

***Appeals under section 6 of the  
Countryside and Rights of Way Act 2000***

***A Guide for Third Parties  
(mapping appeals)***

*This guidance explains the role of third parties in appeals made under section 6 of the Countryside and Rights of Way Act 2000 to the Secretary of State for Environment Food and Rural Affairs against the showing of land as open country or registered common land.*

*This guidance relates only to appeals in England.*

*Only the courts can give an authoritative interpretation on any point of law, so this guidance has no legal force.*

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## 1. Introduction

Appeals may be made against the showing of land on the provisional maps issued by the Countryside Agency of open country and registered common land. Appeals will be decided by the Planning Inspectorate on behalf of the Secretary of State for Environment, Food and Rural Affairs. (*You can find out more about the Inspectorate in section 11*).

Although appeals may be made only by someone with a legal interest in the land, anyone else may comment on an appeal - either in support of it, or against it. People or organisations who do so are known as **third parties**. This guidance explains how third parties may become involved in appeals.

The Countryside and Rights of Way Act 2000 sets out the law relating to the mapping of open country and registered common land, and appeals against provisional maps. Elsewhere in this guidance note, we simply refer to it as **the Act**. You can find the Act on the Internet at <http://www.legislation.hmso.gov.uk/acts/acts2000/20000037.htm> You may also be able to see it at larger public libraries.

## 2. How an appeal is made

### **Who can appeal?**

Only people with a legal interest in the land which has been shown on the provisional map as open country or registered common land can appeal against part or all of that land being shown. These people may:

- be the landowner or tenant;
- hold rights of common or sporting rights.
- or have any other interest in the land, such as a grazing licence or a private right of way.

The definition of interest in land is set out in section 45(1) of the Act.

### **When?**

An appeal must be made within the **appeal period**. This lasts for 3 months from the date on which the provisional map for each region of England is published.

### **How?**

The appeal must be made on our standard appeal form.

The appellant must clearly identify the land which is shown as open country or registered common land on the provisional map and against which they want to appeal. In our guidance for appellants

<http://www.planning-inspectorate.gov.uk/access/guidance/index.htm> we suggest that the easiest way to do this is to send us a map at a scale of at least 1:50,000 with the land clearly marked on it. Appellants may give us the Ordnance Survey grid references of the land, but they must give us sufficient grid references to allow us to work out all the boundaries of the land.

Appeals may be submitted on paper, or electronically. Any documents submitted

electronically should be compatible with the Microsoft Office suite of applications used by the Inspectorate.

### ***The procedure to be used to decide an appeal***

Appeals will be determined on the basis of:

- **Written representations** (see section 5A of the guidance), or
- **Hearing** (see section 5B), or
- **Inquiry** (see section 5C).

Appellants and the Countryside Agency will be asked which procedure they would prefer. Both have a statutory right to ask to be heard (ie: appear before an Inspector at either a hearing or inquiry). The Planning Inspectorate may also decide that an appeal should be heard. Whether to hold a hearing or an inquiry is entirely at our discretion, although when reaching a decision we will take the appellant's and the Agency's views into account. Third parties have no statutory right to insist upon a particular choice of procedure.

### ***What happens if the Countryside Agency concedes an appeal?***

If at any point during the life of an appeal, the Agency decides that they were wrong to map the appeal site they will concede the appeal. However, the Act does not permit a validly made appeal to bypass the procedures set out in Regulations, so even conceded appeals need to be advertised on our website. This might result in representations being made by third parties seeking to support or oppose the appeal. Likewise, third parties who made representations in respect of the appeal site at draft map stage must be given the chance to add to or withdraw their comments. The Appellant and the Agency still have an opportunity to submit statements 6 and 9 weeks after the start date (although this would normally serve little purpose unless comments on third party representations were necessary).

