
STATUTORY INSTRUMENTS

2023 No. 795

**The Transport and Works (Applications,
Objections and Inquiries Procedure)
(Amendment) (England and Wales) Rules 2023**

**Amendments to the Transport and Works (Applications and Objections Procedure)
(England and Wales) Rules 2006**

3.—(1) The Transport and Works (Applications and Objections Procedure) (England and Wales) Rules 2006 are amended as follows.

- (2) In rule 10 (documents accompanying application)—
- (a) omit paragraph (1); and
 - (b) in paragraph (2), for “4 copies” substitute “a copy”.
- (3) In rule 14(5) (publicity for application) for sub-paragraph (e) substitute—
- “(e) the names or details of—
 - (i) all places, which shall be places within the area to which the proposals in the proposed order relate (or as close as reasonably practicable to that area) where, at all reasonable hours until the expiry date for objections—
 - (aa) the application; and
 - (bb) the documents which are required by these Rules to accompany it, may be inspected or be viewed in an electronic form free of charge; or
 - (ii) a website where a copy of the application and of the documents required by these Rules to accompany it are displayed; and”
- (4) In rule 27 (service of notices or documents)—
- (a) for paragraph (1) substitute—
 - “(1) Notices or documents required or authorised to be served or sent under any of the provisions of these Rules may be effected by—
 - (a) sending by post;
 - (b) subject to paragraphs (2) to (5), sending by electronic transmission; or
 - (c) subject to compliance with the requirements in paragraph (6), publishing them on a website maintained by or on behalf of the applicant.”;
 - (b) in paragraph (2), at the beginning, for “Where a notice” substitute “Subject to paragraph (2A) where a notice”;
 - (c) after paragraph (2), insert—
 - “(2A) No consent is required for the purposes of paragraph (2) in the case of a notice or other document required to be served on or sent to the Secretary of State or a body or person mentioned in rules 13(1) to (4), 17(4) or 25.”;
 - (d) after paragraph (5), insert—

“(6) The requirements referred to in paragraph (1)(c) are that the person upon whom the notice or other document is being served or sent is notified in writing of—

- (a) the publication of the relevant document on a website;
- (b) the address of the website;
- (c) the place on the website where the document may be accessed and how it may be accessed;
- (d) details of where and when copies of documents may be inspected or viewed in an electronic form;
- (e) details of where and when copies of documents may be obtained; and
- (f) any charge that will be levied for copies made of any document available for inspection or viewing.

(7) In this rule, “served or sent” includes “submitted” or “provided”.

(5) In Schedule 7 (proposals for orders under section 7)—

(a) for paragraph 12(b), substitute—

“(b) the names or details of—

- (i) all places, which shall be places within the area to which the proposals in the proposed order relate (or as close as reasonably practicable to that area) where, at all reasonable hours during the period specified in pursuance of paragraph 11(d), the documents referred to in paragraph 14 may be inspected or be viewed in an electronic form free of charge; or
- (ii) a website where copies of the documents referred to in paragraph 14 are displayed.”;

(b) for paragraph 26, substitute—

“**26.** The Secretary of State shall supply a copy of any document referred to in paragraph 14 to any person who requests such a copy, subject to the payment by that person of a reasonable charge for the provision of the copy, and he shall ensure that the information as to how such copies may be obtained is displayed—

- (a) at every place at which copies of those documents are made available for inspection; and
- (b) on any website where copies of those documents are displayed.”