

SCHEDULE

Regulation 25

Appeals

1. Notification of appeal must contain—
 - (a) a copy of the notice appealed against; and
 - (b) the grounds of appeal.

2. Once notification of appeal is received, the appropriate authority must appoint within a reasonable time a person (“the appointed person”) to deal with the appeal and the appeal must be conducted by written procedure.

3. At the same time as notification is given to the appropriate authority, the appellant must send a copy of the notification and grounds of appeal to the [F1appropriate agency], and the [F1appropriate agency] must immediately send a copy to any person who appears to it to have a particular interest in the subject matter of the appeal, and notify the appointed person, the appropriate authority and the appellant whom it has notified.

Textual Amendments

- F1** Words in [Sch. paras. 3-5](#) substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(S.I. 2013/755\)](#), art. 1(2), [Sch. 4 para. 361](#) (with [Sch. 7](#))

4. As soon as a person has been appointed under paragraph 2, the appropriate authority must notify the appellant of the time limit within which the appellant must provide to that person in writing and copied to the [F1appropriate agency]—

- (a) a statement of case; and
- (b) all relevant correspondence.

Textual Amendments

- F1** Words in [Sch. paras. 3-5](#) substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(S.I. 2013/755\)](#), art. 1(2), [Sch. 4 para. 361](#) (with [Sch. 7](#))

5. On receiving the documentation listed in paragraph 4, the appointed person must—
 - (a) give the [F1appropriate agency] a time limit within which it must provide a written response;
 - (b) notify any person notified under paragraph 3 of the time limit under sub-paragraph (a) and invite them to make representations before that date.

Textual Amendments

- F1** Words in [Sch. paras. 3-5](#) substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(S.I. 2013/755\)](#), art. 1(2), [Sch. 4 para. 361](#) (with [Sch. 7](#))

6. The appointed person must then decide whether further evidence is needed, and give directions accordingly.

7. The appointed person may make an unaccompanied inspection of the land or thing to which the notice relates but nothing entitles the appointed person to enter land in order to make an inspection where such access would be unlawful.

Status: Point in time view as at 31/12/2020.

Changes to legislation: There are currently no known outstanding effects for the
The Eels (England and Wales) Regulations 2009. (See end of Document for details)

8. For the purposes of paragraph 7, access is lawful on any occasion if the appointed person may access the land on that occasion without committing an offence or trespassing on the land.
9. Following the conclusion of the appeal, the appointed person must decide the matter.
10. The appointed person may make such order as to the costs of the parties (including parties who make representations) as is fit.

Status:

Point in time view as at 31/12/2020.

Changes to legislation:

There are currently no known outstanding effects for the The Eels (England and Wales) Regulations 2009.