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STATUTORY INSTRUMENTS

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**2010 No. 1976**

**The Coastal Access Reports (Consideration and Modification Procedure) (England) Regulations 2010**

**PART 3**

**APPOINTED PERSON'S FUNCTIONS**

**Notice by the appointed person under paragraph 10 of the Reports Schedule**

5.—(1) AP's duties to publish a notice (under paragraph 10(4) of the Reports Schedule) and give a copy of that notice to certain persons (under paragraph 10(5) of that Schedule) must be performed as soon as is reasonably practicable after AP reaches the decision that AP is minded to determine that the proposals in a report fail to strike a fair balance (see paragraph 10(3) of that Schedule).

(2) A notice must be in the form set out in Schedule 6.

(3) AP must publish a notice—

- (a) in one or more local or regional newspapers circulating in the area to which the relevant report relates;
- (b) on AP's website; and
- (c) in any other manner that AP thinks appropriate for drawing the attention of members of the public to the notice.

(4) A copy of a notice which is given to any person must be accompanied by the form set out in Schedule 7.

(5) In this regulation and in regulation 6, "notice" means a notice under paragraph 10 of the Reports Schedule.

(6) In paragraph (3) "the relevant report" means the report to which the notice in question relates.

**Representations in response to an invitation in a notice under paragraph 10 of the Reports Schedule**

6.—(1) Representations made in response to an invitation in a notice must be made—

- (a) in writing to AP; and
- (b) on the form set out in Schedule 7.

(2) Any representations made in response to an invitation in a notice must be received by AP within the period of eight weeks beginning with the date on which that notice was first published on AP's website.

**Further information to be provided to the appointed person**

7.—(1) AP may give a notice to any person who has made an objection requiring that person to provide AP, within a period of time specified in the notice, with information or documents—

- (a) which is or are in that person's possession; and
  - (b) which AP reasonably requires for the purpose of considering that objection.
- (2) A person receiving such a notice must provide the information or documents within the specified period.
- (3) AP may consider and determine an objection in the absence of any information or documents which were required to be provided under this regulation but were not so provided.

**Inspection of land (where hearing or inquiry is not to be held)**

- 8.**—(1) This regulation applies where AP is considering an objection otherwise than by means of holding a hearing or inquiry.
- (2) AP may carry out a site inspection of the land to which the objection relates, provided that—
- (a) AP has invited Natural England and the person or persons who made the objection to be present or be represented at the inspection; and
  - (b) AP has given any person who is to be present at the inspection reasonable notice of the date and time of the inspection.
- (3) AP may be accompanied at the inspection by any other person AP thinks appropriate.
- (4) The inspection does not need to be deferred if a person to whom notice of the inspection was given is not present at the appointed time of the inspection.

**Consideration of two or more objections together**

- 9.** AP may consider two or more objections together where—
- (a) the objections relate to the same area of affected land;
  - (b) the objections relate to adjacent or contiguous areas of affected land;
  - (c) the objections relate to the same issue or ground and AP thinks that the circumstances in which they arise are sufficiently similar to warrant the objections being considered together; or
  - (d) AP otherwise thinks that it would be expedient to consider the objections together.