
STATUTORY INSTRUMENTS

2023 No. 470

The Dee Estuary Conservancy Harbour Revision Order 2023

PART 4

CONTROL OF WORKS AND DREDGING IN ESTUARY

Appeals in respect of works or dredging licences

30.—(1) Where—

- (a) the conservancy authority has refused to grant a works licence or a dredging licence and the applicant for the licence is aggrieved by the refusal; or
- (b) the conservancy authority—
 - (i) has granted a licence mentioned in sub-paragraph (a) upon terms or conditions, or
 - (ii) has required modifications to be made to the plans, sections or particulars submitted by the applicant, andthe applicant is aggrieved by the authority's decision as to such terms or conditions, or as to such modifications,

the applicant may appeal to the Secretary of State.

(2) An appeal under paragraph (1) must be made within 28 days from—

- (a) the date on which the conservancy authority gives notice of its decision, or
- (b) the date on which it is deemed—
 - (i) under article 28(9) in relation to a works licence, or
 - (ii) under articles 28(9) and 29(4) in relation to a licence to dredge,to have refused the application.

(3) An appeal under paragraph (1) must be made by notice in writing stating the grounds of the appeal.

(4) A person who appeals to the Secretary of State under this article must at the same time send a copy of the notice of appeal to the conservancy authority.

(5) The conservancy authority—

- (a) must as soon as reasonably practicable, but not later than 28 days from receipt of the notice of appeal, provide all relevant documents to the Secretary of State,
- (b) may submit to the Secretary of State its written observations on the appeal, and
- (c) if it wishes to submit observations under sub-paragraph (b), must do so not later than 28 days from the receipt of the notice of appeal.

(6) Where an appeal has been made under this article the Secretary of State may confirm, vary or revoke the decision appealed against and may require any consequential amendments to be made, including—

- (a) amendments to the terms and conditions to which the licence is subject, or

(b) modifications of plans, sections or particulars.

(7) The conservancy authority must give effect to any decision given, or requirement made, by the Secretary of State under paragraph (6).