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WELSH STATUTORY INSTRUMENTS

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**2011 No. 925**

**The Marine Licensing (Appeals Against  
Licensing Decisions) (Wales) Regulations 2011**

**PART 4**

Action following the start date

**Notice to interested persons**

**9.**—(1) The Licensing Authority must, within the period of 2 weeks beginning with the start date, give notice that an appeal has been lodged—

- (a) to any person (other than the appellant) who has made representations in writing to the Licensing Authority in respect of the application to which the appeal relates; and
- (b) to any other person it considers likely to have an interest.

(2) The notice must state—

- (a) the start date;
- (b) the name and location of the site to which the appeal relates;
- (c) the name of the appellant;
- (d) that the appeal will be determined by way of written representations, a hearing or an inquiry (as the case may be);
- (e) that, within the period of 4 weeks beginning with the date of the notice, the recipient may make written representations to the appointed person;
- (f) the address to which such representations must be sent;
- (g) that any representations received will be sent to the appellant and the Licensing Authority; and
- (h) that if the recipient makes representations, the recipient will be notified by the appointed person of the date of any hearing or inquiry that may be held.

(3) The notice must be accompanied by a copy of the decision to which the appeal relates.

(4) The Licensing Authority must, within the period of 2 weeks beginning with the start date, send to the appointed person and the appellant—

- (a) a list of the persons to whom, and the dates on which, notice under paragraph (1) was given; and
- (b) copies of all representations referred to in paragraph (1)(a).

**Representations and comments**

**10.**—(1) Where an appeal is to be determined by way of written representations—

- (a) the Licensing Authority must, within the period of 6 weeks beginning with the start date, send to the appointed person any representations it wishes to make on the appeal together with any documents it wishes to rely on;
  - (b) if the appellant wishes to make representations on the appeal in addition to the statement of the grounds of appeal referred to in regulation 7(1)(b), or the documents accompanying it referred to in regulation 7(2), the appellant must send those representations to the appointed person within the period of 6 weeks beginning with the start date.
- (2) Where an appeal is to be determined by way of hearing or inquiry, the appellant and the Licensing Authority must each, within the period of 6 weeks beginning with the start date, send to the appointed person a statement containing full particulars of the case they propose to put forward at the hearing or inquiry and a list of any documents they propose to refer to or put in evidence.
- (3) At the end of the period of 6 weeks beginning with the start date, the appointed person must—
- (a) where the appeal is to be determined by way of written representations—
    - (i) send a copy of the Licensing Authority’s representations to the appellant; and
    - (ii) send a copy of any representations made by the appellant under paragraph (1)(b) to the Licensing Authority
  - (b) where the appeal is to be determined by way of hearing or inquiry, send a copy of the Licensing Authority’s statement and list of documents to the appellant and a copy of the appellant’s statement and list of documents to the Licensing Authority;
  - (c) in all cases, send, at the same time, copies of any other representations received by the appointed person in relation to the appeal, to the appellant and the Licensing Authority.
- (4) The appellant and the Licensing Authority may, within the period of 9 weeks beginning with the start date, send comments on those representations or statements to the appointed person.
- (5) The appointed person must, as soon as practicable after that 9 week period, send a copy of the Licensing Authority’s comments to the appellant and at the same time, send a copy of the appellant’s comments to the Licensing Authority.