

IN THE TOWN PLANNING APPEAL BOARD

Town Planning Appeal No. 8 of 2010

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BETWEEN

Messrs. HO KWAI WAH and  
HO YUN FAT

Appellants

and

TOWN PLANNING BOARD

Respondent

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Appeal Board : Mr. Patrick FUNG Pak Tung, SC (Chairman)

Miss Carmen CHAN Ka Man (Member)

Miss CHUNG Ching May (Member)

Ir. NG Kwok Chun (Member)

Dr. John WONG Yee Him (Member)

In Attendance : Ms Suan MAN (Secretary)

Representation : Miss Dorothy LIN Lai Yee, Government Counsel  
(Department of Justice), for the Respondent

Date of Hearing : 17<sup>th</sup> February 2011

Date of Decision : 1<sup>st</sup> March 2011

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## DECISION

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1. The Appellants have been given ample notice of the hearing of this Appeal. They and their authorized representative have failed to appear at this hearing. The onus is on the Appellants to persuade the Appeal Board that the Appeal should be allowed. Since they are not here, there is no one to present the Appeal. We therefore dismiss the Appeal pursuant to Regulation 7(2)(c) of the Town Planning (Appeals) Regulations.
2. The Respondent has made no application for costs. We therefore do not need to consider that issue.

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Mr Patrick FUNG Pak Tung, SC  
(Chairman)

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Miss Carmen CHAN Ka Man  
(Member)

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Miss CHUNG Ching May  
(Member)

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Ir NG Kwok Chun  
(Member)

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Dr John WONG Yee Him  
(Member)