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## SCHEDULES

### SCHEDULE 10

#### DISCHARGE CONSENTS

*Reference to Secretary of State of certain applications for consent*

- 4 (1) The Secretary of State may, either in consequence of representations or objections made to him or otherwise, direct the Authority to transmit to him for determination such applications for consent under paragraph 1 above as are specified in the direction or are of a description so specified.
- (2) Where a direction is given to the Authority under this paragraph, the Authority shall comply with the direction and inform every applicant to whose application the direction relates of the transmission of his application to the Secretary of State.
- (3) Paragraphs 1(4) to (6) and 2(1) above shall have effect in relation to an application transmitted to the Secretary of State under this paragraph with such modifications as may be prescribed.
- (4) Where an application is transmitted to the Secretary of State under this paragraph, the Secretary of State may at any time after the application is transmitted and before it is granted or refused—
- (a) cause a local inquiry to be held with respect to the application; or
  - (b) afford the applicant and the Authority an opportunity of appearing before, and being heard by, a person appointed by the Secretary of State for the purpose.
- (5) The Secretary of State shall exercise his power under sub-paragraph (4) above in any case where a request to be heard with respect to the application is made to him in the prescribed manner by the applicant or by the Authority.
- (6) Where under this paragraph the Secretary of State affords to an applicant and the Authority an opportunity of appearing before, and being heard by, a person appointed for the purpose, it shall be the duty of the Secretary of State to afford an opportunity of appearing before, and being heard by, that person to every person who has made any representations or objection to the Secretary of State with respect to the application in question.
- (7) It shall be the duty of the Secretary of State, if the requirements of this paragraph and of any regulations made under it are complied with, to determine an application for consent transmitted to him by the Authority under this paragraph by directing the Authority to refuse its consent or to give its consent under paragraph 2 above (either unconditionally or subject to such conditions as are specified in the direction).
- (8) In complying with a direction under sub-paragraph (7) above to give a consent the Authority shall not be required to comply with any requirement imposed by paragraph 3 above.

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- (9) Without prejudice to any of the preceding provisions of this paragraph, the Secretary of State may by regulations make provision for the purposes of, and in connection with, the consideration and disposal by him of applications transmitted to him under this paragraph.