
STATUTORY INSTRUMENTS

2003 No. 2713

**The Access to the Countryside (Exclusions
and Restrictions) (England) Regulations 2003**

PART III

APPEALS

CHAPTER IV

Appeals to be determined by way of an inquiry

Procedure where the Secretary of State or inspector causes a pre-inquiry meeting to be held

43.—(1) The Secretary of State or the inspector shall hold a pre-inquiry meeting if it appears to them to be necessary, and any such meeting (or, where there is more than one, the first such meeting) shall be held within sixteen weeks of the start date or at the earliest practicable time thereafter.

(2) Where the Secretary of State or the inspector decides to hold such a meeting he or she shall notify in writing the appellant and the relevant authority of their intention to hold such a meeting.

(3) The Secretary of State or the inspector shall give not less than two weeks' written notice of the pre-inquiry meeting to—

- (a) the appellant and the relevant authority; and
- (b) any other person whose presence at the pre-inquiry meeting she or they consider desirable.

(4) The inspector—

- (a) shall preside at the pre-inquiry meeting;
- (b) shall determine the matters to be discussed and the procedure to be followed;
- (c) may require any person present at the pre-inquiry meeting who he considers is behaving in a disruptive manner to leave; and
- (d) may refuse to permit that person to return or to attend any further pre-inquiry meeting or may permit him to return or attend only on such conditions as he may specify.

(5) Where a pre-inquiry meeting is held pursuant to paragraph (1), the inspector may hold a further pre-inquiry meeting and he shall arrange for such notice to be given of a further pre-inquiry meeting as appears to him necessary; and paragraph (4) shall apply to such a pre-inquiry meeting.

(6) If the Secretary of State or the inspector requests any further information at the pre-inquiry meeting from the appellant, the relevant authority or any other person present at that meeting, the person required to provide the information shall ensure that two copies of it have been received by the Secretary of State or the inspector, as the case may be, within four weeks of the conclusion of the pre-inquiry meeting; and the Secretary of State shall, as soon as practicable after receipt of any such information, send a copy of it to the other parties entitled to appear at the inquiry.

Changes to legislation:

There are currently no known outstanding effects for the The Access to the Countryside (Exclusions and Restrictions) (England) Regulations 2003, Section 43.