If any such appeal was due to be dealt with at a hearing or inquiry, we will ask the Appellant if they still wish to be heard by the Inspector or whether they are content for the case to be determined by the written representations procedure instead. If they are content to rely on written representations, we will appoint an Inspector to make a decision on the basis of the appeal form, the Agency's statement conceding the appeal and any other documents submitted as evidence. If the appellant still wishes to be heard because they prefer to make their case to the Inspector in person, we will proceed with the hearing or inquiry. If any third parties wish to attend, they may seek permission from the Inspector to speak either for or against your appeal.

### ***Withdrawal of appeals***

An appellant may withdraw his/her appeal at any time, in which case the appeal ends and no decision will be issued. We will tell the third parties who we know of that the appeal has been withdrawn.

## ***3. How other people can become involved***

The Planning Inspectorate must publish notice of every appeal on our web site <http://www.planning-inspectorate.gov.uk/access/> to give people and organisations the opportunity to make representations. The notice will include information on where members of the public may see documents relating to the appeal. There may be cases

where someone with a legal interest in appealed land - but who is not the appellant - may wish to comment on the appeal. They will be treated as third parties.

We will also notify any third parties who made representations to the Countryside Agency about an appeal site when the draft map was published. These third parties will be given an opportunity to add to, or to withdraw, any representations they made at that time and will also be told where they can see documents relating to the appeal.

Appellants and the Countryside Agency will be given an opportunity to comment on all third party representations. The Inspector will consider all representations received in accordance with the set timetable when reaching a decision.

You should be aware that any submissions you make may be published on our web site and will be made available for inspection and copying. You should not, therefore, include personal information unless you are happy for it to be seen by others. (*See section 12 of this guidance*)

#### **4. When may I comment on an appeal?**

The early stages of all appeals are exactly the same, whether they are to be decided by way of written representations, hearing or inquiry. Third parties will be told of an appeal if they made representations at draft map stage and will have 6 weeks from the **start date** (*see the following paragraph*) to either add to or withdraw their earlier comments. If you did not comment on that part of the draft map (and so will not be told of an appeal), you will be able to find out if an appeal has been made on particular land by checking our web site. Again, any comments must be made before the 6 week deadline.

##### ***The 'start date'***

If an appeal is valid, we will copy it to the Countryside Agency. The Countryside Agency will then complete a questionnaire which they will send to us and to the appellant, together with the names and addresses of third parties who made comments in respect of the appeal land on the draft map.

We will then tell the appellant, the Agency and those third parties the Agency has informed us of, which procedure will be used (ie: written representations, hearing or inquiry) and the start date. The start date is the date from which the timetable for each stage of the procedure is calculated. The letter we send you will set out the timetable for submission of evidence by all parties. **It is your responsibility to meet the deadline if you want to comment - we will not send you a reminder.**

When the start date is set, we will also post notice of the appeal on our web site to allow anyone to be aware of the appeal and make representations about the site if they so wish.

##### ***The timetable of events following the start date***

###### **The 2 week deadline**

Within 2 weeks of the start date the Agency must have provided the appellant and the Inspectorate with copies of any third party representations they received in respect of the appeal site during the draft map consultation period. This is in addition to giving the names and addresses of these people with the questionnaire.

## The 6 week deadline

If third parties wish to add to the representations they made on the draft map, they must submit their new comments by the 6 week deadline. If they wish to withdraw representations made at draft map stage, that should also be done in this period. Other than those withdrawing earlier representations in respect of the appeal site, all representations received within the specified time will be copied to the appellant and the Agency once the 6 week deadline has passed.

Inspectors will only take into account comments which are relevant to the grounds of appeal (ie: whether the appealed land is registered common land or wholly or predominantly mountain, moor, heath or down. Also, where relevant, whether the Countryside Agency has correctly exercised its discretion to map land which is not wholly or predominantly mountain, moor, heath or down). Only comments relating to these statutory grounds of appeal will be regarded as relevant.

Representations which the Inspectorate considers libellous will be returned to the writer without being passed on to other parties. The writer will be given an opportunity to resubmit the comments without libellous remarks, but they must be returned to us within the 6 week deadline otherwise they will not be taken into account.

