

### SCHEDULE 3

#### Appeals to the Secretary of State

### PART 3

#### Determination of appeals

##### **Notification of decisions and subsequent action by the NHSCB**

**10.**—(1) Once the Secretary of State has determined the appeal, the Secretary of State must notify the following—

- (a) the NHSCB;
- (b) the person who made the original application to which the appeal relates;
- (c) if a person other than that person brought the appeal, the person who brought the appeal; and
- (d) any person who made written representations relating to the application pursuant to the notification under Part 2,

and must include with that notification a statement of the reasons for the Secretary of State's decision and the Secretary of State's findings of fact.

(2) If the Secretary of State has granted or confirmed the grant of a routine or excepted application—

- (a) the NHSCB must send to the applicant a template of the notice of commencement referred to in paragraph 29; and
- (b) the time periods in paragraphs 31, 32 and 34 thereafter apply as if the references to the applicant being sent notices of the NHSCB's decision were reference to the applicant being notified by the Secretary of State under paragraph (3).

(3) If the Secretary of State has granted or confirmed the grant of—

- (a) a routine application, the NHSCB must proceed as soon as is practicable to take such action under regulation 50(4) or (5) as it thinks fit, subject to any directions of the Secretary of State under paragraph 9(2)(b);
- (b) an application for outline consent, the NHSCB must proceed as soon as is practicable to make a determination under regulation 53(3), subject to any directions of the Secretary of State under paragraph 9(6)(a); or
- (c) an application for premises approval, the NHSCB must proceed as soon as is practicable take such action under regulation 57 as it thinks fit, subject to any directions of the Secretary of State under paragraph 9(6)(b).