
DRAFT STATUTORY INSTRUMENTS

2011 No.

**The Marine Licensing (Licence
Application Appeals) Regulations 2011**

PART 4

Action following the start date

Notice to interested persons

9.—(1) The Authority must, within the period of 2 weeks beginning with the start date, give notice that an appeal has been lodged—

- (a) to any person (other than the appellant) who has made representations to the Authority in respect of the subject matter of the appeal, and
- (b) to any other person it considers likely to have an interest.

(2) The notice must state—

- (a) the start date;
- (b) the name and location of the site to which the appeal relates;
- (c) the name of the appellant;
- (d) that the appeal will be determined by way of written representations, a hearing or an inquiry (as the case may be);
- (e) that, within the period of 4 weeks beginning with the date of the notice, the recipient may send to the Secretary of State any written representations the recipient wishes to make;
- (f) the address to which such representations must be sent;
- (g) that any representations received will be sent to the appellant and the Authority;
- (h) that if the recipient makes representations, the recipient will be notified by the Secretary of State of the date of any hearing or inquiry that may be held.

(3) The notice must be accompanied by a copy of the decision to which the appeal relates.

(4) The Authority must, within the period of 2 weeks beginning with the start date, send to the Secretary of State and the appellant—

- (a) a list of the persons to whom, and the dates on which, notice under paragraph (1) was given; and
- (b) copies of all representations referred to in paragraph (1)(a).

Representations and further comments

10.—(1) Where an appeal is to be determined by way of written representations—

- (a) the Authority must, within the period of 6 weeks beginning with the start date, send to the Secretary of State any representations it wishes to make on the appeal together with any documents it wishes to rely on;

- (b) if the appellant wishes to make any further representations to those referred to in the notice of appeal or the documents accompanying it referred to in regulation 7(2), the appellant must send 2 copies of those further representations to the Secretary of State within the period of 6 weeks beginning with the start date.
- (2) Where an appeal is to be determined by way of hearing or inquiry, the appellant and the Authority must each, within the period of 6 weeks beginning with the start date, send to the Secretary of State a statement containing full particulars of the case they propose to put forward at the hearing or inquiry and a list of any documents they propose to refer to or put in evidence.
- (3) At the end of the period of 6 weeks beginning with the start date, the Secretary of State must—
 - (a) where the appeal is to be determined by way of written representations—
 - (i) send a copy of the Authority’s representations to the appellant, and
 - (ii) send a copy of any further representations received under paragraph (1)(b) to the Authority;
 - (b) where the appeal is to be determined by way of hearing or inquiry, send, at the same time, a copy of the Authority’s statement and list of documents to the appellant and a copy of the appellant’s statement and list of documents to the Authority;
 - (c) in all cases, send, at the same time, copies of any other representations received by the Secretary of State to the appellant and the Authority.
- (4) The appellant and the Authority may, within the period of 9 weeks beginning with the start date, send comments on those representations or statements to the Secretary of State.
- (5) The Secretary of State must, as soon as is reasonably practicable after that 9-week period, send, at the same time, a copy of the Authority’s comments to the appellant and a copy of the appellant’s comments to the Authority.