

APPEAL PROCEDURES

Planning and Water Appeals
Commissions



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Introduction

[1] This publication is intended to inform and assist all those who take part, in whatever capacity, in appeals to the Planning Appeals Commission (PAC) and the Water Appeals Commission (WAC). The procedures set out here have been drawn up under powers conferred on the Commissions by Section 204(5) of the Planning Act (Northern Ireland) 2011 and Article 293(13) of the Water and Sewerage Services (Northern Ireland) Order 2006 respectively. They are based on the well established principles of openness, fairness and impartiality. All participants in the appeal process are expected to follow these procedures and to act in a co-operative and reasonable manner.

The Commissions

[2] The PAC is a statutory tribunal, independent of any government department or agency. It has a wide range of appeal functions which include matters relating to planning, listed buildings, conservation areas, advertisements, trees, roads and the environment. The WAC is a separate statutory tribunal, also independent of government. Its remit includes matters relating to water quality, fisheries, marine licensing and reservoirs.

[3] Members of the Commissions are public appointees and are called Commissioners. They have varied backgrounds and qualifications including town planning, architecture, environmental science and law. Commissioners study evidence, inspect sites, conduct hearings, write reports and take appeal decisions.

[4] The decision on an appeal to the PAC may be taken by a single Commissioner on behalf of the PAC or collectively by a panel of not fewer than four Commissioners. Having regard to criteria published on the Commission's website www.pacni.gov.uk, the Chief Commissioner will determine whether a particular appeal should be decided by a single Commissioner or collectively. An appeal which was initially assigned to a single Commissioner may be recovered by the Chief Commissioner for collective decision at any time before it is decided. The decision on an appeal to the WAC may be taken by any one of its members nominated by the Chief Commissioner.

[5] Administrative staff are responsible for the Commissions' day-to-day work. While they are available to deal with queries from the public about procedures, they are unable to comment on the merits of individual appeals.

General Points about the Appeal Process

[6] Participants are entitled to represent themselves at appeal but they may wish to appoint a professional adviser to act as agent. The Royal Town Planning Institute has an online directory of planning consultants, which may be accessed at www.rtpi.co.uk. Advice may also be sought from Community Places, a not-for-profit voluntary organisation which provides free advice on planning issues to community groups and individuals. It can be contacted at 2 Downshire Place, Belfast BT2 7JQ or by telephone on 028 9023 9444. Its website is www.communityplaces.info.

[7] Participants in appeals should be aware that all information presented to the Commissions at any stage in the appeal process will be processed in accordance with the **Data Protection Act 2018 and UK GDPR** (see Appendix 1).

Scope of the Procedures

[8] The procedures set out in this publication apply to all appeals to the WAC and to the following types of appeal to the PAC:-

- appeals against the refusal or conditional grant of planning permission, consent, agreement or approval;
- appeals in default of a planning decision;
- appeals concerning modification or discharge of a planning agreement;
- listed building consent appeals;
- conservation area consent appeals;
- hazardous substances consent appeals;
- appeals concerning reviews of old mineral planning permissions;
- appeals concerning lawful development certificates;
- appeals concerning consent to display an advertisement;
- appeals concerning consent to cut down, uproot, top or lop a protected tree;
- appeals concerning certificates of alternative development value;
- appeals concerning areas of special scientific interest;
- appeals under private streets, roads and street works legislation; and
- appeals under airports legislation.

[9] Procedures for other types of appeal to the PAC are available on the Commission's website www.pacni.gov.uk.

[10] The 2011 Planning Act empowers the PAC to make orders as to the costs of the parties in planning and related appeals. The PAC has published guidance explaining how it proposes to use that power. Copies are available on the Commission's website www.pacni.gov.uk and on request from the Commission's administrative staff.

[11] The procedures set out in this publication relate only to appeals. They do not cover any of the Commissions' hear-and-report functions, where the PAC or the WAC prepares a report with recommendations to a government department or district council but the final decision is reserved to the department or council.

[12] In this publication, the phrase "the Commission" means either the PAC or the WAC. Where a particular procedure relates only to one of the Commissions, that is specified in the text. The word "authority" means the body whose decision is appealed against, which can be a department or a council. The main pieces of legislation relevant to this publication are listed in Appendix 2.

Making an Appeal

[13] An appeal to the PAC or the WAC may be made only by the person who submitted the application for permission or consent. There are strict deadlines for appealing. Most appeals to the PAC must be lodged within **four months** from the date of receipt of the planning authority's decision; appeals in default of a planning decision must be lodged within **four months** from the date the authority should have given its decision. The PAC has no power to extend the period for appealing.

[14] Appeals may be submitted electronically using the Commissions' website www.pacni.gov.uk. Alternatively a paper appeal form, which is available on request from the Commission's administrative staff, should be completed and forwarded to:-

The Chief Administrative Officer
4th Floor
92 Ann Street
Belfast, BT1 3HH
Telephone: (028) 9024 4710
e-mail address: info@pacni.gov.uk

[15] Before submitting an appeal, the appellant or his or her agent should check that the correct form has been used and completed in full. A copy of any forms and drawings submitted at application stage, together with a copy of the decision being appealed against (if any), should also be provided.