**Please note that we may receive a large number of appeals, and we may also receive more than one appeal in respect of a piece of land if there are different “interests” over it. To help us identify which correspondence goes with which appeal, please always quote the appeal reference whenever contacting us. Correspondence which cannot be linked to an appeal risks being not seen by Inspectors, so cannot be considered by them when taking a decision. The reference number will be given in the appeal notice (on the web site) and in any letters from the Inspectorate.**

## The 9 week deadline

Within 9 weeks of the start date appellants and the Agency may comment on each other's statements of case and on any comments submitted by third parties.

### **5. *The three types of procedure***

The following sections explain the purpose of each of the three types of procedure and set out what happens after the 9 week deadline.

#### **5A. *The written representations procedure***

This is likely to be the least expensive and easiest procedure for the main parties (the appellant and the Agency) as they do not need to attend a hearing or inquiry. When appeals are dealt with by way of written representations, Inspectors make their decisions based on the written statements that the appellants, the Agency and any third parties have submitted. The appellant and the Agency will have the opportunity to comment on each other's case and any representations made by third parties.

In most cases the Inspector will visit the site to make an inspection of it before reaching a decision (*see section 6 of this guidance below*).

## **5B. The hearing procedure**

A hearing is a discussion about the appeal led by the Inspector. It is more informal and usually quicker than an inquiry and gets the parties to focus upon the main issues of disagreement. We expect most hearings to be completed within 1½ hours.

Hearings are not usually suitable for appeals that involve cross-examination of witnesses or which have generated such interest that large numbers of people wish to attend.

### Notice of the hearing

Once the arrangements have been finalised we will give the appellant, the Agency and any third parties who have sent representations concerning the appeal site at least 4 weeks written notice of the hearing. Not less than 2 weeks before the inquiry is to open we may require the Agency to place a notice of the inquiry in a local newspaper. We will also post notice of the inquiry on our web site at least 2 weeks before the event.

### Will I be able to ask for a postponement?

Yes, but we must consider the interests of everyone who is involved in appeals. Keeping a continuous flow of cases with minimum disruption will be for the benefit of the majority of people. We will, of course, assess each request for a postponement on its merits, but because of the expense and inconvenience for others postponements will only be granted in exceptional circumstances.

### Conduct of a hearing

The procedure to be followed at a hearing is for the Inspector to decide, although there might be instances where he/she takes advice from the **Presiding Officer** (if one is present). The Presiding Officer will be an experienced senior Inspector, who will be available to give advice on procedural issues when required. The Presiding Officer will not take evidence from the parties and will not have any role in making the decision.

The hearing will normally open at the appointed time, even if the appellant or the Agency are absent. The Presiding Officer will start by introducing the Inspector and him/herself and describing the purpose of the hearing. The Presiding Officer will then hand over the running of the hearing to the Inspector and will usually take no further part in the event, unless asked to advise on a point of procedure by the Inspector. If there is no Presiding Officer, the Inspector will introduce him/herself and describe the purpose of the hearing.

The hearing will take the form of a discussion which the Inspector will lead. The Inspector will summarise his/her understanding of the case from reading the papers and will outline what he/she considers to be the main issues and indicate any matters which require further clarification or explanation. This will not prevent any party from raising issues that the Inspector does not mention.

### Will I be able to speak at the hearing?

The appellant and the Agency are the only parties with a statutory right to speak at the hearing. However, the Inspector will not unreasonably withhold permission from any other person to appear. Regardless of who is speaking, the Inspector may refuse to hear evidence that is irrelevant, repetitious or offensive.

Where the Inspector refuses to permit someone to give oral evidence, that person may submit to the Inspector any evidence or other matter in writing before the close of the hearing.

The Inspector may require anyone present at the hearing who is behaving in a disruptive manner to leave the hearing and refuse to allow him or her to return, or to return only on conditions specified by the Inspector. But that person may submit to the Inspector any evidence or other matter in writing before the close of the hearing.

### What happens after the hearing?

A **site visit** will normally take place (see section 6 below).

