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**Planning Inspectorate Ref: APP/M1900/V/18/3195373**

**Ratty's Lane, Hoddesdon, Hertfordshire**

**Notes of Pre-Inquiry Meeting held on 23 April 2018 at County Hall,  
Hertford SG13 8DN**

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## **Introduction**

1. The Inspector, Mrs Jennifer Vyse, welcomed everyone to the meeting and introduced herself. She explained that she was an experienced principal planning Inspector and has been appointed by the Secretary of State to conduct the forthcoming Inquiry into the application made by Veolia Environmental Services (UK) PLC to Hertfordshire County Council for planning permission for demolition of existing buildings and structures associated with existing rail aggregates use and construction and operation of an Energy Recovery Facility at 2 Ratty's Lane, Hoddesdon, for the treatment of municipal, commercial and industrial wastes; importation, storage and transfer of local authority collected healthcare waste, together with ancillary infrastructure including an administration/visitor centre; incinerator bottom ash storage shed; grid connection compound; car, HGV, bus and visitor parking areas; rail sidings improvements; weighbridges and weighbridge office; 2 portacabin offices; sprinkler tank and pump room; drainage connection to the River Lee; security fencing; landscaping and highway improvements to Ratty's Lane.
2. She confirmed that Members of the Planning and Regulatory Committee had resolved to approve the application at their meeting on 20 December 2017 subject to conditions and subject to a planning obligation dealing with a number of heads of terms. However, the Secretary of State subsequently called in the application for his determination by means of a Direction dated 1 February 2018. The forthcoming Inquiry is intended to provide the Inspector with an opportunity to gather the information and evidence necessary to write a report, with recommendations, to the Secretary of State, addressing the matters he particularly wishes to be informed about.

## **Purpose of the Meeting**

3. Mrs Vyse confirmed that the purpose of the meeting was not to discuss the merits of the proposal or to hear any evidence. Rather it was an opportunity to set out administrative and procedural arrangements to ensure that the Inquiry is carried out in an efficient and effective manner. There was no discussion as to the merits of the respective cases and no evidence was given or heard.
4. It was also confirmed that the inability of anyone to attend or be represented at the meeting did not prejudice their right to make representations at the Inquiry. Anyone who has not already indicated a

wish to speak at the Inquiry should let the Programme Officer know as soon as possible (contact details at Annex A below).

5. This Note will be circulated to all those who were present at the meeting and signed the attendance list, together with others who have indicated to date, that they wish to speak at the Inquiry. The Note should also be posted on the Council's Inquiry web site in due course.

### **Appearances at the Inquiry**

6. The applicant was represented at the meeting by **Andrew Fraser-Urquhart QC**, instructed by the in-house solicitor at Veolia. He confirmed that twelve witnesses would be called:

**Mr D Bridgwood (Veolia)** – planning matters

**Mr T Smith (Aecom)** – alternative sites assessment

**Mr R Hammond (Aecom)** – landscape and visual impact

**Mr J Crabb (Mott MacDonald)** – transport

**Mr A Maneylaws (Aecom)** – noise

**Mr S Aumonier (ERM)** – sustainability and energy

**Mr R Barrowcliffe (Clear Air Thinking)** – air quality

**Mr J Robinson (Aecom)** – hydrology

**Mr K Honour (Argus Ecology)** – ecology

**Ms H Kelly (Heritage Archaeology)** – heritage

**Mr K McGurk (Veolia)** – company matters

**Mr R Kirkman (Veolia)** – technology

7. Hertfordshire County Council was represented at the meeting by **Mark Lowe QC**, instructed by the Council's chief legal officer. He will be assisted at the Inquiry by **Jack Parker**. He will be calling two witnesses:

**Mr R Egan** – principal planning officer with the County Council

**A N Other?** – from the highway authority

8. Four parties have been afforded Rule 6(6) status for the Inquiry, which entitles them to appear at the Inquiry and call witnesses.

9. Broxbourne Borough Council opposes the development scheme. The Council will be represented at the Inquiry by **Ms Saira Kabira Sheikh QC**, instructed by the solicitor to the Council. She will be calling five - six witnesses:

**Mr D Cooper (Head of Planning and Development)** – planning and landscape

**A N Other?** – sustainability and environment issues

**A N Other?** – highways

**A N Other? X2** – impact on economy

**A N Other?** – construction of the stacks. The Borough Council is in discussion with the applicant on this matter, which may not be pursued at the Inquiry depending on receipt of satisfactory additional information that is awaited.

