
WELSH STATUTORY INSTRUMENTS

2011 No. 1565

The Saundersfoot Harbour Empowerment Order 2011

PART 6

CONTROL OF WORKS AND DREDGING

Appeals in respect of works or dredging licences

45.—(1) Where—

- (a) the Commissioners have refused to grant a works licence or a dredging licence and the applicant for the licence is aggrieved by the refusal; or
- (b) the Commissioners have granted such a licence upon terms or conditions or has required modifications to be made in the plans, sections and particulars submitted by the applicant, and the applicant is aggrieved by the Commissioners' decision as to such terms or conditions, or as to such modifications;

the applicant may within 28 days from the date on which the Commissioners give notice of their decision or the date on which they are, under article 43 or 44, deemed to have refused the application, as the case may be, appeal to the Welsh Ministers.

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

(3) A person who appeals to the Welsh Ministers under this article must at the same time send a copy of the statement of appeal to the Commissioners and the Commissioners must as soon as practicable thereafter furnish the Welsh Ministers with all relevant documents, and may within 28 days from the receipt of the statement of appeal provide the Welsh Ministers with their observations on the appeal.

(4) On appeal under this article the Welsh Ministers may confirm, vary or revoke the decision appealed against and may require any consequential amendments to be made, including amendment of the terms and conditions or modifications of plans, sections and particulars.

(5) The Commissioners must give effect to any decision or requirement given or made by the Welsh Ministers under paragraph (4).