



## 2011 CHAPTER 21

### *Appeals*

#### **Determination or withdrawal of appeals**

**8.—**(1) On an appeal under section 7 the Valuation Tribunal may allow or dismiss the appeal, either in whole or in part.

(2) Where the Valuation Tribunal decides to allow such an appeal to any extent, the Tribunal may do such of the following as it considers appropriate—

- (a) quash a remedial notice or decision to which the appeal relates;
- (b) vary the requirements of such a notice; or
- (c) in a case where no remedial notice has been issued, issue on behalf of the council a remedial notice that could have been issued by the council on the complaint in question.

(3) On an appeal under section 7 relating to a remedial notice, the Valuation Tribunal may also correct any defect, error or misdescription in the notice if the Tribunal is satisfied that the correction will not cause injustice to any person falling within subsection (2) of that section.

(4) Once the Valuation Tribunal has made a decision on an appeal under section 7, the Tribunal must, as soon as is reasonably practicable—

- (a) give a notification of the decision, and
- (b) if the decision is to issue a remedial notice or to vary or correct the requirements of such a notice, send copies of the notice as issued, varied or corrected,

to every person falling within section 7(2) and to the council.

(5) Where, in consequence of the decision on an appeal, a remedial notice is upheld or varied or corrected, the operative date of the notice shall be—

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**Changes to legislation:** There are currently no known outstanding effects for the High Hedges Act (Northern Ireland) 2011, Section 8. (See end of Document for details)

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- (a) the date of the decision; or
- (b) such later date as may be specified in the decision.

(6) Where the person making an appeal under section 7 against a remedial notice withdraws the appeal, the operative date of the notice shall be the date on which the appeal is withdrawn.

(7) In any case falling within subsection (5) or (6), the compliance period for the notice shall accordingly run from the date which is its operative date by virtue of that subsection (and any period which may have started to run from a date preceding that on which the appeal was made shall accordingly be disregarded).

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**Commencement Information**

**II** S. 8 in operation at 31.3.2012 by [S.R. 2012/20](#), [art. 2](#)

**Changes to legislation:**

There are currently no known outstanding effects for the High Hedges Act (Northern Ireland) 2011, Section 8.