After the site visit has taken place the Inspector will give a written decision based on the evidence. When making the decision the Inspector will, in all but exceptional circumstances, disregard any written representations, evidence or any other document received after the hearing has closed.

## **5C. The inquiry procedure**

This is the most formal and the demanding of the three procedures. We consider that public inquiries will only be required for appeals involving very complex or numerous issues, or where large numbers of people wish to attend.

### Proofs of Evidence etc

At least 4 weeks before the opening of the inquiry the appellant and the Agency must send to us a **proof of evidence** and the Agency must send to us a **statement of common ground** which has been prepared jointly with the appellant.

A **proof of evidence** is a document containing the written evidence about which a person appearing at a public inquiry will speak, together with a copy of any documents that will be produced. The proof should not include matters that are not in dispute (see “*statement of common ground*” in the next paragraph). If the proof contains more than 1,500 words it should be accompanied by a written summary which should not exceed 10% of the number of words contained in the proof.

The **statement of common ground** is a written statement that the appellant and the Agency must prepare jointly. It should contain basic matters such as a site description and any other undisputed factual matters, as well as any agreements as to the evidence which the main parties have been able to reach, whether at the pre-inquiry meeting, if one was held, or otherwise. Its purpose is to set out the agreed factual information about the appeal and it should, by narrowing the areas of dispute, result in shorter proofs of evidence and quicker inquiries.

Any third party wishing to see the proof of evidence or statement of common ground may do so at the deposit locations identified in the appeal notice and in relevant standard letters we send to the parties to appeals.

### Pre-inquiry meetings

A pre-inquiry meeting *may* be held when we think it will simplify the inquiry or when we expect an inquiry to last for 8 days or more. The purpose of a pre-inquiry meeting is to identify the key issues to be discussed at the inquiry. A programme for the inquiry and other procedural matters may be agreed. The pre-inquiry meeting will **not** hear any evidence which must be heard at the full inquiry.

No-one other than the two main parties has a *right* to attend a pre-inquiry meeting. Where the Inspector thinks it desirable for anyone in addition to the appellant and the Agency to be present, those people or organisations may be invited to the pre-inquiry meeting. We will give at least two weeks' written notice.

### What publicity will be given to the inquiry?

Once the arrangements have been finalised we will give the appellant, the Agency and any third parties who have sent representations concerning the appeal site at least 4 weeks written notice of the inquiry. In most cases we will be able to give a much longer period of notice. Not less than 2 weeks before the inquiry is to open we may require the Agency to place a notice of the inquiry in a local newspaper. We will also post notice of the inquiry on our web site at least 2 weeks before the event.

### Will I be able to ask for a postponement?

Yes, but we must consider the interests of everyone who is involved in appeals. Keeping a continuous flow of cases with minimum disruption will be for the benefit of the majority of people. We will, of course, assess each request for a postponement on its merits, but because of the expense and inconvenience for others postponements will only be granted in exceptional circumstances.

### Who will be allowed to speak at the inquiry?

The appellant and the Agency are the only parties with a statutory right to speak at the inquiry. However, the Inspector will not unreasonably withhold permission from any other person to appear provided they have something relevant to say which has not already been said.

Where the Inspector refuses to permit someone to give oral evidence, that person may submit to the Inspector any evidence or other matter in writing before the close of the inquiry.

The Inspector may require anyone present at the inquiry who is behaving in a disruptive manner to leave the inquiry and refuse to allow him or her to return, or to return only on conditions specified by the Inspector. But that person may submit to the Inspector any evidence or other matter in writing before the close of the inquiry.

### Procedure at inquiry

The procedure will be determined by the Inspector who conducts the inquiry, however as a general guide, it will normally take the following form:

### Introduction

- The Inspector will introduce him/herself. He/she will then explain how the inquiry will continue, making reference to any agreement reached at the pre-inquiry meeting if one was held. The Inspector will ask who wishes to speak and whether there are requests for special arrangements, for example if someone wishes to be heard out of turn if they have to leave early.
- The Inspector will then identify the likely main issues - again referring to the pre-inquiry meeting if there was one - and the position on the receipt of proofs of evidence.

