
STATUTORY INSTRUMENTS

2006 No. 1380

The Contaminated Land (England) Regulations 2006

Appeals to the Secretary of State

8.—(1) An appeal to the Secretary of State against a remediation notice must be made to him by a notice (“notice of appeal”) which states—

- (a) the name and address of the appellant;
- (b) the grounds on which the appeal is made; and
- (c) whether the appellant wishes the appeal to be in the form of a hearing or to be disposed of on the basis of written representations.

(2) The appellant must, at the same time as he serves a notice of appeal on the Secretary of State—

- (a) serve a copy of it on—
 - (i) the enforcing authority;
 - (ii) any person named in the remediation notice as an appropriate person;
 - (iii) any person named in the notice of appeal as an appropriate person; and
 - (iv) any person named in the remediation notice as the owner or occupier of the whole or any part of the land to which the notice relates;
- (b) serve on the Secretary of State a statement of the names and addresses of any persons falling within paragraph (ii), (iii) or (iv) of sub-paragraph (a); and
- (c) serve a copy of the remediation notice to which the appeal relates on the Secretary of State and on any person named in the notice of appeal as an appropriate person who is not so named in the remediation notice.

(3) If the appellant wishes to abandon an appeal, he must do so by notifying the Secretary of State in writing and the appeal is then treated as abandoned as from the date on which the Secretary of State receives that notification.

(4) The Secretary of State may refuse to permit an appellant to abandon his appeal against a remediation notice where the notification by the appellant in accordance with paragraph (3) is received by the Secretary of State at any time after the Secretary of State has notified the appellant in accordance with regulation 11(1) of a proposed modification of that notice.

(5) Where an appeal is abandoned, the Secretary of State must give notice of the abandonment to any person on whom the appellant was required to serve a copy of the notice of appeal.