



## **Guide to completing the Notice of appeal form (T35) (Nitrate Vulnerable Zone)**

Please read these notes carefully before completing the notice of appeal form to the First-tier Tribunal Environment for Nitrate Vulnerable Zone appeals.

The notice of appeal form can be downloaded from [www.gov.uk/government/publications/form-t35-notice-of-appeal-nitrate-vulnerable-zone](http://www.gov.uk/government/publications/form-t35-notice-of-appeal-nitrate-vulnerable-zone)

If the form is completed by hand, please use block capitals and black ink. The writing should be clear and legible. The form can also be typed.

### **1. Appellant's details**

Please provide your full name, address and contact details where notices and other documents can be sent to you. If your contact details change, it is your responsibility to inform the tribunal as soon as possible.

### **2. Representative's details**

You are not required to have a legal representative. If you have a legal or other representative please complete this section. If you do not have a representative, please tick 'no' and leave the rest of this section blank.

### **3. About the decision notice**

The tribunal needs you to provide information about the decision notice to which your appeal relates.

### **4. Expert Evidence**

It will help us to know if you intend to send an expert report to support your case

### **5. Late appeals**

You must complete the notice of appeal form and send it to reach the tribunal within 28 days of the date you were sent the decision notice

The tribunal will only consider acceptance of a late appeal if you request an extension of time and give reason(s) why the appeal is late.

If you want the tribunal to consider an out of time appeal, tick the box and provide an explanation of why the appeal has been sent to the tribunal after the 28 days allowed to appeal, and the reasons why the tribunal should accept a late application.

## **6. Outcome of your appeal**

Please tell the tribunal what you want from the tribunal, for example your land or part of your land to be removed from a Nitrate Vulnerable Zone.

## **7. Grounds of appeal**

Please explain clearly why you dispute the decision notice, giving as much details as possible. This is an extremely important part of your application and your grounds should show why you consider the decision notice or parts of it are wrong. Please use additional sheets if necessary.

## **8. Type of hearing and venue**

The tribunal can either deal with the appeal on paper or hold an oral hearing. The appeal form includes a box for you to indicate which option you would prefer. If the case is dealt with on paper, this means that the members of the tribunal will meet in private to consider all the papers, will discuss the case between themselves and will then make a decision that they will send to the parties in writing in due course

If the case is dealt with at an oral hearing, this means that the parties will either join an on-line video conference hearing, or attend a tribunal venue in person, on a hearing date fixed by the tribunal. They may call witnesses, who will be questioned both by the parties and by the tribunal.

At the end of the hearing, the tribunal may be able to give the parties a decision on the day with written reasons to follow. However, the tribunal will often take more time than this to reach a decision and will send its decision to the parties in writing in due course. You may well have a strong preference as to how your case will be dealt with. Some people are happier to express themselves on paper; others feel that they will not be able to explain their case properly unless there is an oral hearing.

## **9. About your requirements**

If you, your representative or a witness has a disability or other special needs, please explain any special arrangements that may be required if there is an oral hearing.

Please also indicate if an interpreter will be required and if so, for which language.

## **10. Signature**

You or your representative should sign and date the form indicating in which capacity you are signing and printing your name. You should then send the form to the address indicated at the bottom of the form either by post, fax or email.

For further information on how to complete the notice of appeal form, please contact the tribunal. The details of how to do that are on the appeal form and the tribunal's website, or you can call 020 3936 8963. The administrative staff will do their best to give advice and help on the tribunal's forms and procedures, but please note that they cannot offer any kind of legal or specialist advice.