[16] A completed land ownership certificate must accompany an appeal against the refusal or conditional grant of planning permission, so that all owners of the site know an appeal has been made and have a chance to comment. It is the appellant's responsibility to make sure the appropriate certificate is accurately completed. An incorrect certificate may invalidate any subsequent appeal decision.

[17] Most appeals made under the 2011 Planning Act must be accompanied by a fee, although appeals made under subordinate legislation relating to advertisements or trees do not attract a fee. The planning appeal fee is currently set at **£150**. If a fee is required but not paid, the appellant will be asked to pay it within 14 days. Failure to pay is likely to lead to the appeal being dismissed summarily.

Withdrawing an Appeal

[18] An appeal to the PAC or the WAC may be withdrawn by the appellant or the appellant's agent at any time before the appeal decision is issued. Once it is decided to withdraw an appeal, the Commission should be informed as soon as possible to avoid unnecessary further work by all concerned. Unless the withdrawal takes place publicly at a hearing, it must be confirmed in writing quoting the appeal reference number. The Commission will inform the authority and all other interested parties of the withdrawal. When an appeal is withdrawn, any appeal fee is not returnable and the appeal cannot be reinstated later.

Involvement of Objectors and Supporters

[19] On receipt of a valid appeal, the Commission will write to the authority concerned and ask for a set of background documents relating to the application. These documents may include representations in favour of or against the proposal from individuals, companies or groups. Such persons, whether objectors or supporters, are often referred to as “interested third parties”. The Commission will compile a list of all third parties who corresponded with the authority at application stage.

[20] The PAC is required to publish notice of planning appeals in the local press. The WAC is required to advertise certain categories of appeals made to it and is entitled to recover the expenses incurred in doing so from the appellant. People who respond to the press notice within **14 days** of publication will also be listed as third parties and their letters of objection or support will be copied for information to the appellant.

[21] The Commission will write to all third parties and invite them to participate in the appeal process. On receipt of this invitation some people may decide to rely on their letter of objection or support and take no further part in the appeal process. Others may wish to submit further written evidence and/or to attend any hearing or accompanied site visit that is arranged.

The Choice of Appeal Procedure

[22] Appeals can be considered in either of the following ways:-

- by a **hearing**, whether formal or informal; or
- by exchange of **written representations**, with or without an accompanied site visit.

[23] The legislation governing most types of appeal requires the Commission, if either the appellant or the authority wishes to appear before and be heard by it, to facilitate that request. The Commission encourages the choice of the written representations method for all but the most complex appeals because it is generally quicker and less costly. However, **the Commission gives every appeal the same careful consideration whether there is a hearing or not.**

[24] Third parties do not have a statutory right to a hearing and must accept whatever arrangements the Commission makes for considering the appeal. The Commission will ensure, however, that third parties are enabled to participate in whatever proceedings are arranged on an equal footing with the appellant and the authority.

Stages in Each Type of Appeal Procedure

[25] The key stages in each type of procedure are summarised below. Illustrative procedural flowcharts are presented in Appendix 3.

Written Representations without an Accompanied Site Visit

Stage 1 - The Commission invites all parties to submit statements of case within four weeks.

Stage 2 - Statements of case are exchanged and two weeks are allowed for the submission of rebuttal evidence. Rebuttal evidence is copied to participating parties for information only.

Stage 3 - The appeal is allocated to a Commissioner who considers all the evidence, carries out an unaccompanied site visit and either issues a decision on the appeal or submits a report to the Commission.

Stage 4 - Where a collective decision is to be made, a panel of Commission members meets to consider the Commissioner's report and a decision is issued.

Written Representations with an Accompanied Site Visit

Stage 1 - All parties are notified of the date, time and place for the site visit and are invited to submit statement of case within four weeks.

Stage 2 - Statements of case are exchanged and two weeks are allowed for the submission of rebuttal evidence. Rebuttal evidence is copied to participating parties for information only.

Stage 3 - The appeal is allocated to a Commissioner who considers all the evidence, conducts an accompanied site visit and either issues a decision on the appeal or submits a report to the Commission.

Stage 4 - Where a collective decision is to be made, a panel of Commission members meets to consider the Commissioner's report and a decision is issued.

Informal Hearing

Stage 1 - The Commission normally gives parties eight weeks' notice of the hearing date and invites them to submit statements of case.

Stage 2 - Statements of case are submitted at least three weeks prior to the hearing and copied to participating parties.

Stage 3 - The appeal is allocated to a Commissioner who conducts the hearing.

Stage 4 - The Commissioner considers all the evidence, visits the site with or without the attendance of the parties and either issues a decision on the appeal or submits a report to the Commission.

Stage 5 - Where a collective decision is to be made, a panel of Commission members meets to consider the Commissioner's report and a decision is issued.

Formal Hearing

Stage 1 - The Commission normally gives parties 12 weeks' notice of the hearing date and invites them to submit statements of case.

Stage 2 - Statements of case are exchanged and two weeks are allowed for the submission of rebuttal evidence. Rebuttal evidence is copied to participating parties at least three weeks prior to the hearing.

Stage 3 - The appeal is allocated to a Commissioner who conducts the hearing.

