
STATUTORY INSTRUMENTS

2007 No. 2008

**The Rights of Way (Hearings and
Inquiries Procedure) (England) Rules 2007**

PART 6

GENERAL

Further time

28. The Secretary of State may, at any time in any particular case, allow further time for the taking of any step or the doing of any thing which is required or enabled to be taken or done by virtue of these Rules, and references in these Rules to a period within which any step or thing is required or enabled to be taken or done shall be construed accordingly.

Inspection and copying of documents

29.—(1) The authority shall afford any person who so requests an opportunity to inspect and take copies of—

- (a) the order as submitted to the Secretary of State for confirmation in accordance with the provisions listed in rule 4(2)(a) to (c);
- (b) any representations or objections duly made and not withdrawn in respect of the order, as mentioned in rule 4(4)(f);
- (c) the notice given by the Secretary of State pursuant to rule 4(1);
- (d) any statement of case mentioned in rule 6 (as regards hearings) or rule 17 (as regards inquiries);
- (e) any further information received as mentioned in rule 7(3) (as regards hearings) or rule 18(3) (as regards inquiries);
- (f) any representations which have been made in consequence of rules 11(5) or 12(3) (as regards hearings), and rules 23(5) or 24(3) (as regards inquiries);
- (g) any relevant documents; and
- (h) any other document which is in the possession of the authority and which relates to the decision of the Secretary of State or the inspector's report in respect of the order.

(2) The inspector may—

- (a) at any time, request from any person entitled or permitted to appear at the hearing or inquiry (as the case may be) copies of any document or information available to that person; and
- (b) specify a reasonable time within which such copies should be received by him.

(3) Any person so requested shall ensure that the copies referred to in paragraph (2) are received by the inspector within the period specified pursuant to paragraph (2)(b).

Notices

30. Subject to rule 31, any notice required under these Rules shall be in writing.

Use of electronic communications

31.—(1) Any requirement imposed under these Rules as to the giving or sending by one person to another of a notice or other document may be met by means of an electronic communication if—

- (a) the use of such a communication results in the information contained in that notice or document being available to the other person in all material respects as it would appear in a notice or document given or sent in printed form; and
- (b) the other person has consented to the information being made available to him by such means.

(2) Where, under paragraph (1), an electronic communication is used for the purposes of giving or sending a document, any requirement for the notice or document to be given or sent by a particular time shall be met in respect of an electronic communication only if the conditions mentioned in paragraph (1) are met by that time.

(3) For the purposes of paragraph (1)(a), “in all material respects” means in all respects material to an exact reproduction of the information that the notice or document would contain were it to be given or sent in printed form.

(4) In this rule, “electronic communication” has the meaning given in section 15(1) of the Electronic Communications Act 2000⁽¹⁾.

Transitional provision

32. These Rules shall not apply to any hearing or inquiry held in relation to an order submitted to the Secretary of State for confirmation before the date on which these Rules come into force.

(1) 2000 c.7. The definition of “electronic communication” in section 15(1) was amended by the Communications Act 2003 (c.21), Schedule 17, paragraph 158.

Changes to legislation:

There are currently no known outstanding effects for the The Rights of Way (Hearings and Inquiries Procedure) (England) Rules 2007, PART 6.