

The Planning Inspectorate

More information about us is available from our website <http://www.planning-inspectorate.gov.uk/accesswales/wal/index.htm>

For official use only
Date received

Countryside and Rights of Way Act 2000 Section 38

Appeal against a notice given by an Access Authority under section 36(3) or 37(1) of the 2000 Act.

If you need this document in large print, on audio tape, in Braille or in another language, please contact our Diversity Help Line on 0117 372 8939

WARNING:

You must ensure that the completed appeal form, together with any enclosures, is received by us within the six week appeal period. Incomplete/late appeals will not be accepted. Please print clearly in black ink using capitals.

A. APPELLANT DETAILS

Name _____	Your reference _____
Organisation (if applicable) _____	
Address _____	Daytime phone no _____
_____	Fax no _____
_____	Mobile No _____
Postcode _____	E-mail address _____
Please confirm how you wish to correspond with us - (Please tick ✓one box)	
Electronically, via our e-mail address accesswales@pins.gsi.gov.uk	<input type="checkbox"/>
On paper, via the postal service	<input type="checkbox"/>

B. AGENT DETAILS (if any)

Name _____	Your reference _____
Organisation (if applicable) _____	
Address _____	Daytime phone no _____
_____	Fax no _____
_____	Mobile No _____
Postcode _____	E-mail address _____
Please confirm how you wish to correspond with us - (Please tick ✓one box)	
Electronically, via our e-mail address accesswales@pins.gsi.gov.uk	<input type="checkbox"/>
On paper, via the postal service	<input type="checkbox"/>

C. ACCESS AUTHORITY DETAILS

Access Authority Name _____
Access Authority Reference Number _____
Date of Notice _____

D. APPEAL SITE DETAILS

Countryside Council for Wales map sheet no. e.g. A1/C :
The CCW's grid reference from it's definitive map e.g. ST 180 772 :
British National Grid Reference e.g. 318000 177200
Address or name (if appropriate), or preferably both, of the appeal site (e.g. Dyffryn Mawr, west of Pant Glas Road, St Davids):
Postcode of, or nearest property to, the appeal site:
Name of the Local Authority (i.e. County Council or Country Borough Council)
A clear description to allow the site to be identified without a mapping aid (e.g. landmarks, named or numbered roads, public rights of way, rivers etc)

E. APPEAL SITE OWNERSHIP/INTEREST IN LAND

Appeals may only be made by a person with a legal interest in the land. It is vital that we know your legal status, so please tick the appropriate box ✓.

- 1. Landowner
- 2. Occupier
- 2. Tenant
- 3. Lessee
- 4. Licensee
- 5. Other (please specify e.g. rights of common and sporting rights)

F. INTERESTED PERSONS

Please supply the names and addresses of any other persons, who to the best of your knowledge, have an interest in the land (an interest in the land may mean ownership, a tenancy, rights of common, sporting rights and any other right over land held by virtue of a licence or agreement).

To the best of my knowledge, there are no other persons with an interest in the land. (*)

Or

The following persons have an interest in the land (*):

Interested Persons Name	Address
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* Delete whichever does not apply.

G. CHOICE OF PROCEDURE (Three Options)

CHOOSE ONE PROCEDURE ONLY

Please note that when we decide how the appeal will proceed we will also take into account the Access Authority's procedural preference. For further information see the booklet 'Appealing against remedial notices' which accompanied this form.

Please tick one box only ✓

- 1. WRITTEN REPRESENTATIONS**

Written representations is usually the quickest and cheapest means of dealing with the appeal.

If you will be accompanying the Inspector on the site visit please suggest a meeting-point below and indicate it on a map or sketch map.