Stage 4 - The Commissioner considers all the evidence, visits the site with or without the attendance of the parties and either issues a decision on the appeal or submits a report to the Commission.

Stage 5 - Where a collective decision is to be made, a panel of Commission members meets to consider the Commissioner's report and a decision is issued.

Making the Arrangements

[26] The Commission will ask the appellant and the authority which type of procedure they wish to use. If both select a procedure involving written representations, that will generally be facilitated, although the Commission may in some cases decide that a hearing is necessary. If either the appellant or the authority wants an accompanied site visit with a written representations appeal, that too will generally be facilitated.

[27] If a hearing is requested, the Commission will decide whether it is to be formal or informal, taking into account the preferences of the appellant and the authority, the nature and scale of the subject matter of the appeal, the likely complexity of the legal and technical issues and the number of third parties. The Commissions' experience has been that in the vast majority of appeals, an informal hearing represents an effective and efficient method of gathering information in a non-confrontational atmosphere. Formal hearings are necessary only for particularly complex cases where issues need to be tested by formal questioning between opposing parties.

[28] The Chief Commissioner will appoint a Commissioner to take charge of the appeal. If a hearing is to be held, the Commission will write to all parties indicating a date. Hearings will be held in PAC offices in Ann Street, Belfast. Remote participation will generally be facilitated unless otherwise directed by the Commissioner.

[29] The date for the hearing will be set by the Commission. **Once the arrangements for a hearing have been fixed, any request for a postponement by the appellant or the authority will be granted only in the most compelling circumstances.** The hearing date will be listed on the Commission's website, www.pacni.gov.uk. As only the authority and the appellant have a statutory right of hearing, **hearing dates will not be postponed at the request of third parties.** If, as occasionally happens, a hearing is not completed on the appointed day, it will normally continue on the following day. Participants should be alert to this possibility.

[30] **The arrangements for an accompanied site visit will not be changed except in the most compelling circumstances.** At any stage in the written representations process, whether an accompanied site visit is involved or not, the Commission or Commissioner may

seek further information from the parties or may decide to arrange a hearing to clarify issues not covered in the written evidence.

[31] If anyone wishing to take part in a hearing or attend an accompanied site visit has special needs such as a requirement for disabled access, the Commission's staff should be told at any early stage. They will do their best to accommodate such needs.

Statements of Case

[32] The submission of written evidence in the form of a statement of case within specified time limits is required for all types of procedure. The time limits will be set so as to allow all written evidence to be circulated to all concerned in advance of any hearing or accompanied site visit. In written representations appeals and appeals involving a formal hearing, parties will be given an opportunity to submit a written rebuttal to the opposing parties' statements of case. The Commission will inform all parties of the deadline for submitting statements of case and rebuttal evidence and the number of copies required. Parties are advised to start preparations early to ensure they meet the deadlines.

[33] Where an appeal has been made in default of a decision, the authority should inform the appellant, third parties (if any) and the Commission **as soon as it is can** as to whether it finds the proposal acceptable. If its view is that permission should not be granted, it should provide draft reasons for refusal. Release of this information in a timely fashion will enable other parties to focus their evidence on matters in contention and avoid putting them to unnecessary or wasted expense.

[34] Even though jurisdiction will have passed to the Commission, parties are encouraged prior to submitting their statements of case to seek to agree facts and methodologies and to identify areas of agreement. The extent of any agreement should be identified in the statements of case and the evidence should concentrate on the matters still in dispute. **In all cases, draft conditions, submitted on a without prejudice basis, should be appended to the authority's statement of case.** This will provide the authority with an opportunity to suggest mitigation measures in the event that the appeal succeeds. It will not be interpreted as the authority having conceded its case.

[35] As the substance of representations is of more significance than the volume, objectors and supporters sharing a common cause are encouraged to join together to present a single statement of case. Objectors and supporters are not confined to issues raised by the authority and may raise other matters as long as they are relevant to the appeal. The other parties will be expected to address these concerns and the Commissioner will consider them.

[36] Statements of case should not exceed **1,500 words**, otherwise the main points being made may not be readily identifiable. Statements containing more than 1,500 words should be accompanied by a summary of less than 1,500 words. Statements of case must include **all** the evidence to support the party's case, including the evidence of all its witnesses. Relevant maps or drawings at A3 or A4 size may be included in an appendix to the statement of case. Photographs may be used but the location from which they were taken should be marked on a map. Full copies of any case law or previous appeal decisions being relied upon must be provided. Previous Commissioners' reports and Commission decisions are available on the website www.pacni.gov.uk.

[37] Anyone preparing a statement of case is advised to:-

- concentrate on the main arguments;
- deal very briefly with relevant secondary or minor issues;
- avoid issues which are not relevant as these will add nothing;
- avoid lengthy quotations from published policy and guidance documents as the Commissioner will have copies of these; and
- aim for clarity and be succinct while covering all relevant matters.

[38] **The time limits for submission of statements of case and rebuttal evidence will be applied strictly and will be extended only in the most compelling circumstances.**

Documents received after the specified date or which are incomplete on the specified date will not be accepted by the Commission and will be sent back. Anyone who fails to submit a statement of case within the specified period will not receive the other parties' statements of case and the appeal will be determined on the basis of the information available to the Commission.

