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Countryside (Recreation & Landscape) Division 2  
Department for Environment, Food and Rural Affairs  
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20 May 2004

Dear Sir/Madam

**Consultation paper on proposals for regulations on appeals against notices under section 38 of the Countryside and Rights of Way Act 2000**

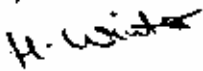
Members of the Devon LAF considered the above consultation paper at its last meeting. It appeared fair and reasonable that landowners and occupiers should have possible recourse to an appeal against a notice requiring them to carry out works to remedy a failure to observe a restriction, or a notice of intention to create or safeguard a means of access to their land.

The LAF accepted the need for such regulations and were broadly in agreement with the proposed content, as outlined in **Proposal A, Proposal B and Proposal C**. A common procedure for dealing with the initial stages of cases was thought beneficial and should avoid delay.

**Proposal C4.** The LAF was of the view that Parish Councils should be notified of an appeal in case there were relevant local issues or opinions of interest to the Planning Inspectorate. The Parish Council should similarly be notified of the outcome of any written representation, hearing or inquiry (C11, C15).

Under Proposal C4 it is suggested the Planning Inspectorate should give notice of the appeal to the local access forum. Thereafter the local access forum is not mentioned in the process and the Devon LAF suggest it would be helpful if the LAFs were notified of decisions made by the Inspector and consulted during the appeal, if deemed appropriate. The Devon LAF also suggest that further guidance on the LAFs role in the appeal procedure would be useful.

Yours faithfully



Hilary Winter  
Secretary  
Devon Local Access Forum