### Presenting the cases

- The appellant and the Agency may be invited to make a brief opening statement of not more than 15 minutes each.
- The Agency will present their case first and the appellant will then have the right to make his/her case in full. Third parties will be heard in the order determined by the Inspector. Regardless of who is speaking, the Inspector may refuse to hear evidence that is irrelevant or repetitious or offensive.
- The Agency call their witnesses in turn to give evidence. A witness may be cross-examined by the appellant, and may then be re-examined by the Agency, but this must be strictly confined to matters raised in cross-examination.
- The Inspector may ask the appellant, the Agency and any witnesses questions to obtain relevant information. If the questions asked by the Inspector raise matters which could harm a party's case, additional re-examination will be allowed.
- The process is then repeated for the appellant and his or her witnesses.
- The process is also repeated for any third party permitted to appear.
- Only the appellant and the Agency have the right to cross-examine, although the Inspector may permit other persons to do so if they have stated they wish to speak.
- The appellant has the right of final reply.
- The Inspector may then make arrangements for a site visit before closing the inquiry.

### What happens after the inquiry?

A **site visit** will normally take place (*see section 6 below*). After the site visit has taken place the Inspector will give a written decision (or prepare a report for the Secretary of State) based on all the evidence (*see section 7 below*).

## **6. Site visits**

In the majority of cases, the Inspector will visit the appeal site before making the decision. In hearing and inquiry cases, the site visit will normally take place after the Inspector has heard all the evidence. The site visit may take place on the day of the hearing or inquiry, but if not will be shortly after.

At the end of the hearing or inquiry, the Inspector will ask if the appellant, the Agency and anyone else present wishes to attend. When deciding whether to accompany the Inspector you should bear in mind that the Inspector will be unable to accept new evidence or discuss the evidence already given in the appeal including third party representations. The Inspector may, however, ask for physical features referred to in evidence to be pointed out at the site.

This rule will be strictly observed by Inspectors. Should you try to raise points of evidence during the visit, the Inspector will ask you not to do so and explain why. If you continue to discuss the evidence, the Inspector will ask you to stop or may ask you to leave the site.

### ***Hearings adjourned to the site***

Where it appears to the Inspector that an issue may be best dealt with by way of discussion at the appeal site, he/she may adjourn the hearing to the site. They will only do this if they are satisfied that nobody would be disadvantaged, all parties present at the hearing would have the opportunity to attend the adjourned hearing at the site and neither the appellant nor the Agency have raised reasonable objections to continuing with the hearing at the site.

## **7. How the decision will be made**

The Inspector's decision on an appeal will always be made in writing. Each decision will summarise the Inspector's conclusions on all the relevant facts and arguments which have been presented in evidence. It will be sent to the appellant, the Agency and third parties as soon as possible after the Inspector's site visit, hearing or inquiry. Copies of all Inspectors' decision will also be published on our web site:

[http://www.planning-inspectorate.gov.uk/access/districts\\_list/index1.htm](http://www.planning-inspectorate.gov.uk/access/districts_list/index1.htm) .

The decision will be copied to the appellant, the Countryside Agency, third parties and others who have specifically asked to receive it.

### ***Decisions by the Secretary of State***

We expect all decisions to be taken by Inspectors appointed by the Secretary of State. However, circumstances might arise where the Secretary of State decides that an appeal raises such important issues that she should make the decision herself. If this is the case the procedures are identical to those we have described above, but instead of the Inspector writing a decision he/she will write a report and submit it to the Secretary of State. The report will include conclusions on the issues raised and a recommendation as to whether or not the appeal should be allowed.

### ***If the Secretary of State doesn't agree with the Inspector***

The Secretary of State doesn't have to accept the recommendation. If the Secretary of State disagrees with the Inspector's recommendation (because she differs from him/her on a matter of fact, or because she has taken into consideration new evidence), she will give the appellant, Agency and anyone else who appeared at the hearing or inquiry a chance to make further - written - representations. If necessary, the Secretary of State will re-open the hearing or inquiry and she must do so if the appellant or Agency ask her to.