What Happens at an Accompanied Site Visit

[39] The Commissioner always inspects the appeal site before making a recommendation or decision on a written representations appeal. When an accompanied site visit is held, the purpose is to enable representatives of all parties to accompany the Commissioner as he or she carries out the inspection. If someone who was invited to attend is not present at the appointed time, the Commissioner may start the site visit without that person. **An accompanied site visit is not an open-air hearing.** The Commissioner may ask for various things to be pointed out but will not accept documents or permit discussion of legal or policy issues or debate about written evidence.

[40] The PAC has prepared a leaflet "*What to Expect at an Accompanied Site Visit*", which provides further information. Copies are available on the Commission's website www.pacni.gov.uk and on request from the Commission's administrative staff.

What Happens at a Hearing

[41] An **informal hearing** takes the form of a round-table discussion led by the Commissioner, who will invite comments on what appear to be the main issues and matters requiring further clarification. All parties will have an opportunity to put forward views and may be assisted by an agent or adviser. However, an informal hearing is not a forum for repeating written evidence already available to the parties. Statements of case will be taken as read. Written rebuttal evidence may not be introduced but there will be an opportunity to raise relevant rebuttal points during the discussion. When the Commissioner considers that an issue has been sufficiently clarified, he or she will move on to the next issue. Cross-examination and formal legal submissions are not necessary at informal hearings, but in complex appeals the Commissioner may allow some questioning between parties on issues not already covered in the round-table discussion.

[42] At a **formal hearing** evidence is probed through questioning by opposing parties and by the Commissioner. Parties, in turn, may briefly explain their position and address points made

by other parties. The usual sequence is that the authority presents its evidence first and is questioned; followed by objectors (or their spokesperson); then the appellant; and finally supporters (or their spokesperson). Parties may be professionally represented (but do not have to be) and may put forward witnesses to answer questions and discuss points arising from their written evidence, which will be taken as read. The Commissioner will take an active role in investigating evidence and may ask questions at any stage of the proceedings. Closing statements will not be required.

[43] As the Commission requires all issues to be identified and all documentary evidence to be contained in the statements of case, it does not expect new issues to be raised at a hearing, whether formal or informal. The Commissioner's attention should however be drawn to any relevant changes that have taken place since the statements of case were submitted. If the parties have reached agreement on technical evidence the Commissioner should be told, but a postponement of the hearing will not be granted for negotiations to be continued.

[44] The introduction of new information at the hearing will be at the Commissioner's discretion. Parties seeking to introduce new issues or materials will be asked to explain why they are relevant and why they were not mentioned in the statement of case. If any documents are accepted, two copies must be given to the Commissioner and at least one copy to each of the other parties. The introduction of late evidence can prolong proceedings and put other parties to unnecessary or wasted expense.

[45] The Commissioner may decide to adjourn a hearing to the site in order to deal with site-specific issues, in which case discussion at the site will be confined to those matters.

[46] Normally no evidence should be submitted after a hearing unless the Commissioner agreed at the hearing that this should be done. Evidence sent to the Commission without the prior agreement of the Commissioner will be returned.

Provisions Specific to Planning Appeals

[47] Section 59 of the 2011 Planning Act prohibits the raising at appeal stage of matters that were not before the planning authority, except in specified circumstances. It goes on to say, however, that this does not affect any requirement or entitlement to have regard to the provisions of the local development plan or any other material consideration.

[48] Under the provisions of Section 58(4) of the 2011 Act, the PAC may deal with a planning application as if it had been submitted to it in the first instance. The PAC is not, therefore, restricted to considering the reasons which the planning authority has given for refusing permission or for attaching conditions and any points raised by objectors. As the PAC is an independent appellate body and not a second planning authority, it exercises this power to consider applications afresh sparingly and only where it has identified matters which are potentially of significant public interest. If new considerations are to be taken into account, the PAC will give all parties an opportunity to comment.

The Appeal Decision

[49] Having visited the site, the Commissioner will consider all the evidence and prepare either a decision or else a report with a recommendation. A decision taken by a single Commissioner will set out the reasoning which led to the decision.

[50] If the decision is to be collective, the Commissioner's report will be copied to a panel of Commission members. They will study the report and may visit the site. The panel will then meet and take a decision, if necessary by a majority vote. In the event of a tie, the chairperson will have a casting vote. The minutes of the meeting will be placed on the website www.pacni.gov.uk. Where the panel disagrees with the views and recommendation of the appointed Commissioner, the Commission's collective decision will set out clearly the full reasoning which gave rise to that decision.

[51] The appeal decision (together with the Commissioner's report where a collective decision is made) will be sent to all parties who provided a statement of case or participated in the public proceedings. If anyone was represented by an agent, then the decision and report (if any) will go to the agent. A copy of the decision and any report will be made available to anyone on request and may be viewed on the Commission's website www.pacni.gov.uk.

After an Appeal Decision

[52] The Commission cannot reconsider an appeal decision after it has been issued. However, anyone who was involved in the appeal process and is dissatisfied about the way the Commission handled it can make a formal complaint. Details of the Commission's complaints system are provided on its website www.pacni.gov.uk and a leaflet is available on request.

