

## SCHEDULE 1

Regulation 12

### Appeals

1.—(1) An operator who wishes to appeal to the appeals commission under regulation 12(1) against a decision of the chief inspector must give to the appeals commission written notice of the appeal together with a statement of the grounds of appeal.

(2) The appeals commission must as soon as is reasonably practicable send to the chief inspector a copy of that notice and that statement.

(3) An appellant may withdraw an appeal by notifying the appeals commission and the appeals commission must as soon as is reasonably practicable notify the chief inspector of that withdrawal.

2. Notice of appeal in accordance with paragraph 1 is to be given before the expiry of the period of 47 calendar days beginning with the date of service of the enforcement notice or, as the case may be, service of the civil service penalty notice.

3.—(1) The appeals commission must determine the appeal and section 204(1) and (3) to (5) of the Planning Act (Northern Ireland) 2011<sup>M1</sup> applies in relation to the determination of the appeal as it applies in relation to the determination of an appeal under that Act.

(2) The appeals commission must determine the process for determining appeals taking into account any requests of either party to the appeal.

#### Marginal Citations

**M1** 2011c. 25 (NI)

4. An appeal under this Schedule must be accompanied by a fee and section 223(7)(b) of the Planning Act (Northern Ireland) 2011 has effect as if the reference to an appeal under that Act included a reference to an appeal under these Regulations.

**Changes to legislation:**

There are currently no known outstanding effects for the The Emissions Performance Standard Monitoring and Enforcement Regulations (Northern Ireland) 2016, SCHEDULE 1.