

SCHEDULES

SCHEDULE 6

PLANNING CONDITIONS

PART IV

SUPPLEMENTARY

Appeals

- 34 (1) Unless the appropriate Ministers direct otherwise, their functions in relation to the determination of an appeal under paragraph 32 above shall, instead of being carried out by them, be carried out by a person appointed by them for the purpose.
- (2) The appropriate Ministers may by a further direction revoke a direction under sub-paragraph (1) above at any time before the determination of the appeal.
- (3) A direction under sub-paragraph (1) or (2) above shall be served on the nominated undertaker and the planning authority whose decision is appealed against.
- (4) At any time before the determination of an appeal by a person appointed for the purpose under this paragraph, the appropriate Ministers may revoke his appointment and appoint another person to determine the appeal instead.
- (5) Where the function of determining an appeal under paragraph 32 above is transferred from one person to another, the person to whom the function is transferred shall consider the matter afresh, but the fact that the function is transferred shall not entitle any person to make fresh representations or to modify or withdraw any representations already made.
- (6) If the appropriate Ministers determine an appeal which another person was previously appointed to determine, they may, in determining it, take into account any report made to them by that person.