[53] An appeal decision may be challenged on a point of law by applying to the High Court for a judicial review. This must be done promptly or in any event within three months of the decision. Anyone considering such a course will need legal advice.

Appendix 1

Data Protection and Freedom of Information in the Commissions

DATA PROTECTION AND FREEDOM OF INFORMATION IN THE PLANNING APPEALS COMMISSION AND THE WATER APPEALS COMMISSION

The Data Protection Act 2018 and UK GDPR regulates the processing of information relating to individuals, including the obtaining, holding, use or disclosure of such information. The Commissions are fully committed to complying with the Act.

When processing appeals, the Commissions receive a range of personal information from a number of sources, which falls within the remit of the Data Protection Act 2018 and UK GDPR. This includes letters of support or objection. The information received by the Commissions varies but may include:-

- details of an individual's name, address and occupation;
- information about the health, personal or family circumstances of an individual; and
- an individual's opinions about an application or appeal.

This information is held and considered by the Commissions in accordance with the principles set out in the Data Protection Act 2018 and UK GDPR. It is only used by the Commissions for considering the issues arising in the appeal. It is only retained as long as reasonably necessary, usually no longer than three years from the completion of the Commission's work. However, all Commission reports and decisions must have clear reasons for the conclusions reached and it may be necessary to refer to an individual's personal or family circumstances in a report or decision, which may be retained indefinitely.

The Commissions are tribunals and must operate openly, fairly and impartially. All documents on casework files can be viewed by any member of the public, under the Commissions' supervision.

An individual should therefore only provide personal or sensitive information that he/she accepts will be available to the public. No-one should present personal information about other people without their consent. Information provided will not be vetted or redacted by the Commission because of its role to carry out its functions as an independent decision maker in an open, fair and transparent manner.

Under the Data Protection Act 2018 and UK GDPR, an individual can request access to his/her personal information held by the Commissions. Such requests should be in writing and sent to the address below. There is a charge of £10 for requests and the person making the request will also need to send proof of identity.

A request made under the Data Protection Act 2018 and UK GDPR should include:-

- the specific information which is being sought;
- who you are and how you can be contacted;
- how you would like to receive the information.

Please also identify any accessibility requirements you may have and if you need to receive the information in a particular format, for example, large print, Braille etc.

You are entitled to a response to your request within 40 calendar days. It is in the Commissions' and your interests to hold accurate data. If the data is inaccurate, you can ask us to erase, amend

or add to the information though you should note that personal or family circumstances referred to in a Commission report or decision cannot be changed. There will be no charge for this.

Any complaints about how the Commissions dealt with requests about information will be processed in accordance with the Commissions' Complaints System which is published under Publications on the Commissions' website. These complaints will not be reviewed by the Complaints Audit Panel, see below.

If you remain dissatisfied with the Commissions' response to your information request you may contact the Information Commissioner at

10th Floor
Causeway Tower
9 James Street South
Belfast
BT2 8DN
Telephone: 03031231114
email address: ni@ico.org.uk; or
website address: www.ico.gov.uk.

Requests for access to personal information should be sent to

The Chief Administrative Officer
4th Floor AIB Building
92 Ann Street
Belfast
BT1 3HH
Telephone number: (028) 9024-4710
e-mail address: info@pacni.gov.uk
website address: www.pacni.gov.uk

The Commissions will review their procedures regularly to ensure continued compliance with the Data Protection Act 2018 and UK GDPR.

Freedom of Information Act - The Commissions are not identified as Public Authorities under the Act. The Environmental Information Regulations 2004 apply to any body that has public responsibilities relating to the environment, exercises functions of a public nature relating to the environment or provides public services relating to the environment. This could include the Commissions but the Regulations do not apply to the extent that the Commissions are acting in a judicial capacity. Nonetheless, as tribunals which operate openly fairly and impartially, the Commissions seek to comply with the spirit of the Act and Regulations.