- 2. HEARING**

- 3. INQUIRY**

Please give reasons why an inquiry is necessary

H. CHOICE OF LANGUAGE

Please indicate in which language you want the appeal dealt with; (Please tick ✓one box only)

- | | | |
|----|---|--------------------------|
| 1. | I want the appeal dealt with in Welsh | <input type="checkbox"/> |
| 2. | I want the appeal dealt with in English | <input type="checkbox"/> |

I. GROUNDS FOR APPEAL

Appeals made against a notice under section 36(3) of the Act. Please indicate below the grounds for the appeal and then set out in section J the reasons why the agreed works set out in the notice cannot be carried out within the required time.

The notice requires the carrying out of works that are not necessary for remedying a breach of the agreement.

Any or all of the works specified by the notice have already been carried out.

The period specified in the notice for completion of the works is too short

Or:

Appeals made against a notice under section 37(1) of the Act. Please indicate below the grounds for the appeal and then set out in section J the reasons why an agreement cannot be reached over the carrying out of the works set out in the notice.

The notice requires the carrying out of works which are not necessary for giving the public reasonable access to the Access land in question.

In the case of works to provide a means of access, that the means of access should be provided elsewhere Or a different means of access should be provided.

Any or all of the works specified by the notice have already been carried out.

J. REASONS FOR THE APPEAL

In all cases you must give your FULL reasons in support of your grounds.

K. ESSENTIAL INFORMATION AND SUPPORTING DOCUMENTS

Unless you have included the information and documents listed below your appeal will be invalid and we will not be able to deal with it. Please tick ✓ the boxes to confirm that you have included the relevant information.

1. The name, address and post code of the appellant.
2. Sufficient particulars of the land to which the appeal relates to enable that land to be identified on a map to be provided by the appellant.
3. Such particulars that enable the Inspector and the RA to understand the grounds on which the appeal is brought.
4. The nature of the interest of the appellant in the land which is the subject of the appeal.
5. Confirmation whether the appellant wishes to be heard by an Inspector and, if so, whether the appellant wishes to be heard at a local inquiry or a hearing.
6. A map to a scale of no less than 1:10,000 showing the location and extent of the site.
7. A copy of the notice issued by the Access Authority against which the appeal is being brought.

For appeals under Section 36(3) of the Act only:

8. A copy of the agreement made by the Appellant and the Access Authority under Section 35 of the Act.

L. PLEASE SIGN BELOW

Signed forms together with supporting documents must be received by us within [six weeks] from the date that the Access Authority issued the appealed notice.

If you are sending your appeal via email, you may use an electronic signature or print your name.

I confirm that all sections have been fully completed and that the details of my legal interest in the land (**Section D**) are correct to the best of my knowledge.

I understand that:

a, you may use the information I have given for official purposes in connection with the Countryside and Rights of Way Act 2000 to make a decision about whether or not to restrict access to sites currently deemed to be access land, and;

b, the Planning Inspectorate will be required to pass the information I have given to the Access Authority and:

c, details, including my name, the site description and my grounds of appeal will appear on the Planning Inspectorate's web site and in the press.

By submitting this form I am agreeing to the use of the information I provide in this way.

Signature _____ In the case of agents on behalf of _____

Name (in capitals) _____ Date _____

The gathering and subsequent processing of the personal data supplied by you in this form, is in accordance with the terms of our registration under the Data Protection Act 1998. Further information about our Data Protection Policy can be found on our Website under "Privacy Statement".

PLEASE NOW SEND:

ONE COPY to us at:

The Planning Inspectorate
Access and Restrictions Team
Crown Buildings
Cathays Park
Cardiff
CF10 3NQ

Please keep ONE COPY for your own reference

When we receive your appeal form, we will tell you if it is valid and who is dealing with it.

Following the six week appeal period, we will tell you and the Access Authority the procedure for your appeal and the timetable for submitting further information or representations.

YOU MUST KEEP TO THIS TIMETABLE

If information or representations are received late we may not be able to consider them. They will not be seen by the Inspector but will be sent back to you.

At the end of the appeal process the Inspector will give the decision, and the reasons for it in writing.