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SCHEDULES

SCHEDULE 1

Section 5

PROCEDURES AS TO GENERAL DIRECTIONS

- 1 In this Schedule “the statutory consultees” means—
- (a) Associated British Ports;
 - (b) the Great Yarmouth Port Authority;
 - (c) the navigation committee;
 - (d) the British Marine Federation, the Inland Waterways Association and the Royal Yachting Association; and
 - (e) such other bodies (if any) appearing to the Authority to represent boating interests as the Authority considers appropriate.
- 2 The Authority from time to time following consultation with the statutory consultees shall appoint a suitable person to act as the independent person for the purposes of this Schedule, and references in this Schedule to the independent person are references to the person so appointed.
- 3 The Authority shall consult the statutory consultees upon any proposal to give, amend or revoke a general direction and except in a case of emergency shall do so before giving notice of the proposal under paragraph 4.
- 4 Not less than 42 days before giving, amending or revoking a general direction or in a case of emergency as soon as is reasonably practicable the Authority shall—
- (a) publish notice of its intention to do so once in a newspaper circulating in the area of the Broads and on the Authority’s website; and
 - (b) give notice of its intention to do so to the statutory consultees.
- 5 Any notice published under paragraph 4—
- (a) shall state a place where copies of the direction and any proposed amendment to it may be obtained and a place at which such copies may be inspected;
 - (b) shall state that representations may be made to the Authority in writing during the said period of 42 days or such longer period as may be specified in the notice;
- and except in a case of emergency the Authority shall not give, amend or revoke the direction until it has considered all such representations as are made during the period stated in the notice.
- 6 In addition to the requirements of paragraph 4, notice of the giving of a general direction or of the amendment or revocation of a general direction may be given in any manner considered by the Authority to be appropriate.
- 7 If any of the statutory consultees within the period allowed for in accordance with paragraph 5(b) objects to the giving, revoking or amending of a general direction the Authority shall refer the matter to the independent person.

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- 8 As soon as reasonably practicable after an objection is referred to the independent person under paragraph 7 the independent person shall invite the Authority and statutory consultee by which the objection was made to put their case by way of written representations.
- 9 Following receipt of any representations made under paragraph 8 the independent person shall as soon as reasonably practicable provide the Authority and the statutory consultee by which the objection has been made with a report containing his conclusions on the direction and on the objection.
- 10 Except in an emergency the Authority shall consider the report of the independent person provided under paragraph 9 before giving, revoking or amending any general direction.