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STATUTORY INSTRUMENTS

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**2001 No. 2954**

**The Control of Pollution (Oil  
Storage) (England) Regulations 2001**

**Right of appeal in transitional cases**

**8.—(1)** A person served with a notice under regulation 7 may within the period of 28 days beginning with the day on which the notice is served (or within such longer period as the Secretary of State may allow) appeal to the Secretary of State against the notice.

(2) An appeal shall be made by the appellant serving notice on the Secretary of State and the notice shall contain or be accompanied by a statement of the appellant's reasons for appealing and the matters which he wishes the Secretary of State to take into account in determining the appeal.

(3) Before determining an appeal the Secretary of State shall—

- (a) take into account any written representations of the appellant or the Agency; and
- (b) if requested to do so by the appellant or the Agency, afford them the opportunity of appearing before and being heard by a person appointed by the Secretary of State for the purpose.

(4) On determining an appeal the Secretary of State may direct the Agency to withdraw the notice under regulation 7, modify any of its requirements, extend the period for compliance or dismiss the appeal.

(5) The period for compliance with a notice under regulation 7 shall, subject to any direction under paragraph (4) be extended so that it expires on the date on which the Secretary of State determines the appeal or, if the appeal is withdrawn, the date on which it is withdrawn.