



PUBLIC INQUIRIES; HEARINGS AND EXAMINATIONS - VENUE AND FACILITY REQUIREMENTS

1. The venue and facilities for public inquiries, hearings and examinations ('the event') into planning and allied appeals and called-in applications, compulsory purchase and rights of way orders, development plan documents and the like, are generally provided by Local Planning or Order Making Authorities.

2. Events are usually held in Council buildings, in Council chambers, or suitable committee rooms, but some are also held in halls, hotels, schools, theatres, etc.

3. The venue will be the working environment for the Inspector, the local authority staff, and other parties. It is therefore important that it meets the relevant health and safety requirements for a place of work in terms of temperature, ease of access, ancillary facilities etc. It is also a place to which the general public will be admitted and adequate provision should be made for comfortable seating and access to toilets.

4. Although it would be helpful for the venue to be near the appeal or order site – e.g. to allow more local residents to attend – this will have to be weighed against other matters such as car parking provision, access by public transport, facilities at the venue itself (retiring room, photocopiers, telephones, etc.) and the availability of cafes or restaurants. It may be that a venue in a nearby town (e.g. where local residents would usually go for routine shopping trips) would be more appropriate than the village hall. The venue for an examination should normally be centrally located within the area that the document being examined relates to. This note sets out the different requirements for a venue including those raised by legislation.

5. HEALTH AND SAFETY

5.1 The local authority, and/or a third party owner of hired premises are responsible for the safety of the premises and the persons using them.

6. LOCATION

6.1 The venue should:

- be conveniently located for the majority of those wishing to attend;
- be well served by public transport;
- have adequate parking facilities close by, with a space reserved for the Inspector unless notified that this will not be required;
- have provision for disabled parking.
- be well signposted and directly and easily accessible to all, without passing through other rooms or office areas.

6.2 In particular, there is a duty on all public bodies, under the Equality Act 2010 and the Public Sector Equality Duty to ensure facilities provided are accessible to people with disabilities, if necessary by making appropriate adjustments Please see (Annex 2 provides further information). Certain venues may be considered inappropriate by particular groups of people e.g. a religious building or licensed premises and should therefore normally be avoided.

7. ACCESS ADVICE

7.1 Local Authorities and, in some cases, the promoter of a scheme are responsible for ensuring venues for events are accessible but this does not absolve Inspectors of accountability.

7.2 Accessibility problems can affect other members of the public, e.g. carers or guardians with pushchairs or young children, and disabled people, and could include:

- no disabled parking;
- no wheelchair ramps;
- doors too narrow or too heavy to open or that open outwards;
- tiered seating with no access to ground floor;
- meeting room on an upper level with no lift;
- no hearing loop or effective PA system;
- corridors or passages obstructed or poorly lit;
- other facilities which are inadequate e.g. toilets;

7.3 If the Inspector considers the lack of appropriate facilities to be unacceptable, the event will be adjourned until a more accessible venue is found or appropriate facilities are provided.

8. THE ROOM

8.1 The room should be large enough to accommodate comfortably the number of people expected to attend, but large halls are not appropriate for an event where few people are likely to attend. Similarly, small rooms are inappropriate for events where there is a lot of public interest.

8.2 The room should be unaffected by noise and other disturbance from activities in other parts of the building or the surrounding area e.g. playgroups, sports and games or building works.

8.3 Public seating should be conveniently laid out so as to enable members of the public to gain access without disturbing the proceedings and to observe and hear what is going on without difficulty. If this is not possible an effective public address system should be provided.

8.4 The Inspector and members of the public are likely to be unfamiliar with the building. Exits/fire exits should be clearly marked and health and safety regulations should be observed. The Inspector must be advised of the evacuation procedures in the event of a fire or other emergency prior to the

start of the proceedings so that they can be announced during the opening session. It would be preferable for rooms to be accessible by those wanting to attend without their having to pass through doors where they must specifically ask to be let in or out. The parties and members of the public should be allowed access a reasonable time before the event opens, and certainly should not be denied access until either the Council 's representatives or the Inspector arrive.

8.5 If an event lasts for more than 1 day the room should be capable of being made secure overnight to avoid having to move heavy documents in and out daily. If this is not possible, secure storage of documents should be provided as close to the room as possible.

8.6 The room must be adequately heated and ventilated and there should be enough natural or artificial light to enable documents to be read easily. Fresh water and glasses should be provided for the Inspector, advocates and witnesses.

8.7 The room must have wide access doors, and be on the ground floor if there is no lift available that would be accessible to a disabled person. An induction hearing loop should be installed and operational. A sign language interpreter should be arranged if necessary.

9. ELECTRONIC WORKING FACILITIES

9.1 The Inspector may need access to documents online, or only have a disk/USB drive containing all the documents submitted to the appeal, with only a hard copy of the plans. The Inspector will need to access these documents at the event and refer to them during discussions.

