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STATUTORY INSTRUMENTS

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**1991 No. 1257**

**The Sealink, (Transfer of Newhaven Harbour) Harbour Revision Order 1991**

**PART III**

**NEW PROVISIONS RELATING TO THE COMPANY AT THE TRANSFERRED HARBOUR**

**Appeals in respect of works or dredging licence**

**22.**—(1) An applicant for a works licence or dredging licence who is aggrieved by—

- (a) a refusal of the Company to grant a licence; or
- (b) any terms or conditions subject to which the licence is granted; or
- (c) any modifications required by the Company in the plans, sections and particulars submitted by the applicant;

may within 28 days from the date on which the Company notifies the applicant of their decision or the date on which the Company is, under article 20(7) or 212(3) of this Order, deemed to have refused the application, appeal to the Secretary of State.

(2) An appeal under paragraph (1) above shall be made by notice in writing stating the ground of the appeal.

(3) A person who appeals under paragraph (1) above shall give to the Company notice of his appeal accompanied by a copy of his statement of appeal; and the Company shall, within 28 days of the receipt of the notice, be entitled to furnish to the Secretary of State its observations on the appeal.

(4) On an appeal under this article the Secretary of State may—

- (a) dismiss the appeal; or
- (b) require the Company to grant the licence or, as the case may be, to give its approval upon such terms and conditions and with such modifications (if any) of plans, sections and particulars as the Secretary of State may specify.

(5) The Company shall give effect to any decision or requirement given or made by the Secretary of State under paragraph (4) above.