

## SCHEDULE 2

Regulations 17 and 20

### PROCEDURE FOR HEARINGS

#### **Notice of hearing**

**1.**—(1) Where the reporter determines that a hearing is to be held the reporter must give notice in writing to that effect to—

- (a) the parties,
- (b) any other person from whom the reporter wishes to hear in relation to specified matters at the hearing.

(2) Within 14 days of the date of receiving a notice under sub-paragraph (1) anyone intending to appear at the hearing must inform the reporter of that intention in writing.

(3) A notice sent under paragraph 1(1)(b) must include—

- (a) confirmation that if those persons do not reply to the reporter in terms of sub-paragraph (2) they will not be entitled to appear at the hearing,
- (b) details of a website where copies of documents and information submitted to the reporter under these regulations can be inspected.

#### **Appearances at hearing**

**2.** The parties entitled to appear at a hearing are those who have informed the reporter of their intention to appear under paragraph 1(2).

#### **Date and notification of hearing**

**3.**—(1) The reporter must fix the date and time for the holding of the hearing and the manner in which the hearing will be conducted, including its location (if appropriate), all or any of which may subsequently be varied by the reporter.

(2) The reporter must give those entitled to appear at the hearing written notice of—

- (a) the date and time fixed for the holding of the hearing,
- (b) the manner of the holding of the hearing, including its location, if appropriate,

and any subsequent variation thereof.

#### **Written statement**

**4.**—(1) Where required to do so by notice in writing given by the reporter the initiating party or any party who submitted a response under regulation 8 must, by the date specified in the notice, send to—

- (a) the reporter,
- (b) any person the reporter specifies in the notice,

a written statement to be given to the hearing by a person included in the list of persons referred to in regulation 6(2)(e)(i) or regulation 8(2)(e)(i).

(2) The local authority proposing to make the scheme is, until such time as the hearing is concluded, to afford to any person who so requests a reasonable opportunity to inspect and, where practicable, take copies of—

- (a) any document or information referred to in regulations 6, 8, 10(3)(d) and 12,
- (b) any written statement referred to in sub-paragraph (1).

*Status: This is the original version (as it was originally made).*

(3) A written statement must not, unless the reporter agrees, contain more than 2000 words.

**Procedure at hearing**

5.—(1) Except as otherwise provided in this schedule, the procedure at a hearing is as the reporter determines.

(2) The reporter is, having considered any submission by the parties entitled to appear at the hearing, to state at the commencement of the hearing the procedure the reporter proposes to adopt.

(3) Any party entitled to appear at the hearing may do so on their own behalf or be represented by another person.

(4) Where there are two or more parties having a similar interest in the issues being considered at the hearing, the reporter may allow one or more party to appear on behalf of some or all of those parties.

(5) A hearing is to take the form of a discussion led by the reporter and cross-examination is not permitted.

(6) The reporter may from time to time adjourn the hearing and, if the date, time and place of the adjourned hearing are announced before the adjournment, no further notice is required. Otherwise, paragraph 3 applies as it applies to the variation of the date, time or place at which a hearing session is to be held.