9.2 The Local Planning Authority should ensure that: -

- where possible Wi-Fi is available;
- the room is laid out in such a way that there is a plug socket close to the Inspector's table or provide one and an extension lead; and
- any cables do not present a trip hazard and take any other precautionary measures which are considered appropriate to satisfy health and safety regulations.

10. RETIRING ROOMS

10.1 For hearings programmed to last two or more days and for all inquiries and examinations, the Inspector should be provided with a retiring room with a table and chair which is separate from the inquiry/examination room. This is necessary to allow the Inspector to work before the event and in breaks. It also helps the Inspector to avoid contact with the parties at these times.

10.2 It is not essential to provide a retiring room for single day appeal hearings. However, where possible, it is helpful if the Inspector can be shown to somewhere quiet where they can wait (before the hearing opens) away from the parties.

10.3 For examinations and larger inquiries suitable accommodation should also be provided for a Programme Officer and inquiry library, which should also be close to the venue.

10.4 At lengthy or complex cases it is also helpful to provide an area outside the inquiry / examination room where the parties can have private discussions.

11. LAYOUT OF THE INQUIRY ROOM

11.1 The Inspector's table, which should have a modesty screen, should be located centrally at one end or side of the room, preferably on a low platform. The table should be positioned to avoid people passing behind the Inspector. The Inspector should have a comfortable workstation with enough and suitable tables and chairs. The table should be large enough to spread out plans, and a side table to accommodate documents is helpful. The chair should, whenever possible and where specifically requested by the Inspectorate, have: -

- seat back height and tilt adjustment;
- seat height adjustment;
- swivel mechanism;
- castors or glides

11.2 The main parties should be seated facing each other at right angles to the Inspector and provided with separate suitably sized tables.

11.3 Represented interested parties should ideally be able to sit alongside, or close to, the principal party that they support.

11.4 The witness table should be placed so that the witness can be addressed conveniently by advocates and the Inspector and be seen by the public. Witnesses should not sit with their backs to the public or the Inspector. A position at 45° to the side of the Inspector is generally suitable.

11.5 Display boards should be positioned so that they are clearly visible and accessible to members of the public and where they can be inspected without disturbing the inquiry.

11.6 Seating should be laid out to enable the public to observe and hear the proceedings without difficulty and to come and go without causing disturbance. Seating for members of the public directly behind the advocates or witnesses should be avoided.

11.7 A table and chairs should be provided for the press. The press table should be clearly marked and positioned to enable reporters to observe the proceedings and come and go without causing disturbance.

11.8 A suggested layout of a room for an inquiry is attached at Annex 1.

11.9 Care should be taken to ensure that there is enough space and provision for disabled people. For example, a person with hearing impairment who can lip-read should be able to sit near the front with a clear facial view of the

participants. The same care should be taken with the layout of a Hearing Room below.

12. LAYOUT OF THE HEARING OR EXAMINATION ROOM (INCLUDING ROUND TABLE SESSIONS)

12.1 The arrangements for a hearing or examination should be designed to create the right atmosphere for discussion, and to reduce or avoid the formalities of an inquiry. The venue should ideally be a committee room or similar, which is large enough to comfortably accommodate all those likely to attend, but not so large that hearing is difficult. Generally speaking, Council chambers are unsuitable. Normally the Inspector and the parties (including interested parties) should be able to sit around a large table or tables arranged in a rectangle of adequate size. If large numbers of interested parties or observers are expected, it may be necessary to set out extra seating beyond the table, facing the Inspector's chair. The objective must be to ensure that all present, including those with disabilities or special needs, can hear, see and participate in the proceedings without difficulty. Audio equipment to aid audibility should also be available.

13. PHOTOCOPYING

13.1 Provision should be made for documents to be copied quickly during the course of the event.

14. WELSH LANGUAGE

14.1 On 30th March 2016 the Welsh Language Commissioner introduced new Welsh Language Standards. These are a set of requirements that aim to improve the bilingual services that the people of Wales can expect to receive from their Government. The Standards clearly set out what our responsibilities are in terms of providing bilingual services, ensuring the Welsh language is not treated any less favourably than the English language. The Standards are an important opportunity to improve customer service and provide better policy outcomes for the people of Wales. The Standards are legally binding and must be adhered to by all.

14.2 Members of the public are welcome to speak in Welsh at events organised by the Planning Inspectorate in Wales. Publicity (including formal notices) will make clear that contributions from the public will be welcome in both Welsh and English. The local authority will provide Welsh translation facilities for all parties to the appeal.

14.3 We will ask that anyone who wishes to speak Welsh lets the Inspectorate know beforehand so that the local authority can arrange for a translation service to be provided for the event. This request will be made in the formal notices and letters. Requests may be made on the day although these may delay the start of the event.

