



The Planning Inspectorate

# **Guide to taking part in planning, listed building, enforcement and specialist casework appeals proceeding by a virtual hearing or inquiry - England**

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## **Introduction**

*Please Note: This guidance relates to planning, listed building and enforcement appeals as well as specialist casework. Separate arrangements are in place for Local Plan events and Nationally Significant Infrastructure Projects.*

1. The Planning Inspectorate has previously conducted hearings and inquiries on a face-to-face basis, with participants being physically present at a venue such as a council office or town hall. However, in order to keep staff and customers safe during the current pandemic while still progressing casework, we have had to convert our hearings and inquiries into 'virtual' events where participants connect remotely to an online video conference. (In a very limited number of cases we may also be able to offer a 'blended' event which has both physical and virtual elements).
2. We hope to be able to run physical hearings and inquiries again in the future, once the external situation allows us to do this safely. However, in the meantime, participants will be asked to join a virtual event using their own Internet connected devices (laptop, tablet or smartphone) or alternatively dial in using an ordinary telephone.
3. While the format of a hearing or inquiry remains exactly the same whether virtual or physical, there are additional considerations which participants will need to take into account when participating in a virtual event. This includes becoming familiar with Microsoft Teams (the software used by the Planning Inspectorate for hosting events) and adapting to a more efficient way of working to ensure that online proceedings take place in an orderly and timely fashion.
4. Although the exact manner in which an event is run will be at the discretion of the appointed Inspector, this guidance outlines some general principles common to all virtual hearings and inquiries.
5. The Planning Inspectorate has produced a [short video](#) about taking part in a virtual event which you may find helpful.

## **General guide to hearings and inquiries**

6. Whatever format a hearing or inquiry takes, the regulations and procedure guidance governing the events remain unchanged. Consequently, this document should be read alongside the Planning Inspectorate's general guidance for participating in hearings and inquiries. These documents can be accessed by following the links below;

## **Guide to taking part in hearings**

[Hearings- planning and listed building consent appeals](#)

[Hearings- enforcement and lawful development certificate appeals](#)

## **Guide to taking part in inquiries**

[Inquiries- planning and listed building consent appeals](#)

[Inquiries- enforcement and lawful development certificate appeals](#)

## **Procedural guidance**

[Planning Appeals](#)

[Enforcement Notice Appeals](#)

[Lawful Use Certificate or Development Appeals](#)

[Called in Planning Applications](#)

General information about specialist casework areas, including rights of way, common land, environmental appeals, high hedges and trees can be found on the [GOV.UK website](#).

## **Using Microsoft Teams**

7. The Planning Inspectorate use Microsoft Teams to host virtual hearings and inquiries. This provides video conferencing services similar to Zoom and other popular applications you may be familiar with. Teams can be installed for free on most desktop computers, smartphones and tablet.

8. If you do not have a compatible device or are unable to access the Internet, it is also possible to dial into the virtual event by telephone. In that case, you will be provided with separate instructions.

### Downloading and installing Teams

9. Instructions for downloading the application can be found on the Microsoft website (search for Microsoft Teams or [follow this link](#)). The version you download will depend on what type of device you are using.

10. If you work for an organisation which restricts the installation of new software, you may need to speak to your system administrator first. Teams is compatible with most common operating systems, provided they are relatively

up-to-date. This includes recent versions of Microsoft Windows, Apple iOS, Mac OS, Android, Chrome OS and certain Linux distributions.

11. On some desktop and laptop computers it is possible to use Teams within the Chrome or Edge browsers, avoiding the need to install any additional software. However, it is strongly recommended that you download and install the Teams application as described above. This is because the application offers additional options and functionality that you are likely to find helpful when participating in the virtual event. It has also proven to be more stable and consistent than using a browser.

## How to use Teams

12. Although Teams is designed to be easy to use, familiarisation and practice is recommended. While all versions of Teams are broadly similar, the user interface varies depending on your device and operating system.

13. As Microsoft regularly changes and updates Teams, the best place to find current instructions and tutorials is on the [Microsoft Teams Website](#).

14. If possible, it is recommended that you try out Teams with another person in advance of the event to become familiar with its use and to ensure that it is working as expected on your device. As a minimum, you should check that your microphone and camera are working within Teams and you know how to turn these on or off during the event. It is also worth becoming familiar with the 'raised hand' feature, which is available on most versions of Teams. This is useful to know as it is a convenient way of signalling to the Inspector that you wish to speak during the course of the event.

## Troubleshooting

15. Poor audio or visual quality is most likely caused by a slow Internet connection. Sometimes turning off your camera can help to improve audio quality as there is less data to transfer. You should also consider turning off any other devices in your home or office that may be placing heavy demands on your Internet connection (such as games or TV streaming devices).

16. If you wish to use an external camera, microphone or speakers (instead of those built into your device) you may need to configure these separately within Teams. On most versions of Teams, the relevant options are likely to be found in the 'device settings' menu. You can also change the speaker volume from here (your device may be on full volume but unless the Teams volume is set high enough you won't be able to hear anything).

17. If you have followed the guidance and still encounter problems, please contact the relevant Planning Inspectorate Case Officer, whose contact details should be on your correspondence. You may be given the option of dialing into the event instead.

## **Preparing for a virtual event**

18. To assist the Inspector, participants should give special consideration to presenting their evidence in the most succinct and efficient way possible. When preparing for an inquiry, it is especially important that any timings you provide to the Inspector are as accurate as you can make them.

