
DRAFT STATUTORY INSTRUMENTS

2011 No.

**The Marine Licensing (Licence
Application Appeals) Regulations 2011**

PART 5

Hearings and inquiries

Additional provisions as to evidence and costs

18.—(1) Subsections (2) to (5) of section 250 of the Local Government Act 1972⁽¹⁾ (local inquiries: evidence and costs) apply, with the modifications described in paragraph (2), to any hearing or inquiry under these Regulations as they apply to inquiries under that section.

(2) The modifications are—

- (a) the reference to the person appointed to hold the inquiry is to be read as a reference to the appointed person;
- (b) the reference to a local authority in proviso (b) to subsection (2) is to be read as a reference to the Authority;
- (c) the reference to “such local authority” in subsection (4) is to be read as a reference to the Authority;
- (d) references to the Minister causing an inquiry to be held are to be read as references to the appointed person.

(3) Section 322A of the Town and Country Planning Act 1990⁽²⁾ (orders as to costs where no hearing or inquiry takes place) applies in relation to a hearing or an inquiry under these Regulations as it applies in relation to a hearing or local inquiry referred to in that section.

(4) Subject to paragraphs (1) and (3), the costs of a hearing or an inquiry held under these Regulations must be defrayed by the Secretary of State.

(1) 1972 c. 70. Section 250 has been amended by the Criminal Justice Act 1982 (c. 48), sections 37, 38 and 46, by the Housing and Planning Act 1986 (c. 63), section 49(2) and Schedule 12 and by the Statute Law (Repeals) Act 1989 (c. 43).

(2) 1990 c. 8. Section 322A was inserted by the Planning and Compensation Act 1991 (c. 34), section 30(1), and subsection (1A) of section 322A was inserted by the Planning Act 2008 (c. 29), section 196(4) and Schedule 10, paragraphs 1 and 11.