

REGULATORY (ACCESS) COMMITTEE PRINCIPLES OF OPERATION

Bath and North East Somerset Council's Regulatory (Access) Committee ("the Committee") will apply these principles when considering proposals for Definitive Map Modification Orders (DMMOs) and Public Path Orders (PPOs) and when considering to support or abandon such Orders to which objections have been received. It also covers the Committee's consideration of issues relating to Commons Registration including Town and Village Greens.

The Committee welcomes public participation and representations from applicants and supporters for orders, objectors and affected landowners and occupiers ("Interested Parties"). To ensure that all Interested Parties receive a fair hearing it is necessary to have some guiding principles as to how such representations are made and considered, although the Committee reserves the right to waive or modify these where this is considered necessary.

General Points

- The Authority will endeavour to make the Public Rights of Way (PROW) officer's report, outlining the facts of the case and other relevant information, available to Interested Parties at least five working days prior to the meeting.
- The meeting is open to the public; the Committee may, however, exclude the public if confidential or exempt information is being disclosed.
- The Committee will comprise a minimum of three and maximum of five elected Members. They will be assisted by a Legal Officer and a Democratic Services Officer, neither of whom have any decision making powers.
- The Committee has a discretion to make a "site visit" should it consider it necessary to aid the decision making process.
- If any Interested Party has any special needs regarding access, hearing or vision, this should be brought to the Authority's attention prior to the meeting in order that appropriate provision may be made.

Written Submissions

Due to internal procedures, PROW officer's reports are finalised 15 working days in advance of the Committee meeting. Interested Parties are therefore requested to submit any written submissions, which they wish to be included in the PROW officer's report, a minimum of 20 working days prior to the date of the Committee meeting to enable the submissions to be considered within the report.

Written submissions submitted after the deadline will only be accepted in exceptional circumstances and following receipt of a written explanation for the delay which the Chair of the Committee considers to be sufficient to justify the late submission.

At the Meeting

At the start of the meeting:

1. Members of the Committee will be introduced.
2. The Chair will clarify which officers are present and the nature of their involvement.
3. The Chair will ensure that those present are familiar with the procedure to be followed during the meeting.

Order of speaking

4. The PROW officer's report will have been circulated to members of the Committee in advance of the meeting. It will outline the facts of the case and set out the relevant law; the officer may give any relevant additional background information. This report will be read to the Committee where requested by the Chair. The officer can then be questioned by the Committee on matters relating to their professional expertise and/or matters referred to in the report.
5. Supporters of the proposals may then make a presentation to the Committee. They may be questioned by the Committee on matters raised in their presentation.
6. Objectors to the proposals may then make a presentation to the Committee. They may be questioned by the Committee on matters raised in their presentation.
7. Anyone else wishing to make a representation to the Committee, for instance to provide information or to correct a matter of fact may then address the Committee. They may be questioned by the Committee on matters raised in their representation.
8. The Committee may seek further clarification from the Interested Parties on matters raised during this process.

Principles

9. No Interested Party is obliged to present a case and s/he will not be prejudiced if such a choice is made.
10. Interested Parties may make representations themselves to the Committee or may appoint representatives to make such representations on their behalf.
11. Anyone wishing to make such a presentation to Committee is asked to submit a written statement, or otherwise notify the Authority of the nature of their representations, **two clear working days in advance of the meeting** to enable officers to consider the issues being raised.
12. All representations from Interested Parties should normally be limited to a maximum of five minutes.
13. The Committee will always ensure it allows relevant Officer advice to be given in respect of any representations made before determining the matter in question.
14. If, in the opinion of the Committee, having considered the reports and any representations made, they feel Interested Parties reasonably require more time to

consider those representations, they shall adjourn to a later "special" meeting of the Committee. Such meeting shall be arranged as quickly as possible subject to giving the Interested Parties reasonable time to prepare.

15. At any such adjourned meeting the Committee will not receive any further representations and interested parties will be confined to dealing with those issues raised at the previous meeting and in connection with which further time was allowed.

Additional Notes

- (a) The Committee will take due account of witnesses' varying levels of knowledge of legal and technical matters arising.
- (b) Persons addressing the Committee will not be expected or required to stand or take the oath.
- (c) At convenient points in the proceedings and at no less a frequency than every two hours, the Chair will adjourn the meeting for a comfort break.
- (d) The Chair may also adjourn the meeting at the request of anyone present.
- (e) The minimum adjournment period for lunch will be thirty minutes.