

SCHEDULE 1

Regulations 2, 5 and 35

INFORMATION TO BE INCLUDED IN PRESS NOTICES

PART 1

PARTICULARS TO BE INCLUDED IN THE NOTICE OF PROPOSAL

1. The name of the local authority.
2. A description of the scheme proposal and its general nature and effect.
3. Each address at which a copy of the information referred to in regulation 2(b) can be inspected, and the times when inspection can take place at each such address.
4. The fact that the information referred to in regulation 2(b) is available on the local authority's website.

PART 2

INFORMATION TO BE INCLUDED IN
THE NOTICE OF MAKING THE SCHEME

1. The name of the local authority.
2. A description of the scheme as made.
3. The date of the making of the scheme and the date on which it comes into effect.
4. Each address at which a copy of the scheme, as made, can be inspected, and the times when inspection can take place at each such address.
5. The fact that a copy of the scheme as made is available on the local authority's website.

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).

(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.

SCHEDULE 3

Regulations 17 and 20

PROCEDURE FOR INQUIRIES

Notice of inquiry session and specified matters

1.—(1) Where the reporter determines that an inquiry 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 inquiry.

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

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

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

Appearances at inquiry

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

Date and notification of inquiry

3.—(1) The reporter must fix the date and time for the holding of the inquiry and the manner in which the inquiry 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 inquiry written notice of—

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

and any subsequent variation thereof.

Precognitions

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,

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a precognition in respect of any evidence to be given to the inquiry by a person included in the list of witnesses referred to in regulation 6(2)(e)(ii) or regulation 8(2)(e)(ii).

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

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

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

(4) In this paragraph “precognition” means a written statement of the evidence which it is proposed that a witness will give to the inquiry.

Procedure at inquiry

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

(2) The reporter is, having considered any submission by the parties entitled to appear at the inquiry, to state at or before the commencement of the inquiry the procedure which the reporter proposes to adopt and in particular is to state—

- (a) the order in which the matters within the scope of the examination are to be considered at the inquiry, and
- (b) the order in which the persons entitled to appear at the inquiry session are to be heard in relation to a matter within the scope of the examination (a different order may be chosen for different matters).

(3) Any party entitled to appear at an inquiry 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 matter under inquiry, the reporter may allow one or more parties to appear on behalf of some or all of those parties.

(5) Any party entitled to appear at the inquiry is entitled to call evidence, to cross-examine persons giving evidence and to make closing statements.

(6) But the reporter may refuse to permit—

- (a) the giving or production of evidence,
- (b) the cross-examination of persons giving evidence, or
- (c) the presentation of any other matter,

which the reporter considers to be irrelevant or repetitious.

(7) The reporter may proceed with an inquiry session in the absence of any party entitled to appear at the inquiry.

(8) The reporter may from time to time adjourn the inquiry and, if the date, time and place of the adjourned inquiry 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 an inquiry session is to be held.