STATUTORY INSTRUMENTS

2026 No. 1161

TOWN AND COUNTRY PLANNING, ENGLAND

TRIBUNALS AND INQUIRIES, ENGLAND

The Spatial Development Strategy (Examination Procedure) Rules 2026

Made - - - -	*2nd November 2026*
Laid before Parliament	*5th November 2026*
Coming into force - -	*26th November 2026*

The Lord Chancellor makes these Rules in exercise of the powers conferred by section 9(1) and (3) of the Tribunals and Inquiries Act 1992(**a**).

Citation, commencement, extent and application

1.—(1) These Rules may be cited as the Spatial Development Strategy (Examination Procedure) Rules 2026.

(2) These Rules come into force on the 21st day after the day on which they are laid before Parliament.

(3) These Rules extend to England and Wales and apply in relation to England only.

(4) These Rules apply in relation to the examination of a spatial development strategy under section 12I or 12P(6)(a) of the Planning and Compulsory Purchase Act 2004(**b**).

Interpretation

2. In these Rules—

"the 2004 Act" means the Planning and Compulsory Purchase Act 2004;

"examiner's report" means the report made by the examiner under section 12I(6) of the 2004 Act, including as applied by section 12P(7) of the 2004 Act;

"participation request" means a request to take part in the examination.

3. In these Rules, a reference to—

(**a**) 1992 c. 53. Section 9(1) was amended by S.I. 2013/2042. Section 114 of the Planning and Compulsory Purchase Act 2004 (c. 5) (as amended by S.I. 2026/755) defines the examination of a spatial development strategy under Part 1A of that Act as a statutory inquiry within the meaning of the Tribunals and Inquiries Act 1992.

(**b**) 2004 c. 5. Sections 12I and 12P were inserted by section 58 of the Planning and Infrastructure Act 2025 (c. 34).

(a) a strategic planning authority's(**a**) website includes a reference to the website of a constituent authority of a strategic planning board(**b**);

(b) a strategic planning authority's principal office includes a reference to the principal office of a constituent authority of a strategic planning board.

List of matters to be examined

4.—(1) The examiner must prepare—

(a) a list of the matters to be examined at the examination and any questions arising in connection with those matters, and

(b) a statement inviting—

(i) written submissions on the matters to be examined at the examination, and

(ii) participation requests.

(2) The statement under paragraph (1)(b) must specify—

(a) the information that must be included in written submissions and participation requests,

(b) the form and manner in which written submissions and participation requests must be made, and

(c) the date on or before which written submissions and participation requests must be received by the examiner, which must be a date not less than 4 weeks from the date on which the statement is published.

(3) The examiner must send copies of the documents referred to in paragraph (1) to the following persons—

(a) in relation to an examination under section 12I of the 2004 Act, the strategic planning authority that prepared the draft spatial development strategy being examined;

(b) in relation to an examination under section 12P(6)(a) of the 2004 Act—

(i) the Secretary of State;

(ii) the strategic planning authority from whom the Secretary of State took over preparation of the draft spatial development strategy being examined.

Written submissions and participation requests

5.—(1) Written submissions and participation requests must—

(a) contain the information,

(b) be made in the form and manner, and

(c) be received by the examiner by the date,

specified in the statement published under rule 4(1)(b).

(2) The examiner must consider any written submissions and participation requests that comply with paragraph (1).

Determination of procedure

6. The examiner may determine the procedure by which a matter is to be examined.

(**a**) See section 12A of the Planning and Compulsory Purchase Act 2004 for the meaning of "strategic planning authority".
(**b**) See section 12B of the Planning and Compulsory Purchase Act 2004 for the meaning of "constituent authority" and "strategic planning board".

List of participants and examination timetable

7.—(1) Within the period of 4 weeks beginning with the day after the day by which written submissions and participation requests must be received, the examiner must prepare—

(a) a list of the persons invited to take part in the examination, and

(b) a timetable for the examination.

(2) The timetable for the examination must set out—

(a) which matters are to be examined by way of hearing,

(b) the date of the hearing, and

(c) the date by which the examiner intends to make the examiner's report.

(3) The examiner must send copies of the following documents to the persons specified in paragraph (4)—

(a) the list of the persons invited to take part in the examination,

(b) the timetable for the examination, and

(c) copies of any written submissions that comply with rule 5(1).

(4) The persons referred to in paragraph (3) are—

(a) in relation to an examination under section 12I of the 2004 Act, the strategic planning authority that prepared the draft spatial development strategy being examined;

(b) in relation to an examination under section 12P(6)(a) of the 2004 Act—

(i) the Secretary of State;

(ii) the strategic planning authority from whom the Secretary of State took over preparation of the draft spatial development strategy being examined.

(5) The examiner may, at any time, vary the timetable for the examination.

(6) The examiner must, as soon as reasonably practicable, send any variation to the timetable to the persons specified in paragraph (4).

Notice of hearing

8.—(1) This rule applies where the examiner determines that a matter is to be examined by way of hearing.

(2) The examiner must give each of the persons specified in paragraph (3) at least 4 weeks' notice in writing of—

(a) the date and the time of the hearing,

(b) the location of the hearing or, where the hearing is to take place remotely, the arrangements to enable remote attendance;

(c) any arrangements for broadcasting the hearing.

(3) The persons referred to in paragraph (2) are—

(a) in relation to an examination under section 12I of the 2004 Act, the strategic planning authority that prepared the draft spatial development strategy being examined;

(b) in relation to an examination under section 12P(6)(a) of the 2004 Act—

(i) the Secretary of State;

(ii) the strategic planning authority from whom the Secretary of State took over preparation of the draft spatial development strategy being examined;

(c) any other person invited to participate in the hearing.

