



Energy Act 2004

2004 CHAPTER 20

PART 3

ENERGY REGULATION

CHAPTER 4

FURTHER PROVISIONS ABOUT REGULATION

Inquiries under ss. 36 and 37 of the 1989 Act

182 Additional inspectors

- (1) In Schedule 8 to the 1989 Act (procedure for consents under sections 36 and 37 relating to the installation of generating stations and electric lines), after paragraph 5 insert—

“Additional inspectors

- 5A (1) This paragraph applies in the case of—
- (a) a public inquiry in England and Wales by virtue of paragraph 2(2) or 3(2); or
 - (b) a public inquiry in England and Wales which is a combination under section 62 of this Act into one inquiry—
 - (i) of two or more such inquiries; or
 - (ii) of one or more such inquiries and one or more other inquiries.
- (2) At any time after appointing a person to hold the inquiry (“the lead inspector”), the Secretary of State may direct him—
- (a) to consider such matters relating to the conduct of the inquiry as are specified in the direction; and

Status: This is the original version (as it was originally enacted).

- (b) to make recommendations to the Secretary of State about those matters.
 - (3) After considering the recommendations of the lead inspector, the Secretary of State may—
 - (a) appoint for the purposes of the inquiry such number of additional inspectors as he thinks appropriate; and
 - (b) direct that each additional inspector must consider such of the matters to which the inquiry relates as are allocated to him by the lead inspector.
 - (4) An additional inspector must—
 - (a) comply with every direction as to procedural matters given to him by the lead inspector; and
 - (b) report to the lead inspector on every matter allocated to him.
 - (5) It is to be for the lead inspector to report to the Secretary of State on the consideration of both—
 - (a) the matters which he considered himself; and
 - (b) the matters the consideration of which was allocated to additional inspectors.
 - (6) The power of the Secretary of State to give directions to the lead inspector may be exercised on one or more different occasions after the appointment of the lead inspector.
 - (7) Accordingly—
 - (a) the recommendations that may be made by the lead inspector following such a direction include, in particular, a recommendation for varying the number of additional inspectors; and
 - (b) the power of the Secretary of State to appoint an additional inspector includes power to revoke such an appointment.
 - (8) A direction by any person under this paragraph may be varied or revoked by a subsequent direction by that person.”
- (2) This section does not extend to Scotland.