

Status: Point in time view as at 26/05/2015.

Changes to legislation: Electricity Act 1989, Cross Heading: Objections by other persons is up to date with all changes known to be in force on or before 07 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

F¹ SCHEDULES

SCHEDULE 8

CONSENTS UNDER SECTIONS 36 AND 37

Modifications etc. (not altering text)

- C1** Sch. 8: transfer of certain functions (S.) (1.7.1999) by [S.I. 1999/1750](#), arts. 1, 2, [Sch. 1](#) (with art. 7)
- C1** Sch. 8 modified in part (1.4.2010) by [Marine and Coastal Access Act 2009 \(c. 23\)](#), [ss. 12\(5\)\(a\)](#), 324(3); [S.I. 2010/298](#), art. 2, [Sch. para. 4](#) (with art. 4(1))

Objections by other persons

- 3 (1) The Secretary of State may by regulations make provision for securing—
- (a) that notice of any application for consent under section 36 or 37 of this Act shall, in such circumstances as may be prescribed by the regulations, be published in such manner as may be so prescribed;
 - (b) that notice of any such application shall, in such circumstances as may be prescribed by the regulations or where the Secretary of State so directs, be served on such persons as may be so prescribed or, as the case may be, specified in the direction;
 - (c) that every notice published or served in pursuance of the regulations shall state the time within which, and the manner in which, objections to the application may be made by persons other than the relevant planning authority, and that the time so stated shall not be less than such minimum period as may be prescribed by the regulations; and
 - (d) that, in so far as any such notice requires objections to be sent to any person other than the Secretary of State, copies of the objections shall be sent to the Secretary of State by that person;

and in relation to applications for consent under section 36 of this Act to the extension of a generating station or to the operation of such a station in a different manner, the regulations may include provision for enabling the Secretary of State to give directions dispensing with the requirements of the regulations in such cases as he thinks fit.

- (2) Where in the case of an application for consent under section 36 or 37 of this Act—
- (a) the Secretary of State is not required by virtue of paragraph 2(2) above to cause a public inquiry to be held; but
 - (b) objections or copies of objections have been sent to the Secretary of State in pursuance of regulations made under this paragraph,

the Secretary of State shall consider those objections, together with all other material considerations, with a view to determining whether a public inquiry should be held with respect to the application and, if he thinks it appropriate to do so, shall cause a public inquiry to be held, either in addition to or instead of any other hearing or opportunity of stating objections to the application.

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