DIALOGUE 3

Reporter's question 3 to Council (4 April 2022)

Now that the Council has confirmed (separately) that it wishes me to deal with all unwithdrawn objections, the point I raised in my email of 27 March (2 above) remains relevant. I am not sure whether the Council expects the PO to write, or whether IT will write, to objectors about the proposed reduction in the Parking Charge and asking them if they wish to withdraw.

The PO could do it, but I think it more appropriate for the Council to do it, for two reasons.

(a) It is essentially an element of negotiation between the Council and each objector.

(b) If the Council does it, it could also include in its letter a further enquiry - about whether the objector wishes to participate in the hearing. That could include notice that there will be a hearing, and the significant point is that it is a requirement (from Regulation 9(1) of The Local Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1999) for THE COUNCIL to give that notice to objectors (not the PO acting for the Reporter). Running the two points (withdrawal of objection and hearing participation) together at the same time would save time overall.

Alternatively, the Council may wish to run the two questions separately, in sequence, rather than together, as that might be simpler for objectors.

It would be useful to know the Council's thinking on this as soon as possible.

Council answer to question 3 (6 April 2022)

We agree it would be more appropriate for the Council to write to objectors than the PO. It is our intention to issue one letter to the objectors addressing the two points- (i) asking whether or not they maintain their objection, and (ii) giving them notice of the hearing per Regulation 9 of the 1999 Regulations. We are in the process of preparing the relevant letter and would hope to have it issued just as soon as possible. We will confirm to the Reporter once the letter has been issued.

Reporter's response to Council's answer (6 April 2022)

It would be useful to see a copy of the letter once issued.