
STATUTORY INSTRUMENTS

2003 No. 2713

The Access to the Countryside (Exclusions
and Restrictions) (England) Regulations 2003

PART III

APPEALS

CHAPTER II

Appeals to be determined on the basis of written representations

Site inspections

29.—(1) Where it appears to the Secretary of State necessary or expedient to do so she may arrange for an inspection of the appeal land to be made by an inspector; and the Secretary of State shall arrange for such an inspection to be made if so requested by the appellant or the relevant authority.

(2) Where the inspector intends to make an inspection under paragraph (1), the Secretary of State shall ask the appellant and the relevant authority whether they wish to be present or be represented.

(3) Where the appellant or the relevant authority has indicated that he or they wish to be present or be represented the inspector shall give the appellant and the authority reasonable notice of the date and time of the inspection and shall afford the appellant and the authority, or their representatives, the opportunity of being present during the inspection.

(4) The inspector shall not be bound to defer an inspection if the appellant or the authority, or their representative, is not present at the appointed time.

Decision on appeal

30. The Secretary of State or, as the case may be, the inspector may proceed to a decision on an appeal taking into account only such statements of case, representations and comments as have been provided within the time limits prescribed by or under these Regulations.

Notification of decision

31. The Secretary of State, or as the case may be, the inspector shall notify their decision on an appeal, and their reasons for it, in writing to—

- (a) the appellant;
- (b) the relevant authority; and
- (c) any interested person;

and the Secretary of State shall ensure that, as soon as practicable after such decision has been made, a copy of the decision is made available for inspection on a website maintained by the

Planning Inspectorate Executive Agency for a period of three months starting with the date of the decision.