### Documents

19. Written evidence should be presented in an electronic format. This should be clearly labelled and made simple to navigate. For ease of reference, page and paragraph numbering should be used wherever possible. Consideration should also be given to reducing the size of large files to reduce loading times for those with slow Internet connections.

20. The core documents at inquiries should also be presented in an electronic format. Particular attention should be given to compiling these documents in a logical sequence and ensuring that the contents easy to navigate during online proceedings.

### Speaking at the event

21. It is not necessary to repeat points already made by others. When a group of interested parties (such as local residents) all wish to raise similar points, it is recommended that you elect a spokesperson to be your main point of contact during the event.

22. The Inspector will decide how much speaking time to allow on various issues. Where time limits have been stipulated, these need to be respected. At inquiries, it is especially important to adhere to any time estimates that you may have provided in advance.

### Sharing information

23. Parties may wish to share information between members of their team whilst the event is in progress. To prevent confusion on the day, it is recommended that you decide how to do this in advance. It is not permitted to use the messaging facility within Teams and this may be disabled by default. Please be aware that it is not always appropriate to be in contact with witnesses, as covered elsewhere in this guidance.

## Participating in a virtual event

### Joining a virtual event

24. Participants will be sent an email containing a link to join the event. On the day of the event, simply click on the link and follow the instructions (if asked whether you wish to use a browser or to use the Teams application, it is recommended that you use the application).

25. If you are joining the event by telephone, dial the provided number and, when asked, type your Conference ID number followed by the # key. To hide your telephone number from being seen by other participants, prefix your number by 141 or whatever alternative number your network uses to hide numbers. During the event, please stay muted unless speaking. To mute and un-mute, dial \*6 from your telephone keypad.

26. Whether joining online or by telephone, you will be held in a virtual 'lobby' until you are let into the meeting. Please ensure that you join the lobby at least 15 minutes before the event is due to start.

### Ground rules

27. It is important that virtual events are run in the same orderly fashion as a physical hearing or inquiry. To assist the Inspector, participants are asked to bear the following points in mind when using Teams;

- Please do not speak unless you are invited to by the Inspector. The preferred way of indicating that you wish to speak is through the 'raised hand' button within the Teams application. If this option is not available to you, the Inspector will make alternative arrangements.

- To limit background noise, participants are asked to mute their microphones when they are not speaking.
- Participants are generally encouraged to use their camera when speaking to the Inspector as this improves communication and better replicates the conditions of a physical event. However, please ensure that your face is well lit and clearly visible. Some versions of Teams allow users to blur their backgrounds or select standard corporate backgrounds. You may use this feature if you wish.
- You must not use the 'chat' function within Teams to send messages to the Inspector or other participants.
- You should aim to sit in a quiet room free from any noise or distractions. However, it is recognised that living arrangements do not always allow this. Please notify the Case Officer if you anticipate any issues in advance of the event (for example child care commitments) so they can be allowed for in the timing of the sessions.
- It is strongly recommended that you become familiar with Teams in advance and check that your equipment is working as expected and is fully charged for the duration of the event.

## In the event of technical problems

28. In case of technical problems, please ensure that the Planning Inspectorate has a telephone number on which you can be contacted on the day.

29. If there is a fundamental problem (such as a main party or the Inspector losing connection completely) the hearing or inquiry will be adjourned. If it is not possible to rectify the issue during the adjournment, the Inspector may consider resuming the hearing or inquiry by telephone.

## **Recording, livestreaming and media**

### Recording

30. Virtual events may be recorded by the Planning Inspectorate and retained for a period of time afterwards. The Inspector will inform participants at the opening of the event if it is being recorded. The Planning Inspectorate takes its data protection responsibilities for the information you provide us with very seriously. To find out more about how we use and manage your personal data, please go to [our privacy notice](#).



## Livestreaming

31. Planning is a public process, unless there are specific reasons for issues to be considered in private. We will consider in advance whether streaming the event on the Internet will help the public to observe proceedings and an announcement will usually be made at the start of the event if it is to be livestreamed. Please let the Case Officer know in advance if you have any concerns in relation to particular parties or evidence being livestreamed in this manner.

## Media

32. Journalists wishing to gain access to the event to observe proceedings should make a request to the Planning Inspectorate in advance, declaring that they represent the media via our [Press Office](#). Questions concerning the reporting of livestreamed events should also be directed towards our Press Office in the first instance.

## **Giving evidence at inquiries**

### Non-contact rules

33. When a witness is providing evidence under cross-examination, it is essential that they are not in communication with anyone else, including by email, text or other messaging platforms. Unless otherwise agreed by the Inspector, the witness should be alone in the room and must not refer to any undisclosed notes or papers. The Inspector may ask some searching questions to ensure these rules are being followed. This may include asking the witness to give a 360-degree view of the room.

34. At a virtual event, it is important that the witness follows the usual inquiry procedure rules when presenting evidence. For instance, during any adjournment or overnight adjournment, the witness must not discuss their evidence with any person. The witness may be asked to confirm their compliance with the rules.

## Oaths and affirmations

35. The 'non-contact' principles above are also applicable to circumstances where evidence is given on oath at a virtual event. The Inspector will provide further guidance on these matters at the inquiry.

36. If a witness would like to take an oath using a sacred object, they should provide their own holy book or scripture (the Inspector may seek clarification at the event). The witness can still choose to make an affirmation rather than take an oath as they would in a physical inquiry. However, regardless of how they choose to make this verbal statement of fact, the witness will be legally bound to tell the truth.