

SCHEDULES

SCHEDULE 14

LEVEL OF TOLLS

PART 1

Initial toll level

Local Inquiries

14.—(1) Where any objections have been made in accordance with paragraph 12 the undertaker shall cause a local inquiry to be held for the purpose of considering the objections.

(2) The local inquiry shall be held by a person appointed by the Secretary of State.

(3) Subsections (2) and (3) of section 250 of the Local Government Act 1972⁽¹⁾ (power to summon and examine witnesses) shall apply to an inquiry held under this paragraph as they apply to an inquiry held under that section.

(4) The Tribunals and Inquiries Act 1992⁽²⁾ shall apply to a local inquiry held under this paragraph as it applies to a statutory inquiry held by the Minister but as if in section 10(1) of that Act (statement of reasons for decision) the reference to any decision taken by the Minister were a reference to a decision taken by the undertaker.

(5) A local inquiry need not be held under this paragraph if all persons who have made objections have withdrawn their objections or if the Secretary of State is satisfied that a local inquiry is not necessary in the special circumstances of the case.

(1) 1972 c. 70.

(2) 1992 c. 53.