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STATUTORY INSTRUMENTS

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**2005 No. 2115**

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

**Procedure following quashing of decision**

**23.**—(1) Where a decision of the Secretary of State on an application in respect of which an inquiry has been held is quashed in proceedings before any court, the Secretary of State—

- (a) shall send to the persons entitled to appear at the inquiry who appeared at it a written statement of the matters with respect to which further representations are invited for the purposes of his further consideration of the application;
- (b) shall afford to those persons the opportunity of making written representations to him in respect of those matters or of asking for the re-opening of the inquiry; and
- (c) may, as he thinks fit, cause the inquiry to be reopened (whether by the same or a different lead inspector).

(2) Where the Secretary of State causes an inquiry to be re-opened, paragraphs (3) to (9) of rule 14 shall apply in relation to the re-opened inquiry as if references in those paragraphs to an inquiry were references to the re-opened inquiry.

(3) Those persons making representations or asking for the inquiry to be re-opened under paragraph (1)(b) shall ensure that such representations or requests are received by the Secretary of State within 3 weeks of the date of the written statement sent under paragraph (1)(a).