
STATUTORY INSTRUMENTS

2007 No. 2008

**The Rights of Way (Hearings and
Inquiries Procedure) (England) Rules 2007**

PART 4

INQUIRIES

Procedure after inquiry transferred decisions

24.—(1) This rule applies where an inquiry has been held for the purposes of a transferred decision.

(2) When making his decision the inspector may disregard any subsequent material.

(3) If, after the close of the inquiry, the inspector takes into consideration any subsequent material which he considers to be relevant to his decision, he shall not come to a decision without first—

(a) giving notice of the subsequent material which he considers to be relevant to his decision to every person who was entitled to appear at the inquiry and every person who appeared at the inquiry with the Secretary of State's permission; and

(b) affording such persons an opportunity to make written representations to him and to ask for the inquiry to be re-opened.

(4) Any person wishing to avail himself of the opportunity mentioned in paragraph (3)(b) shall ensure that such written representations or requests to re-open the inquiry are received by the Secretary of State within three weeks of the date of the notification mentioned in paragraph (3)(a).

(5) The inspector may, if he thinks fit, cause an inquiry to be re-opened.

(6) Where an inquiry is re-opened under paragraph (5)—

(a) the inspector shall send to every person who was entitled to appear at the inquiry, and every person who appeared at the inquiry with the Secretary of State's permission, a written statement of the matters with respect to which further evidence or argument is invited; and

(b) paragraphs (2) to (4) of rule 16 shall apply as if the references to an inquiry were references to a re-opened inquiry.

Changes to legislation:

There are currently no known outstanding effects for the The Rights of Way (Hearings and Inquiries Procedure) (England) Rules 2007, Section 24.