



T35

## Appeal against a decision to include your land in a nitrate vulnerable zone

to the First-tier Tribunal (Environment)

Use this form to appeal to the First-tier Tribunal (Environment) against a decision notice received from the Department for Environment, Food and Rural Affairs (DEFRA) which includes your land or part of it, in a nitrate vulnerable zone.

### If you need help

Contact the First-tier Tribunal (Environment) helpline if you have questions about your appeal, help with this application or tribunal processes.

The helpline cannot give you legal advice.

#### First-tier Tribunal (Environment) helpline

Telephone:  
**020 3936 8963**  
(Monday to Friday,  
9:00am – 5pm)

For additional guidance contact Citizens Advice  
[www.citizensadvice.org.uk](http://www.citizensadvice.org.uk)

### Time limits for applications

Send the completed application to the tribunal office. It must be sent no later than 28 days after the Decision Notice was sent to you.



### Checklist

#### List of documents that need to be included with the application:

- a copy of the Decision Notice received from DEFRA
- notice reference number, date of notice and date the notice was received
- a copy of any expert evidence you want to provide
- a clear map of the land involved in the appeal if available

### Other notes

If you are completing this form by hand please use CAPITAL LETTERS and black ink.

Use another sheet of paper if there is not enough space for you to say everything.

Add your name at the top of any additional sheets.

## Section 1 – Your appeal’s information

### 1.1 Details of your appeal

Decision notice reference number

### 1.2 Date of the decision

Day                  Month                  Year

### 1.3 Date of receipt of the decision

Day                  Month                  Year

#### Note 1.1

Your appeal reference number will be found on the decision notice you are appealing against.

## Section 2 – Appellant’s information

### 2.1 Details of appellant(s)

First name

Last name

Organisation name (optional)

Job title (optional)

#### Note for Section 2

Use a separate sheet if you need to include details of more than one appellant.

#### Note for Organisation name

If the legal owner of the land is an organisation, provide the details.

### 2.2 Address

First line of address

Second line of address

Town or city

County (optional)

Postcode

|   |   |   |   |   |

### 2.3 Contact details

Phone number

Mobile number

Email address

### 2.4 Details of appellant's representative

First name

Last name

Company name

#### **Note 2.4**

A representative is someone you want to represent you in dealing with the tribunal.

If you appoint a representative, the tribunal office will only correspond with your representative.

### 2.5 Address

First line of address

Second line of address

Town or city

County (optional)

Postcode

| | | | | | |

### 2.6 DX number for correspondence (optional)

### 2.7 Reference number for correspondence (optional)

## 2.8 Contact details

Phone number

Mobile number

Email address

## Section 3 –Expert evidence

### 3.1 Are you submitting expert evidence to support your appeal?

Yes

No

### 3.2 Is your expert evidence enclosed with this application?

Yes

No

### 3.3 When will you submit your expert evidence?

Day

Month

Year

#### Note 3.2

If you will be submitting expert evidence but are unable to do so now, tell us the date you will be submitting your expert evidence.

## Section 4 – Late applications

### 4.1 I am making a late application

No

Yes, explain why the application is late

#### Note 4.1

Your application for permission to appeal should reach the tribunal within 28 days of the Decision notice you want to appeal against being received.

If it is likely to reach the tribunal after this time you must ask the tribunal to extend the time limit for making the application giving full reasons why it is late.

A judge, registrar, or legal officer will consider your reasons to decide whether to extend time or not.

If needed continue on another sheet of paper adding your name and your reference number at the top.

## **Section 5 – Reasons for your appeal**

### **5.1 Appeal type**

My land does not drain into the water identified by DEFRA

DEFRA should not identify the water as polluted

DEFRA should not identify the water as at risk of pollution

### **5.2 Land involved in the appeal**

All of my land

Part of my land, give details

### **5.3 State the reasons for your appeal and the outcome you are seeking from your appeal.**

#### **Note 5.3**

Explain why you think the Department for Environment, Food and Rural Affairs decision notice or parts of it is wrong in law and state the outcome you are seeking.

For example, your land or part of your land to be removed from the nitrate vulnerable zone.

The Tribunal can consider the following issues. The relevant holding or any part of it:

- the land does not drain into the water which the Secretary of State is minded to identify, or to continue to identify, as being polluted, or has been similarly identified in Wales or Scotland or drains into the water which the Secretary of State should not identify, or continue to identify, as being polluted

Continue on a separate sheet if needed.

Add your your name and your reference number at the top of any additional sheets.

## Section 6 – Hearing

**6.1** The Tribunal makes its decision after reading all the papers in the case.

Do you want your case to be considered on the papers only (a paper hearing) or after a hearing where the parties can put their arguments orally (an oral hearing).

Paper hearing

Oral hearing

**6.2** If you have a good reason for wanting an in person oral hearing rather than an oral hearing conducted by video, explain why:

**6.3** The Tribunal holds hearings in the following areas and will decide which town or city your hearing will take place in.

Which area do you want the hearing to be held in?

### England

South West

North West

London and South East

North East

Midlands

### Northern Ireland

### Scotland

### Wales

**6.4** If you have good reason for the hearing to be in a particular town or city explain why:

### Note for Section 6

Most oral hearings are held by video.

There will be cases where the court will direct that a hearing should take place in person in a Court or Tribunal building.

### Note 6.3

The Tribunal will decide as to where the hearing will take place but will usually take into account the preference of the parties.

### Note 6.4

The Tribunal will inform the parties as soon as the hearing date and venue have been set.

## 6.5 Availability

Are there any days when you or any expert or witness you are using cannot attend?

Dates on which you will **not be available** in the next 4 months

## 6.6 Support during your hearing

Do you, or anyone attending with you need any adjustments?

### Note 6.6

Some people need support to access information and use our services, for example:

- documents in alternative formats, colours and fonts
- help with communication, sight, hearing, speaking, interpretation or translation
- access and mobility support if a hearing takes place in person

This form gets copied to other parties, so use a separate sheet if you do not want to disclose anything.



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## Signature

**I believe** that the facts stated in this form and any continuation sheets are true.

**The appellant believes** that the facts stated in this form and any continuation sheets are true. **I am authorised** by the appellant to sign this statement.

## Signature

Appellant

Appellant's representative

## Date

Day                      Month                      Year

Full name

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## Contact details

Email or post the completed and signed form to the relevant office shown below, we will write to you to confirm your case is registered.

### Email address

GRC@justice.gov.uk

### Address

HM Courts and Tribunals Service  
General Regulatory Chamber  
First- tier Tribunal (Environment Chamber)  
PO Box 9300  
Leicester  
LE1 8DJ

For information on how HM Courts and Tribunals Service process and store your data visit:

<https://www.gov.uk/government/organisations/hm-courts-and-tribunals-service/about/personalinformation-charter>

## Note to signature

If the form is signed by a non-legal representative then the appellant must send a signed statement authoring the representative to act on their behalf with this application.