
WELSH STATUTORY INSTRUMENTS

2004 No. 3240

The High Hedges (Appeals) (Wales) Regulations 2004

Decision following the holding of a hearing

18.—(1) The appointed person may disregard any written representations, evidence or other documents received after the hearing has closed.

(2) If, after the close of the hearing, the appointed person proposes to take into consideration any new evidence or any new matter of fact (not being a matter of National Assembly policy) which was not raised at the hearing and which the appointed person considers to be material to the decision, the appointed person must not do so without first—

- (a) notifying persons entitled to take part in the hearing (whether or not they did so) of the matter in question; and
- (b) affording them an opportunity of making written representations or of asking for the re-opening of the hearing,

provided such written representations are, or request to re-open the hearing is, received by the National Assembly within 3 weeks of the date of the notification.

(3) An appointed person may cause a hearing to be re-opened and must do so if asked by the appellant or the respondent in the circumstances, and within the period, mentioned in paragraph (2); and where a hearing is re-opened—

- (a) the appointed person must send to the persons entitled to, and who did, take part in the hearing a written statement of the matters with respect to which further evidence is invited; and
- (b) regulation 15(1)(c) applies as if the references to a hearing were references to a re-opened hearing.