

CAAV DISPUTE RESOLUTION CHARTER

APPROVED BY THE CAAV COUNCIL ON 8TH JULY 2020

Introduction - The CAAV sees effective and appropriate dispute resolution as a fundamental and necessary part of business and social life, so that businesses and individuals can have issues resolved in a practical way that enables them to continue their affairs and preserve any continuing relationships between parties. The right approach will vary with the case and many disputes may be avoided by effective early action and negotiation. Where there is a dispute, delay, unnecessary cost, indecision and poor decision making are the enemies of resolution.

The CAAV Service - On that basis, the CAAV is now providing access to professional dispute resolution:

- across the United Kingdom
- for all forms of dispute concerning rural property and business, including but not limited to agricultural issues, other commercial and business activity and contracts, compulsory purchase and utilities work, and development contracts and projects
- using the full range of dispute resolution methods, short of the courts, from early neutral evaluation to expert determination and arbitration, together with mediation

with the object of appointing (or, as required, nominating) a dispute resolver appropriate to each case. Such a dispute resolver may be able to undertake a number of different dispute resolution roles.

Aims - The CAAV is therefore committed to dispute resolution, including arbitration, being:

- fair to and impartial between the parties
- active in offering a timely and cost-effective service
- conducted as far as possible in a robust manner appropriate to the dispute
- focused on providing a decisive answer to the dispute.

Expectations - The CAAV expects all those it appoints to resolve disputes to:

- be committed to those aims
- have a command of the relevant statute and common law and commercial practice
- be deft in use of the procedures to achieve the aims, recognising what is apt for each case
- be aware of the importance of ensuring timeliness in dispute resolution
- be robust in decision making
- be compliant with its professional standards, including its Professional Conduct Bylaw 1 set out below
- expect and require those participating in an arbitration to comply with the professional standards relevant to them.

Actions – To those ends, the CAAV will:

- establish, maintain and review panels of appropriate professionals able to be appointed to resolve disputes in accordance with this Charter
- set requirements to support its expectations of those people
- provide briefing, guidance and opportunities for their development to meet these aims.

CAAV PROFESSIONAL CONDUCT BYLAW 1

Each member shall in all points of business act professionally and with probity, diligence, honesty and integrity and shall discharge all professional duties:

- (a) with due care, attention, competence and respect for all parties
- (b) honouring, as relevant, the duties of a professional to a court, tribunal or equivalent forum
- (c) with the objective and independent exercise of professional judgement upholding and demonstrating these professional standards in that work, so as to maintain the reputation of the Association and that of the member as a professional.

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