10. Nazeing Parish Council, also representing the parish Councils of Roydon, Stanstead Abbots and Stanstead St Mary's, opposes the development. The Parish Councils will be represented at the Inquiry by **Councillor David Joslin** (a solicitor and chair of Nazeing Parish Council planning committee). He will be presenting evidence himself and will also be calling at least four additional witnesses:

**A N Other?** – traffic

**A N Other?** – pollution

**A N Other?** – landscape matters

**A N Other?** – ??

11. The Hoddesdon Society will be represented by **James Metcalf** who will be presenting evidence himself and will also be calling three witnesses:

**Mrs Ginny Thorne** – in relation to Lee Valley Regional Park

**District Councillor Mrs Bren Ferryman**

**Dr Brian Lowe** – in relation to the chemistry of the proposed plant

**Mr Kevin Brookes (Chairman of Love Hoddesdon BID Limited)** – speaking on behalf of local businesses

12. Herts Without Waste opposes the development. The organisation will be represented at the Inquiry by **John Webb** who will be presenting evidence himself and will also be calling three witnesses:

**A N Other?**

**A N Other?**

**A N Other?**

13. Mrs Vyse reminded the Rule 6(6) parties that they are considered to be a main party to the Inquiry. As such, they are entitled to appear at the Inquiry and to examine witnesses of those parties whose position they

oppose. It was stressed that status as a Rule 6 party carries with it both responsibilities and liabilities. In general, they are expected to conform to similar requirements as apply to the main parties and behave accordingly, including compliance with timetables for the submission of proofs etc. All the Rule 6(6) parties confirmed in this regard that they were aware of the PINS guidance for Rule 6 parties.

14. Given the number of Rule 6(6) parties to this Inquiry and the potential for unnecessary repetition of evidence, Mrs Vyse suggested that they work together so that the evidence of each covers discrete topics if at all possible.
15. Mrs Vyse was also aware of requests **from County Councillor Tim Hutchings, Tom Carroll and Carol Wright** who had all indicated that they also want to give evidence to the Inquiry. They were not represented at the meeting but a copy of this Note will be forwarded to them.
16. Mrs Vyse asked that a printed 'team sheet' for each party be handed up at the start of the Inquiry, setting out the details of those presenting the case for each party (including those instructing them where appropriate) together with the names of the witnesses to be called and their current position (if relevant). The details for the witnesses should include any relevant qualifications. Anyone speaking for an organisation will also need to provide their position and their authority to give evidence for that organisation.

### **Programme Officer**

17. At Mrs Vyse's request, the applicant and the County Council had agreed to appoint a Programme Officer to assist with the running of the Inquiry. Details of the relevant person were not available at the meeting, but it was hoped to employ someone from an independent company. As soon as details are available, they will be forwarded to all those concerned and will be posted on the Council's web site. In the meantime, any queries should be directed through the PINS case officer as per the attached details.
18. It was confirmed that the Programme Officer would be impartial to the proceedings in order that the principles of natural justice are not prejudiced. Their role would be to act as an impartial officer of the Inquiry and they will be directly responsible to the Inspector. In order to help with the smooth running of the Inquiry, their main tasks, once appointed, are likely to be:
  - Dealing with procedural queries relating to the programme and running of the Inquiry
  - Setting up and maintaining the Inquiry library
  - Maintaining the Inquiry web site
  - Ensuring that documents received during the Inquiry are recorded and distributed
  - Updating the Inquiry programme as necessary

## **Inquiry Venue**

19. Whilst there was a suggestion from one of the Parish Councils that a local theatre might be an option as a venue, they themselves clearly considered that it was unlikely to be large enough. That left the two Council chambers offered, one at County Hall and the other at Broxbourne Borough Council offices. With the agreement of all those present, I went to look at the two Council Chambers after the meeting closed, accompanied by representatives of various parties. Each of the accommodations had pros and cons but on balance, the County Hall option presented the better of the two alternatives. Nevertheless, there are still some drawbacks. The parties agreed therefore to look at the possibility of using other venues. Final details in this regard will be forwarded as soon as possible.
20. Given the level of public interest, it was agreed that an evening session should be programmed in to allow for those local residents to take part in the proceedings who would otherwise not be able to do so because, for example, of day time commitments. The date and venue for that will be confirmed in due course.

