

SCHEDULES

SCHEDULE 26

LORRIES

Grant of applications for permit

- 5 (1) This paragraph applies where an application for the issue of a permit under a lorry ban order—
- (a) is made under paragraph 3, or
 - (b) is otherwise expressed to be made in connection with the carrying out of authorised works.
- (2) The application must be granted if the issue of a permit is reasonably required—
- (a) for the purpose of enabling authorised works to be carried out in a timely and efficient manner, or
 - (b) for the purpose of enabling authorised works to be carried out in accordance with approved arrangements.
- (3) If the application is granted, no condition may be imposed which is likely to obstruct the carrying out of authorised works—
- (a) in a timely and efficient manner, or
 - (b) in accordance with approved arrangements.
- (4) An applicant aggrieved by a decision under sub-paragraph (2) or (3) may appeal to the Secretary of State by giving notice of the appeal to—
- (a) the Secretary of State, and
 - (b) the authority whose decision is appealed against,
- within 28 days of notification of the decision.
- (5) On an appeal under sub-paragraph (4), the Secretary of State may allow or dismiss the appeal or vary the decision of the authority whose decision is appealed against.
- (6) If, on an appeal under sub-paragraph (4) against a decision under sub-paragraph (3), the Secretary of State varies the decision, the variation has effect from and including the date on which the appeal was constituted or such later date as the Secretary of State may specify.
- (7) The applicant may not challenge a decision under sub-paragraph (3) otherwise than by an appeal under sub-paragraph (4).

Changes to legislation:

There are currently no known outstanding effects for the High Speed Rail (London - West Midlands) Act 2017, Cross Heading: Grant of applications for permit.