Appendix 2

Relevant Legislation

LEGISLATION RELEVANT TO THIS PUBLICATION

For appeals to the Planning Appeals Commission

The Planning Act (Northern Ireland) 2011

The Planning (Control of Advertisements) Regulations (Northern Ireland) 2015

The Planning (Trees) Regulations (Northern Ireland) 2015

The Land Compensation (Northern Ireland) Order 1982

The Roads (Northern Ireland) Order 1993

The Environment (Northern Ireland) Order 2002

For appeals to the Water Appeals Commission

The Fisheries Act (Northern Ireland) 1966

The Water (Northern Ireland) Order 1999

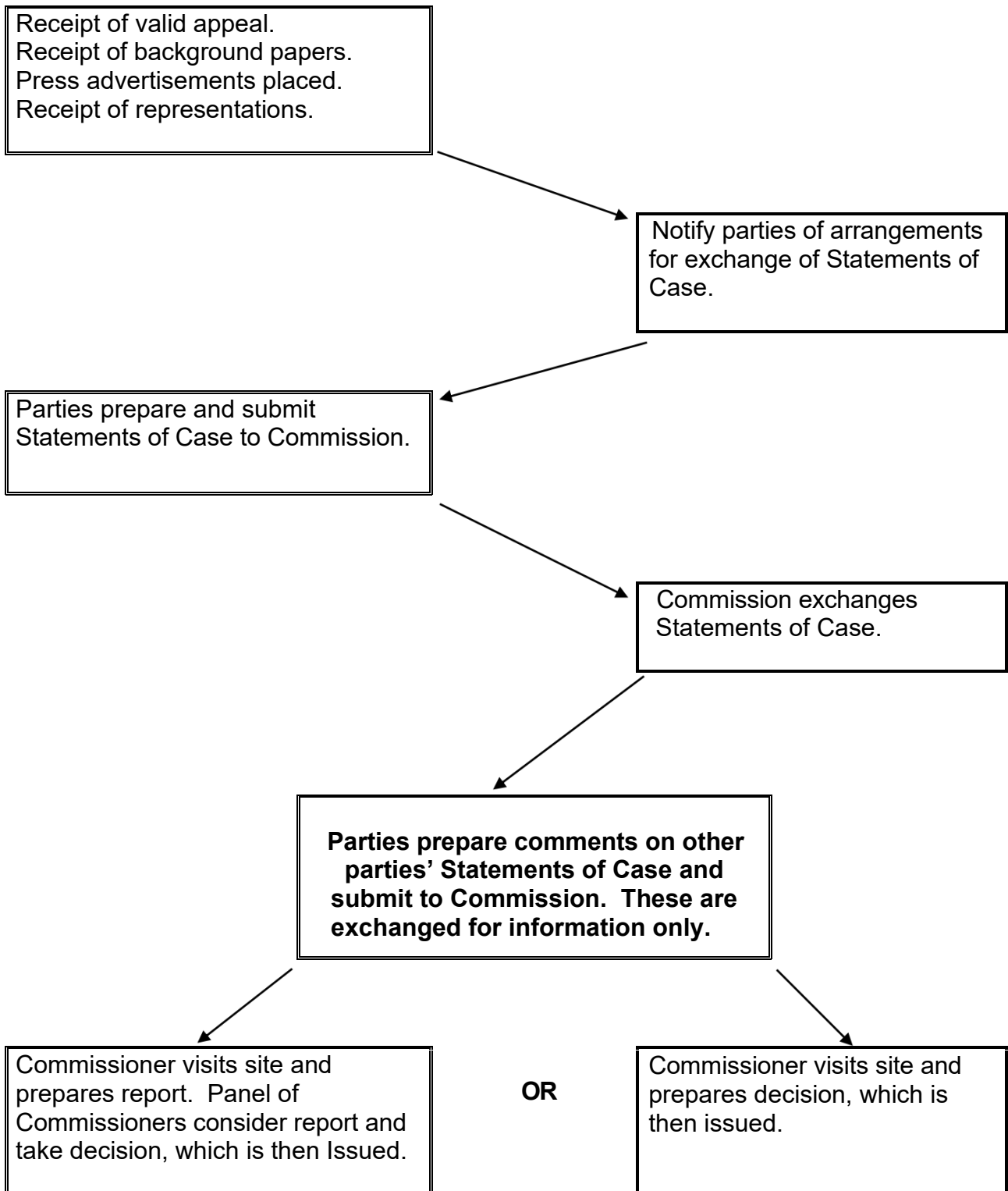
The Water and Sewerage Services (Northern Ireland) Order 2006

