

SCHEDULE 3

Regulation 52

Modifications where enforcement notices issued by Welsh Ministers

Interpretation

1. Regulation 3 is read as if in the definition of “full statement of case”, paragraph (d) provided—
 - “(d) means and is comprised of in relation to enforcement appeals—
 - (i) a written statement by the Welsh Ministers containing—
 - (aa) a response to each ground of appeal pleaded by the appellant; and
 - (bb) full particulars of the case the Welsh Ministers propose to put forward in relation to the appeal; and
 - (ii) copies of any supporting documents the Welsh Ministers propose to refer to or put in evidence.”

Further information

2. Regulation 9 is read as if paragraph (1)(b) were omitted.

Inspection of documents

3. Regulation 10 does not apply.

Determination of procedure

4. Regulation 14(3) is read as if “and the local planning authority” were omitted.

Notification of receipt of appeal

5. Regulation 15(2) is read as if, “and the local planning authority” were omitted.

Questionnaire

6. Regulation 16 does not apply.

Notice to interested persons

7. Regulation 17 is read as if—
 - (a) in paragraph (1), “local planning authority” read “Welsh Ministers”;
 - (b) in paragraph (2)(c), “and the local planning authority” were omitted.

Representations

8. Regulation 22 is read as if—
 - (a) paragraph (5) read as if it provided—

“(5) In relation to appeals against enforcement notices, the Welsh Ministers must send a full statement of case to the appellant and any person on whom a copy of the enforcement notice has been served, so as to be received within 4 weeks of the starting date.”;
 - (b) paragraphs (6) and (7) were omitted.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Interested persons' representations

9. Regulation 23(3) is read as if “and the local planning authority” were omitted.

Further representations

10. Regulation 24 is read as if—

- (a) in paragraph (1), “, the local planning authority,” were omitted;
- (b) in paragraph (2), “and the local planning authority” were omitted.

Written representations inappropriate

11. Regulation 25(2) is read as if “and the local planning authority” were omitted.

Appointment of assessor

12. Regulations 28 and 37 are read as if “, the local planning authority” were omitted.

Date, place and notification of hearing or inquiry

13. Regulations 29(4) and 42(4) are read as if subparagraphs (b) were omitted.

Public notice of hearing or inquiry

14. Regulations 30(5) and 43(5) are read as if subparagraphs (d) were omitted.

Participation in a hearing or inquiry

15. Regulations 31(1) and 38(1) are read as if subparagraphs (b) were omitted.

Absence and adjournment

16. Regulations 32(1) and 39(1) are read as if “, the local planning authority” were omitted.

Procedure at hearing

17. Regulation 33(5) is read as if “, the local planning authority” were omitted.

Hearing inappropriate

18. Regulation 34(2) is read as if “and the local planning authority” were omitted.

Pre-inquiry meetings

19. Regulation 40(2) is read as if subparagraph (b) were omitted.

Written statements of evidence

20. Regulation 44 is read as if—

- (a) in paragraph (1), “, the local planning authority” were omitted;
- (b) paragraphs (1)(a) and (b) were omitted;
- (c) paragraph (1)(c) read as if it provided—

- “(c) the appellant must send one copy of the appellant’s statement, together with a written summary, to the Welsh Ministers;”;
- (d) paragraph (2)(a) were omitted.

Procedure at inquiry

21. Regulation 45 is read as if in paragraphs (3), (5) and (6) “, the local planning authority” were omitted.

Inquiry inappropriate

22. Regulation 46(2) is read as if “and the local planning authority” were omitted.

Procedure after proceedings

23. Regulation 47 is read as if—

- (a) in paragraphs (6)(a), (7)(a) and (8), “, the local planning authority” were omitted;
- (b) in paragraph (9), “or the local planning authority” were omitted.

24. Regulation 48 is read as if—

- (a) in paragraphs (7)(a), (9)(a) and (10) “, the local planning authority” were omitted;
- (b) in paragraph (11), “or the local planning authority” were omitted.

Notice of decision

25. Regulation 49(1) is read as if subparagraph (b) were omitted.