## **8. How long will it take?**

We will not arrange for Inspectors to carry out site visits, hearings or inquiries until the appeal period for each region has ended. This will allow us to identify different appeals relating to the same area of land and to plan hearings, inquiries and Inspectors' visits to appeal sites in the most cost-effective way. The efficiencies that this offers should allow us to determine all appeals as quickly as possible.

The number of appeals received in response to each of the provisional maps will have a direct effect on how long it takes to decide them. We will issue decisions as quickly as possible after the Inspector has considered all the evidence. We anticipate that in the majority of cases a decision will follow within three weeks of the site visit, or the closure of the hearing or inquiry where no site visit takes place.

## **9. Costs**

### ***Who can apply for costs?***

You will normally have to pay your own expenses for making representations in an appeal, whether it is decided by way of written representations, a hearing or inquiry. If the appeal is decided by a hearing or inquiry and you can show that the appellant or the Countryside Agency behaved unreasonably and in so doing put you to unnecessary or wasted expense you can ask the Inspector (or the Secretary of State) to order the Agency or the appellant to pay all or some of your costs.

If you are involved in an application for costs you will be treated as a third party. In practice awards of costs either in favour of or against third parties, will be made only in exceptional circumstances. In general, third parties will not have costs awarded to them, or against them, where unreasonable behaviour by the appellant or the Countryside Agency relates to the substance of the case. But, where unreasonable conduct relating to procedural matters causes unnecessary expense, third parties may be awarded costs, or have costs awarded against them.

A claim for costs could be made, for example, if through one party's late introduction of evidence the inquiry or hearing had to be adjourned or prolonged and this caused you unnecessary or wasted expense.

### ***When and how should I apply for costs?***

There is no application form. An application for costs should be made verbally **to the Inspector at the hearing or inquiry**, though it is open for a party at any time before the hearing or inquiry to advise any other party of an intention to apply for costs. The decision on any costs application will be sent after the issue of the appeal decision.

### ***Further information***

For further information on the rules relating to costs, please see DOE Circular 8/93, available from the Stationery Office, telephone 0870-600 5572 or their web site <http://www.hmsso.gov.uk>, or on the Inspectorate's web site <http://www.planning-inspectorate.gov.uk/>

## **10. How do I complain if I am not happy with the way you have handled an appeal?**

If you have any complaints about the decision or the way we have handled an appeal please write to:

The Planning Inspectorate phone: 0117-372 8252  
Quality Assurance Unit fax: 0117-372 8139  
4/09 Kite Wing e-mail: [complaints@planning-inspectorate.gsi.gov.uk](mailto:complaints@planning-inspectorate.gsi.gov.uk)  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN

The Quality Assurance Unit will reply to you, or they will ask someone else within the Inspectorate to reply if they have specialist knowledge of the issues raised. They will investigate your complaint and you can expect a full reply within 3 weeks. However, the Inspectorate cannot reconsider an appeal if the decision has already been issued. The only circumstances under which we will be able to reconsider an appeal is if the decision is successfully challenged in the Courts.

### ***How can I challenge a decision?***

You may be able to challenge the decision of the Secretary of State (including the Inspector appointed to determine the appeal) by way of judicial review in the High Court. The Inspectorate strongly recommends that you seek legal advice if you intend to do so.

## ***11. About the Planning Inspectorate***

We are an executive agency of the Office of the Deputy Prime Minister and National Assembly for Wales. Our Access Team in Bristol deals with all appeals made under Part I of the Countryside and Rights of Way Act 2000 in England (a separate team, based in Cardiff, deal with Welsh appeals). The team is based at:

Room 215 phone: 0117-344 5680 or 5738  
Regus House fax: 0117-372-6241  
1 Friary e-mail: [access@pins.gsi.gov.uk](mailto:access@pins.gsi.gov.uk)  
Temple Quay  
Bristol BS1 6EA

The team are responsible for receiving the appeals and documents submitted by the relevant access authorities. The staff will also answer queries on appeal procedures and the progress of specific cases.