Request for information

9.—(1) The examiner may serve a notice at any time on any person to request any information that the examiner reasonably requires in connection with the examination of the spatial development strategy.

(2) A notice under paragraph (1) must specify—

(a) the information requested, and

(b) the date by which the information must be sent to the examiner.

(3) As soon as reasonably practicable after receipt of any information requested in accordance with paragraph (1), the examiner must—

(a) in relation to an examination under section 12I of the 2004 Act, send a copy of the information to the strategic planning authority that prepared the draft spatial development strategy being examined;

(b) in relation to an examination under section 12P(6)(a) of the 2004 Act, send a copy of the information to—

(i) the Secretary of State;

(ii) the strategic planning authority from whom the Secretary of State took over preparation of the draft spatial development strategy being examined.

Examiner's report

10.—(1) The examiner's report must be in writing.

(2) Paragraph (3) applies in relation to an examination under section 12I of the 2004 Act.

(3) At the same time as making the report to the strategic planning authority, the examiner must send a copy of the examiner's report to the Secretary of State.

(4) Paragraph (5) applies in relation to an examination under section 12P(6)(a) of the 2004 Act.

(5) At the same time as making the report to the Secretary of State, the examiner must send a copy of the examiner's report to the strategic planning authority from whom the Secretary of State took over preparation of the spatial development strategy.

Publication by a strategic planning authority

11.—(1) This rule applies in relation to an examination under section 12I of the 2004 Act where a strategic planning authority receives copies of the documents or information referred to in—

(a) rule 4(1);

(b) rule 7(1);

(c) rule 7(6);

(d) rule 8(2);

(e) rule 9(3).

(2) As soon as reasonably practicable after receipt, the strategic planning authority must—

(a) publish the documents or information referred to in paragraph (1) on the authority's website, and

(b) make copies of the documents or information referred to in paragraph (1) available for inspection at the authority's principal office and at any other place that the authority considers appropriate.

Publication by the Secretary of State

12.—(1) Paragraph (2) applies where the Secretary of State receives copies of the documents or information referred to in—

(a) rule 4(1);

(b) rule 7(1);

(c) rule 7(6);

(d) rule 8(2);

(e) rule 9(3).

(2) As soon as reasonably practicable after receipt, the Secretary of State must—

(a) publish the documents or information referred to in paragraph (1) on a government website, and

(b) make copies of the documents or information referred to in paragraph (1) available for inspection at the Secretary of State's principal office and at any other place that the Secretary of State considers appropriate.

(3) Paragraphs (4) and (5) apply where the Secretary of State publishes the examiner's report under section 12P(8)(a) of the 2004 Act.

(4) The Secretary of State must—

(a) comply with section 12P(8)(a) of the 2004 Act within the period of 2 weeks beginning with the day on which the Secretary of State receives the examiner's report;

(b) publish the examiner's report by—

(i) publishing the report on a government website, and

(ii) making copies of the report available for inspection at the Secretary of State's principal office and at any other place that the Secretary of State considers appropriate.

(5) As soon as practicable after publishing the examiner's report, the Secretary of State must notify the following persons that the examiner's report has been published on a government website—

(a) the strategic planning authority;

(b) any county council for an area that is within, or any part of which is within, the strategy area;

(c) any district council for an area that is within, or any part of which is within, the strategy area.

Signed by authority of the Lord Chancellor

Alex Davies-Jones
Parliamentary Under-Secretary of State
Ministry of Justice

2nd November 2026

EXPLANATORY NOTE

(This note is not part of the Rules)

Part 1A of the Planning and Compulsory Purchase Act 2004 (c. 5) (inserted by section 58 of the Planning and Infrastructure Act 2025 (c. 34)) requires strategic planning authorities to prepare a spatial development strategy. Unless the Secretary of State directs otherwise, a draft spatial development strategy must be subject to an examination.

These Rules make provision about the procedure to be followed in connection with the examination of a draft spatial development strategy.

Rules 1 to 3 deal with introductory matters, including key definitions.

Rule 4 requires the examiner to publish a list of the matters to be examined at the examination and any questions arising in connection with those matters. It also requires the examiner to publish a statement inviting written submissions on the matters to be examined and requests to participate in the examination.

Rule 5 sets out the requirements for written submissions on the matters to be examined and requests to participate in the examination.

Rule 6 allows the examiner to determine the procedure by which a matter is to be examined.

Rule 7 requires the examiner to publish a list of the persons invited to take part in the examination together with a timetable for the examination and copies of any written submissions received in accordance with rule 5.

Rule 8 requires the examiner to give notice of any hearing.

Rule 9 allows the examiner to request further information in connection with the examination.

Rule 10 requires the examiner's report to be in writing. In relation to an examination under section 12I of the Planning and Compulsory Purchase Act 2004, rule 10 also requires a copy of the report to be sent to the Secretary of State. In relation to an examination under section 12P(6)(a) of the Planning and Compulsory Purchase Act 2004, rule 10 requires a copy of the report to also be sent to the strategic planning authority.

Rules 11 and 12 set out the requirements for publicity by strategic planning authorities and the Secretary of State.

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. An impact assessment has been published in relation to the Planning and Infrastructure Act 2025 and can be found at https://bills.parliament.uk/bills/3946/publications and can be inspected at the Ministry of Housing, Communities and Local Government, 2 Marsham Street, London, SW1P 4DF.

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