
STATUTORY RULES OF NORTHERN IRELAND

2001 No. 435

Environmental Impact Assessment (Uncultivated Land and Semi-Natural Areas) Regulations (Northern Ireland) 2001

Determination of appeals by hearing

16.—(1) This regulation shall apply to an appeal which is to proceed by way of a hearing.

(2) Within six weeks of receiving notice that the appeal is to proceed by way of a hearing the appellant shall serve on the appointed person a statement which contains full particulars of his case and copies of any documents to which he wishes to refer at the hearing and the appointed person shall send copies of the statement and documents to the Department and other interested parties.

(3) The appointed person shall give the appellant, the Department and other interested parties at least six weeks' notice of the date, time and place fixed for the hearing and shall give, not less than twenty-one days before the date fixed for the hearing, such notice to the public as he may think fit.

(4) The appointed person may vary the time or place for the holding of the hearing and shall give such notice of such variation as he may think fit.

(5) Any of the interested parties (other than the appellant and the Department) who wish to be heard at the hearing shall, within twenty-eight days of receipt of the appellant's statement pursuant to paragraph (2), notify the appointed person that they wish to appear and the appointed person may require any such parties to serve upon him a statement containing the particulars of their case together with copies of any documents to which they wish to refer at the hearing within five weeks of being so required and the appointed person shall send copies of such statements to the appellant, the Department and to the other interested parties.

(6) The appointed person may by notice require the appellant, the Department or any other person who has provided a statement in accordance with paragraph (5) to provide such further information about the matters contained in the statement as he may specify and shall send a copy of such information to the interested parties or to the appellant, the Department and the other interested parties as the case may be.

(7) Before a hearing takes place the appointed person shall make all of the documents submitted by the appellant, the Department or any interested parties in respect of the hearing available for inspection by any person who so requests.

(8) The persons entitled to be heard at a hearing are—

- (a) the appellant;
- (b) the Department;
- (c) any interested parties; and
- (d) any other person whom the appointed person shall permit to be heard.

(9) A person entitled to appear at a hearing who proposes to give evidence at the hearing by reading a proof of evidence shall send a copy of the proof of evidence to the appointed person together with a written summary not less than three weeks before the date fixed for the hearing and the appointed person shall send copies of the proof and summary to the appellant, the Department and the other interested parties as the case may be.