You will find more detailed information about the Planning Inspectorate in the Chief Planning Inspector's Annual Report and Accounts. You can get the latest edition from Government bookshops or from the Inspectorate's web site at [http://www.planning-inspectorate.gov.uk/reports/buscorp\\_index.htm](http://www.planning-inspectorate.gov.uk/reports/buscorp_index.htm)

## ***12. Data Protection and Privacy in the Planning Inspectorate***

Under the Data Protection Act 1998 we have a legal duty to inform you about and protect any information we collect from you. When considering an appeal, the Inspector (or the

Secretary of State) receives a variety of personal information. This information comes from a number of sources including the appeal form and any documentation of support or objection.

In accordance with current statutory obligations most of the documentation received will be made accessible to the public. Nevertheless, the Planning Inspectorate recognises the importance of the privacy of individuals. This section sets out what information we collect and how it will be used.

### ***Data Protection***

The Planning Inspectorate has put in place procedures to ensure that it complies with the Data Protection Act 1998 when handling your personal information.

In particular we will:

- only use your personal information for the purpose of dealing with and considering the relevant appeal;
- only hold your personal information for as long as is reasonably necessary. For completed appeals this is usually 12 months and in the case of challenges, these are held for 3 years. We will retain a copy of the Inspector's decision indefinitely. It may be that personal information could form part of the Inspector's decision.

### ***Who has access to your personal information?***

The appeal papers will be open for inspection at specified locations and anyone can inspect and take copies of them. Any person entitled to be notified of the decision in an inquiry case has a legal right to apply to inspect the listed documents, photographs and plans within 6 weeks of the date of decision. Other requests to see the appeal documents will not normally be refused. In addition information received may be placed on our web site and will be accessible worldwide by any third party including individuals or organisations who have no direct interest in the particular appeal.

### ***What information do we hold?***

When dealing with an appeal we could receive personal information about you from a number of parties, including yourself, the appellant, the Countryside Agency or other third parties. The information we receive is varied but may include your name, address and occupation, and information relating to your opinions or intentions in respect of an appeal.

### ***What steps should you take?***

- Only provide personal information if you are happy for it to be placed in the public domain;
- Do not include personal information about another third party (including family members) unless you have told the individual concerned and they are happy for you to send it;
- Tell us as soon as possible if any of the personal information you have provided should change.

## ***The Data Controller***

The data controller (the organisation responsible for dealing with personal information) is the Office of the Deputy Prime Minister.

## ***Your rights to see personal information***

We have to provide you with a readable copy of the personal data that we keep about you within 40 days. There is a statutory charge of £10. Evidence of proof of your identity will be required before information is released. It is both in our interest and yours to hold accurate data. If the data we hold is inaccurate in any way, then without charge and where appropriate, you may have the data:

- erased
- rectified or amended
- completed.

For any enquiry or concern about our privacy policy, or to request access to your personal data contact our Data Manager:

The Data Manager                      Telephone: 0117 372 8922  
The Planning Inspectorate      E-mail: [alastair.grant@planning-  
Room 316 Eagle Wing            inspectorate.gsi.gov.uk](mailto:alastair.grant@planning-inspectorate.gsi.gov.uk)  
Temple Quay House  
2, The Square  
Bristol, BS1 6PN

Related information about our privacy policy is available on our web site at <http://www.planning-inspectorate.gov.uk> at the section marked "Privacy Statement".

## ***Complaints about access to personal information***

We aim to ensure that we have resolved any matters satisfactorily, however if you are not satisfied with our response you may contact:

The Information Commissioner      Switchboard: 01625 545 700  
Wycliffe House                      Fax: 01625 524 510  
Water Lane                              DX: 20819 Wilmslow  
Wilmslow                                Website: <http://www.dataprotection.gov.uk/>  
Cheshire                                E-mail: [mail@dataprotection.gov.uk](mailto:mail@dataprotection.gov.uk)  
SK9 5AF