The Nitrates Action Programme Regulations (Northern Ireland) 2014

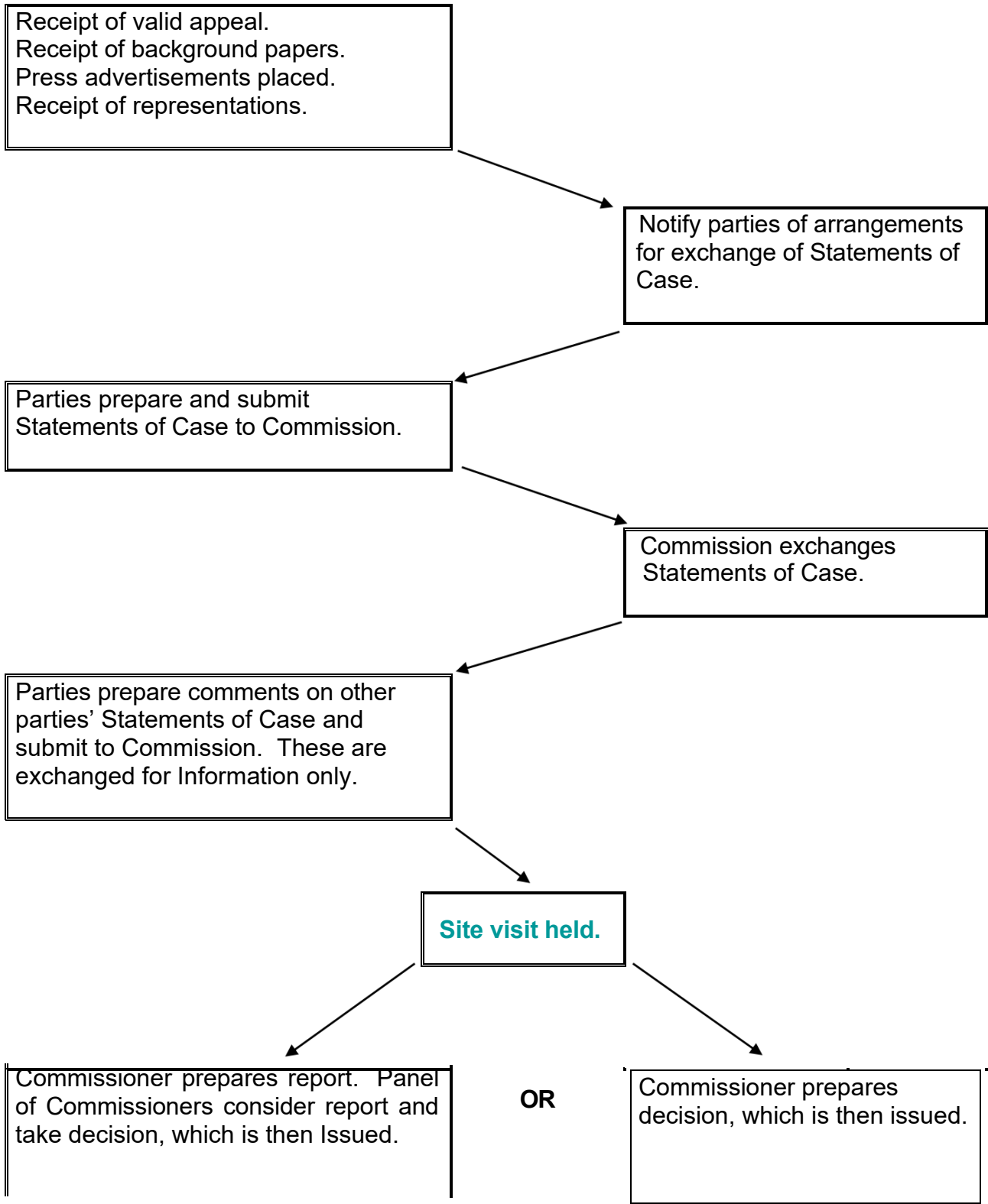
Appendix 3

Illustrative Procedural Flowcharts

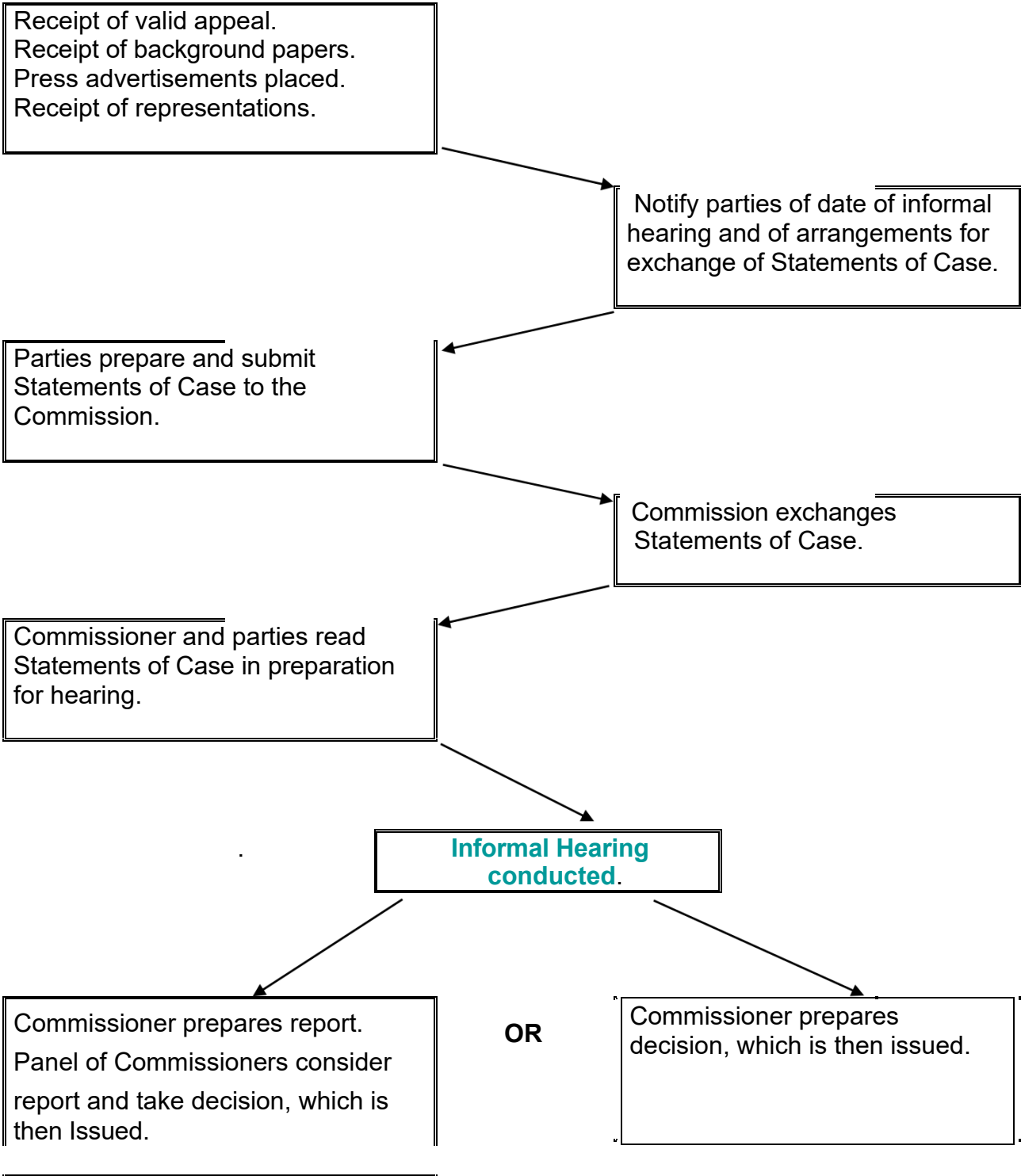
PROCEDURES FOR WRITTEN REPRESENTATIONS WITHOUT AN ACCOMPANIED SITE VISIT



