
WELSH STATUTORY INSTRUMENTS

2017 No. 544

The Town and Country Planning (Referred Applications and Appeals Procedure) (Wales) Regulations 2017

PART 8

Quashed decisions

Procedure following quashing of decision

50.—(1) Where a decision of the Welsh Ministers or an appointed person on an appeal is quashed in proceedings before any court, the Welsh Ministers—

- (a) must send to the persons who submitted written representations or who took part in the hearing or inquiry, a written statement of the matters in respect of which further representations are invited for the purposes of their further consideration of the appeal;
- (b) must afford to those persons the opportunity of making written representations to them in respect of those matters; and
- (c) may, as they think fit—
 - (i) cause the hearing or inquiry to be re-opened;
 - (ii) in the case of a hearing, cause an inquiry to be held instead (whether by the same or a different appointed person);
 - (iii) in the case of an inquiry, cause a hearing to be held instead (whether by the same or a different appointed person);
 - (iv) cause a hearing or inquiry to be held (where none was held previously); or
 - (v) determine the matter on the basis of written representations.

(2) If the Welsh Ministers re-open the hearing or inquiry regulation 29 and regulation 42 apply as if the references to a hearing or inquiry are to a re-opened hearing or inquiry.

(3) Those persons making representations must ensure that such representations are received by the Welsh Ministers within the period specified in the Welsh Ministers' statement under paragraph (1)(a).