

PUBLIC INQUIRY & HEARING FACILITY NOTE

The venue and facilities for public inquiries and hearings in connection with development plans, planning appeals, compulsory purchase orders and the like are generally provided by local planning authorities.

It is common practice for inquiries and hearings to be held in council buildings, council chambers or suitable committee rooms, and some are held in halls, hotels, schools, theatres etc.

This note sets out the requirements of a venue for a public inquiry and the facilities likely to be required at any of the chosen venues, and the different requirements for a hearing. The facilities required for a hearing, whilst similar to those for inquiries, are different in a number of respects. When there are such differences, these are explained.

1 LOCATION

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.

The venue should be well signposted and directly and easily accessible to all, without passing through other rooms or office areas. In particular, there is a duty under the Disability Discrimination Act 1995 to ensure facilities provided are accessible to persons with disabilities, and if necessary, by making appropriate adjustments. Such adjustments must have regard to the needs of people with sight or hearing impairments.

2 THE ROOM

The room should be large enough to accommodate comfortably the numbers of people expected to attend.

Large halls are not desirable for a hearing or an inquiry where few people are likely to attend. Similarly, small rooms are inappropriate for inquiries which are the subject of significant public interest.

The room should be unaffected by noise and other disturbance associated with activities in other parts of the building or the surrounding area eg playgroups, sports and games, aerobics, building works etc.

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 cannot be achieved a public address system should be provided.

The Inspector and members of the public are likely to be in a building unfamiliar to them. Exits/fire exits should be clearly marked and health and safety regulations should be observed. 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 in advance of the opening of the inquiry or hearing, and certainly should not be denied access pending the arrival of either the Council's representatives or the Inspector.

In the event of an inquiry or hearing sitting 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, provision should be made for the secure storage of documents as close to the room as possible.

The room should be adequately heated and ventilated and natural or artificial light should be sufficient to enable documents to be read easily.

3 CLOAKROOMS & TOILETS

Toilet facilities should be adequate and clearly signposted. Provision should be made for outdoor clothes to be stored discreetly.

4 PHOTOCOPYING

Provision should be made for documents to be copied quickly during the course of the inquiry or hearing.

5 RETIRING ROOMS

Outside the inquiry or hearing room, Inspectors must be distanced from the parties involved. Therefore, wherever possible, a room should be provided to which the Inspector can retire in order to avoid contact with the parties before and during breaks in the proceedings and also to leave documents and personal effects. This room should ideally be close to the main room and furnished with a table, chairs and a telephone. For multi-day inquiries this provision of a retiring room is essential.

At lengthy or complex inquiries it is also helpful to provide space to enable the parties to have private discussions outside the inquiry room.

6 HEALTH AND SAFETY

The local planning authority, and/or a third party owner of hired premises, is responsible for the safety of the premises and the persons using them. On arrival at the venue, Inspectors should be given a copy of the emergency procedure instructions.

7 LAYOUT OF THE INQUIRY ROOM

THE INSPECTOR'S TABLE

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 dais. The table should be positioned to avoid people passing behind the Inspector. A comfortable workstation for the Inspector should be created by the provision of satisfactory tables and an adjustable chair - the Inspector's table should be large enough to spread out plans, and a side table to accommodate documents is helpful.

PRINCIPAL PARTIES

The principal parties should be seated facing each other at right angles to the Inspector and provided with separate large tables.

REPRESENTED THIRD PARTIES

Ideally, provision should be made for represented third parties to sit alongside, or close to, the principal party they support.

WITNESS TABLE, DISPLAY BOARDS

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.

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.

PUBLIC SEATING

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.

PRESS

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.

8 LAYOUT OF THE HEARING ROOM

The arrangements 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 audibility becomes a problem. Generally speaking council chambers are unsuitable. Wherever possible the Inspector and the parties (including third parties) should sit around a large table or tables arranged in a rectangle of adequate size. If large numbers of third parties 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 special needs, can hear, see and participate in the proceedings without difficulty.

9 OTHER REQUIREMENTS

An awareness that:

- ◆ Translation/interpretation services could be required for individuals or groups where English may be a second language;
- ◆ certain venues may be perceived as disadvantageous to particular groups of people eg a religious building or licensed premises.

Carafes of fresh water and glasses should be provided for the Inspector, advocates and witnesses.

"No smoking" signs should be prominently displayed.