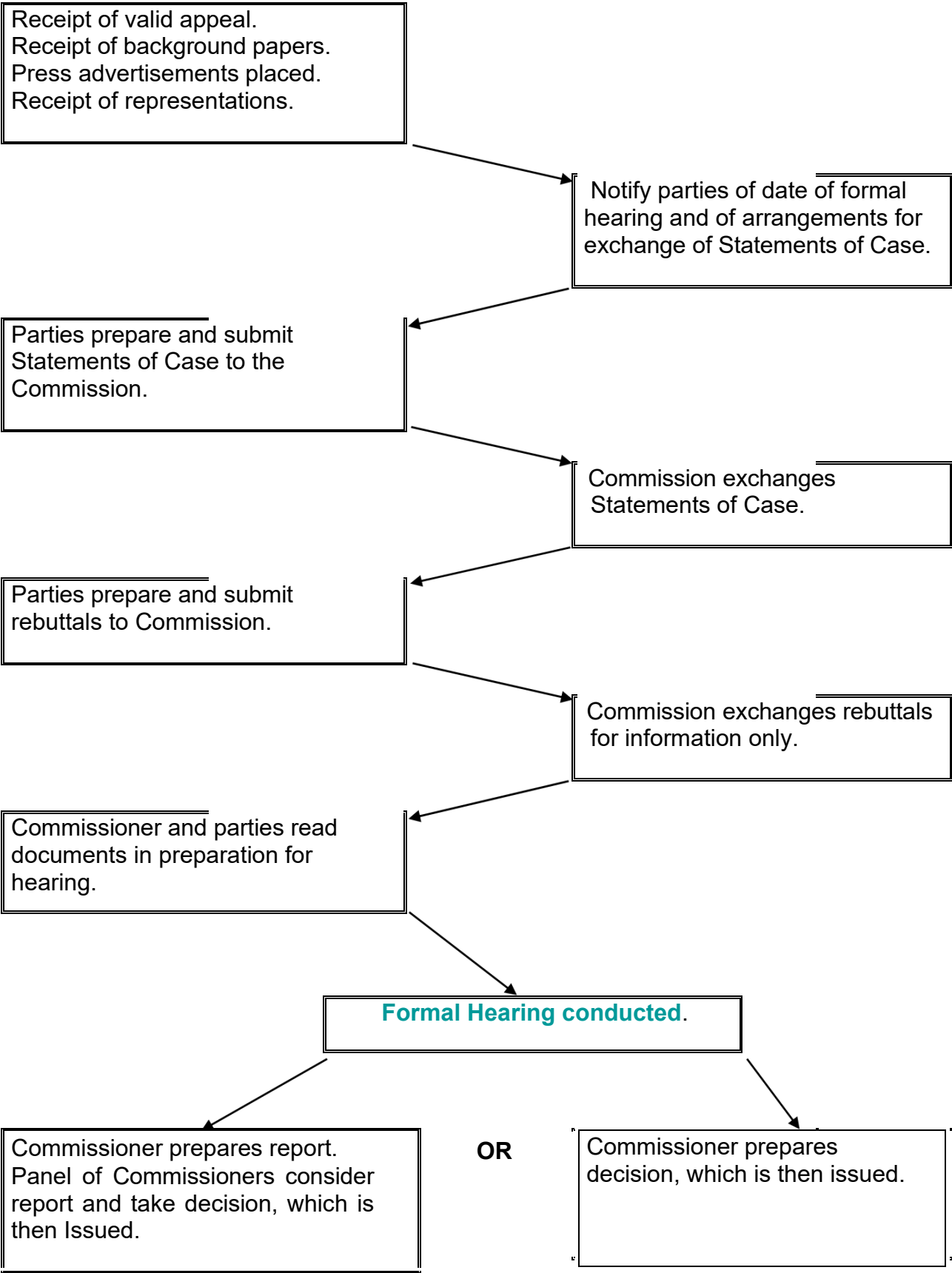
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WITH AN ACCOMPANIED SITE VISIT**



PROCEDURES FOR INFORMAL HEARING



PROCEDURES FOR FORMAL HEARING



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