

SCHEDULES

SCHEDULE 3

PROCEDURE FOR DISCHARGE OF REQUIREMENTS

Appeal to the Secretary of State (powers of the appointed person)

- 6.—(1) The appointed person may—
- (a) allow or dismiss the appeal;
 - (b) reverse or vary any part of the authority’s decision, irrespective of whether the appeal relates to that part;
 - (c) make a decision on the application as if it had been made to the appointed person in the first instance.
- (2) The appointed person—
- (a) if he considers that he requires further information to make a decision on the appeal, may by written notice require any party to provide such further information to him and to each other party by a specified date;
 - (b) if he gives such a notice, must—
 - (i) at the same time send a copy of it to each other party, and
 - (ii) allow each party to make further representations in relation to any further information provided in response to the notice, within 10 business days from the day on which it is provided.
- (3) The appointed person may waive or extend any time limit (including after it has expired) for the provision of representations or information in relation to an appeal.