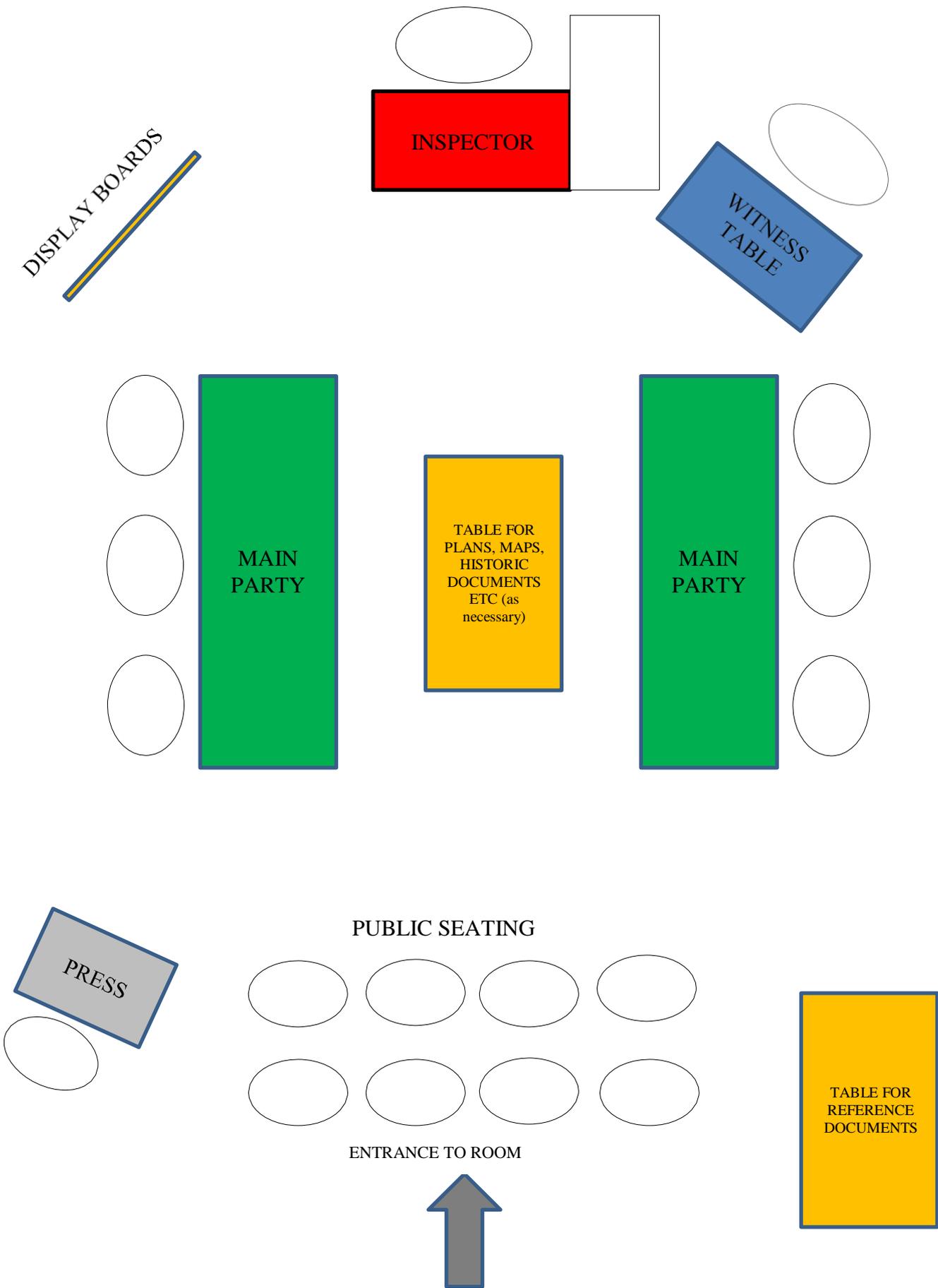
15. OTHER LANGUAGES

15.1 Hearings, inquiries and examinations will normally be conducted in English. Translation/interpretation services may also be required for individuals or groups where (Welsh or) English is not a first language.

16. CLOAKROOMS AND TOILETS

16.1 Toilet facilities should be adequate and clearly signposted. Provision should be made for outdoor clothes to be stored discreetly. Toilet facilities should be accessible to disabled people. Toilet facilities should be easily accessible throughout the duration of the event without the need for the public to have to pass through doors where they would have to ask to be let in or out.

ANNEX 1 – SUGGESTED LAYOUT OF AN INQUIRY ROOM



ANNEX 2 - THE EQUALITY DUTY

The Public Sector Equality Duty which came into force on 6 April 2011 states that all public bodies must, while carrying out their functions, have due regard to the following:

- (a) Eliminate unlawful discrimination, harassment, victimisation and any other conduct that is prohibited by the Equality Act 2010;
- (b) Advance equality of opportunity between people who share a protected characteristic and people who do not share it;
- (c) Foster good relations between people who share a protected characteristic and people who do not share it.