

## **Suspension of the hearing process to the end of August 2021**

In response to the reporters' statement dated 7 January 2021, the council has requested a further suspension of the hearing process to the end of August 2021.

We have decided to agree to this further suspension request on the basis that:

- there may not be a complete relaxation of Covid-19 restrictions with respect to attendance at football matches and use of public transport for several months.
- there appears to be the prospect of a productive restart of the hearing process after August, given the vaccine programme and reducing infection rates.
- the first few months following the restart of the hearing process (possibly to the end of 2021) would be for the preparation of statements, and by September 2021 there may be a clear picture emerging with respect to longer term attendance at football matches and the use of public transport, enabling parties to be more confident in producing statements and associated documents without the need for continual revisions.
- a hearing in early 2022 may be able to take place without any virtual process (although it would still be webcast). Site inspections may also be possible without a significant gap following the hearing.
- the council has stated that it is committed to continuing, as far as it reasonably can, with the hearing process into the order.
- the council has clarified that there is a statutory basis for the order to be made up to November 2022, and is investigating a Covid-19 type relaxation of the Regulations on the timeframe for making the order, given that there remains uncertainty with respect to completing the hearing process in time to enable a decision whether or not to make the order by November 2022.
- We are aware that for the vast majority of objections a hearing is discretionary, and that the council may therefore be able to rely on its consideration of our conclusions and recommendations on the matters raised in these objections, even with respect to any new order that requires to be made under the regulations.

We have also decided that it is unnecessary to further consult parties who intend to participate in the hearing at this time, as the current position generally remains unchanged from that which existed when the previous suspension requests from the council were agreed, but in our view (whilst there remains uncertainty) there is now a clear prospect of enabling the hearing process to progress after the next 6 months.

However, we regard the above suspension of the hearing process to the end of August 2021 to be a default position. We also therefore intend to provide a revised "best case scenario" timeline at the end of May 2021, based on Covid-19 pandemic information available at that time. By that time, we may know more about when attendance at football matches may resume, and how the use of public transport is progressing. We may also be clearly beyond the need for a virtual hearing process.

This will be published on the web pages as soon as possible after the end of May 2021, to enable parties participating in the hearing to think about when they may need to prepare statements and attend the hearing, and whether there would be any difficulties in this respect. Anyone wishing to comment on the revised timeline may

do so until the end of June 2021, when we would expect to confirm or otherwise the default position of suspending the hearing process to the end of August 2021.

We would ask the council to keep us informed with respect to any Covid-19 type relaxation of the Regulations agreed with the Scottish Government, and also (if possible, by the end of May 2021) to advise us of the period of time which the council will require to prepare its statement including any proposed modifications.

We would also ask the council to provide further information on the dialogue with the Scottish Government which has clarified that there are actually 5 six monthly extensions allowed under the Regulations. We would ask the council to provide this in the context of Regulation 3 and the associated explanatory note of the Local Authorities' Traffic Orders (Procedure) (Scotland) Amendment Regulations 2005, and/or any other secondary legislation or guidance which may be relevant.