
STATUTORY INSTRUMENTS

2002 No. 1710

The Access to the Countryside (Provisional and
Conclusive Maps) (England) Regulations 2002

PART III

APPEALS AGAINST PROVISIONAL MAPS

CHAPTER I

Initial stages of appeals

Notification of start of appeal etc

19.—(1) The Secretary of State shall, as soon as practicable after receipt of the information required to be supplied by the Agency in accordance with regulation 18, notify in writing the appellant, the Agency and any other person who made representations to the Agency in respect of the showing of, or failure to show, the appeal land as registered common land or open country on a draft map of—

- (a) the start date;
 - (b) whether the appeal procedure will take the form of a hearing or inquiry or will be disposed of on the basis of written representations;
 - (c) whether the appeal will be determined by the Secretary of State or by the inspector;
 - (d) the reference number allocated to the appeal;
 - (e) the addresses (including an e-mail address) to which written communications to the Secretary of State about the appeal are to be sent; and
 - (f) the time and place where documents relating to the appeal are to be made available for the purposes of regulation 57.
- (2) A notice under paragraph (1) shall—
- (a) state the name of the appellant and, sufficiently to enable it to be identified, the location and extent of the appeal land;
 - (b) state that the appeal is brought under section 6(2) in relation to the showing of the land as registered common land on a provisional map or under section 6(3) in relation to the showing of the land as open country on that map, as appropriate;
 - (c) state that the Agency—
 - (i) has sent to the Secretary of State and the appellant the name and address of any person other than the appellant who made representations to the Agency in respect of the showing of, or the failure to show, the appeal land as registered common land or open country on a draft map; and
 - (ii) is required to send a copy of such representations to the Secretary of State and the appellant;

- (d) state that, if any such persons wish their representations to be disregarded by the Secretary of State for the purposes of the appeal, they should notify the Secretary of State of this in writing within six weeks of the start date;
 - (e) state that a person who has made any such representations may make further representations in writing to the Secretary of State in respect of the appeal by ensuring that they are received by the Secretary of State, at an address specified in the notice, within six weeks of the start date;
 - (f) state that any other person may also make representations in writing to the Secretary of State in respect of the appeal by ensuring that they are received by the Secretary of State at that address and within such time; and
 - (g) if there is to be a hearing or inquiry, state that any person, other than the appellant or the Agency, may be heard with the permission of the inspector and that such permission shall not be unreasonably withheld.
- (3) The Secretary of State shall ensure that a copy of the notice of appeal is available for inspection on a website maintained by the Planning Inspectorate Executive Agency until the appeal is determined.