
WELSH STATUTORY INSTRUMENTS

2016 No. 56

The Developments of National
Significance (Wales) Regulations 2016

PART 9

Quashed decisions

Procedure following quashing of a decision

37.—(1) Where the grant or refusal of an application by the Welsh Ministers is quashed in proceedings before any court and the Welsh Ministers are required to reconsider their decision, they—

- (a) must send to the persons who submitted written representations or who took part in the hearing or inquiry, a written statement of the matters with respect to which further representations are invited for the purposes of their further consideration of the application;
- (b) must afford to those persons the opportunity of making written representations to them in respect of those matters; and
- (c) may, as they think fit—
 - (i) cause the hearing or inquiry to be re-opened;
 - (ii) in the case of a hearing, cause an inquiry to be held instead (whether by the same or a different appointed person);
 - (iii) in the case of an inquiry, cause a hearing to be held instead (whether by the same or a different appointed person);
 - (iv) cause a hearing or inquiry to be held (where none was held previously); or
 - (v) determine the matter by way of written representations.

(2) If the Welsh Ministers re-open the hearing or inquiry regulations 21 and 32 apply as if the references to a hearing or inquiry are to a re-opened hearing or inquiry.

(3) Those persons making representations must ensure that such representations are received by the Welsh Ministers within the period stated in the Welsh Ministers' statement under paragraph (1) (a).