
STATUTORY INSTRUMENTS

2007 No. 2008

**The Rights of Way (Hearings and
Inquiries Procedure) (England) Rules 2007**

PART 3

HEARINGS

Procedure after hearing - transferred decisions

- 12.**—(1) This rule applies where a hearing has been held for the purposes of a transferred decision.
- (2) When making his decision the inspector may disregard any subsequent material.
- (3) If, after the close of the hearing, the inspector takes into consideration any subsequent material which he considers to be relevant to his decision, he shall not come to a decision without first—
- (a) giving notice of the subsequent material which he considers to be relevant to his decision to every person who was entitled to appear at the hearing and every person who appeared at the hearing with the Secretary of State's permission; and
 - (b) affording such persons an opportunity to make written representations to him and to ask for the hearing to be re-opened.
- (4) Any person wishing to avail himself of the opportunity mentioned in paragraph (3)(b) shall ensure that such written representations or requests to re-open the hearing are received by the Secretary of State within three weeks of the date of the notification mentioned in paragraph (3)(a).
- (5) The inspector may, if he thinks fit, cause a hearing to be re-opened.
- (6) Where a hearing is re-opened under paragraph (5)—
- (a) the inspector shall send to every person who was entitled to appear at the hearing, and every person who appeared at the hearing with the Secretary of State's permission, a written statement of the matters with respect to which further evidence or argument is invited; and
 - (b) paragraphs (2) to (4) of rule 5 shall apply as if the references to a hearing were references to a re-opened hearing.

Changes to legislation:

There are currently no known outstanding effects for the The Rights of Way (Hearings and Inquiries Procedure) (England) Rules 2007, Section 12.