may be able to put in place if any of them are unavailable before or after the inquiry date has been fixed as, wherever possible, we would not want dates to be influenced by these factors. If possible, it would be helpful if you are able to make provisional arrangements for alternative back-up witnesses to be available should the need arise. You might also consider whether the evidence of a particular witness could be presented in writing if they are unavailable on a particular date.
- Similarly, if your preferred advocate is not available on a particular date you are strongly encouraged to seek to appoint alternative counsel. The Inspectorate considers that this should be possible, even at short notice, and that counsel will be capable of getting to grips with the detail of a case without threatening fixed dates or dates in the process of being arranged.
- Normally, the parties produce an agreed statement of common ground at the same time as submitting proofs of evidence. However, as it is not necessary to wait until that time to produce one it would assist if the statement of common ground could be submitted at an earlier stage, preferably within 9 weeks of the start date, as this will help avoid production of unnecessary or repetitive evidence and reduce the likelihood of the inquiry overrunning.
- And above all, please be prepared to be flexible and resist the temptation to suggest dates that fall outside the target range, as it is likely they will not be accepted.

Please refer to the Planning Inspectorate's website for further information at the link quoted in the above header.

Your co-operation is much appreciated.

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