
STATUTORY INSTRUMENTS

2005 No. 2115

The Town and Country Planning (Major Infrastructure Project Inquiries Procedure) (England) Rules 2005

Notification of decision

22.—(1) The Secretary of State shall, as soon as practicable, notify his decision on an application, and his reasons for it, in writing to—

- (a) all persons entitled to appear at the inquiry who did appear, and
- (b) any other person who, having appeared at the inquiry, has asked to be notified of the decision.

(2) Notification in writing of a decision and reasons shall be taken to have been given to a person for the purposes of this rule where—

- (a) the Secretary of State and the person have agreed that decisions and reasons required under this rule to be given in writing may instead be accessed by that person via a website;
- (b) the decision and reasons are a decision and reasons to which that agreement applies;
- (c) the Secretary of State has published the decision and reasons on a website; and
- (d) the person is notified, in manner for the time being agreed between him and the Secretary of State, of—
 - (i) the publication of the decision and reasons on a website;
 - (ii) the address of the website; and
 - (iii) the place on the website where the decision and reasons may be accessed, and how they may be accessed.

(3) Where a copy of the lead inspector's report is not sent with the notification of the decision, the notification shall be accompanied by a statement of his conclusions and of any recommendations made by him, and if a person entitled to be notified of the decision has not received a copy of that report, he shall be supplied with a copy of it on written application to the Secretary of State.

(4) In this rule "report" includes any assessor's report appended to an inspector's report and an additional inspector's report appended to the lead inspector's report but does not include any other documents so appended; but any person who has received a copy of the report may apply to the Secretary of State in writing, within 6 weeks of the date of the Secretary of State's decision, for an opportunity of inspecting any such documents and the Secretary of State shall afford him that opportunity.

(5) Any person applying to the Secretary of State under paragraph (3) shall ensure that his application is received by the Secretary of State within 4 weeks of the Secretary of State's determination.