## **Inquiry Programme and Procedure**

21. The Inquiry is scheduled to sit for some 20 days, opening at 10.00am on Tuesday **19 June 2018**. Following on from day one, the Inquiry is likely to resume each day at 09:30 hours, sitting until somewhere between 17:00 – 18.00 or thereabouts, other than on Fridays, when the Inquiry is likely to adjourn around lunchtime to allow for travelling. The Inspector stressed that those end times are not fixed – the Inquiry may finish earlier on some days, and/or sit later on others, depending on where the Inquiry is in terms of the presentation of evidence towards the end of any particular day. The Inquiry will adjourn for lunch each day, some time between 13.00-14.00 for approximately 45 minutes, and there will be short mid-morning and mid-afternoon breaks.
22. As mentioned above, it was agreed that an evening session would be appropriate in the circumstances. The evening session will be a formal part of the Inquiry and is not a public meeting. As such, all speakers will need to observe the normal rules of Inquiries, addressing the Inspector rather than the public at large. It should be noted that, as is usual practice, the witnesses heard in the day sessions would not be available at the evening session for cross-examination. The evening session will be publicised by means of a later note and on the Inquiry web site when it is set up. Anyone wishing to speak at the evening session will need to provide their name and contact details in advance to the programme officer, who will collate a list of participants. The Inspector made it clear that whilst she fully recognises that local residents will have genuine and deeply held views which she is keen to hear, participants should avoid, if at all possible, repeating points already made by others. The advice at Annex B below should be read by anyone wishing to take part in either the day time or evening sessions.
23. Based on the very rough estimated timings given at the meeting, it will need to co-operation of everyone involved to ensure that we get through all we need to within the allotted sitting days (currently 19-22 June, 26-

29 June, 3-5 July, 10- 11 July, 24-27 July, 31 July-2 August 2018) in order to avoid any adjournment until later in the year or possibly even to next year. It was confirmed, in this regard, that key persons to the Inquiry were not available the following week to accommodate any overrun. You should be advised that in addition to the above previously advised sitting days, Mrs Vyse could also sit until lunchtime on Thursday 12 July and on Friday Those additional days should be reserved if at all possible. It may be that the Inquiry could also sit on some of the Monday afternoons if necessary, to increase sitting time. That will of course depend on the availability of the parties. Again, the Inspector stresses the need for examination in chief and cross-examination to be focussed and to the point.

24. The applicant and the Council confirmed that they would be making opening statements. Mrs Vyse suggested that the Rule 6(6) parties should consider working together if at all possible, to present a single opening statement, aimed at reducing the potential for unnecessary repetition. In any event, you should be mindful that opening statements should be brief, extending to no more than 10-15 minutes as a maximum and should do no more than to outline your respective cases. A hard copy of those statements will need to be handed up on the day via the Programme Officer, with an electronic version in word format to be emailed to the PINS Case officer, Mr Salter (contact details at Annex Annex A below) as soon as practicable thereafter.
25. In terms of a general running order, Mrs Vyse will hear from interested parties who wish to speak to the Inquiry immediately after hearing opening statements. That often suits those who have taken time out from work, or who may have other commitments. As mentioned earlier, those who are unable to attend the Inquiry during the day for some reason, will have the opportunity to speak at the evening session. Following that, given that the local planning authority does not oppose the application, the Inquiry will hear first from the Rule 6(6) parties who will liaise between themselves as to the order of their appearance. Next will be the evidence of the County Council, followed by the evidence of the applicant. On conclusion of hearing the evidence, the Inquiry will then look at the provisions of the planning obligation and possible conditions were the permission to be granted by the Secretary of State.

### **Submission and exchange of proofs etc**

26. To ensure that all the parties, and the Inspector, have sufficient time to read and assimilate the evidence, main proofs will need to be exchanged no later than close of play on **22 May 2018**. The Rules governing the submission of evidence apply to the main parties (the County Council and the applicant and to all four Rule 6(6) parties).
27. It was agreed that the main parties and the Rule 6(6) parties would facilitate a direct exchange of evidence between themselves and that whilst hard copies of the main proofs would be required, appendices could, for the most part be provided electronically. However, one hard copy and one electronic copy of a full set of proofs and any appendices for each party is also to be submitted to the PINS case officer. Two additional full hard copy sets are to be sent to the Council to form part of the Inquiry Library, with one set to be kept available for inspection at

County Hall, the other set to be kept at Broxbourne Borough Council offices, until the Inquiry opens. Immediately prior to the Inquiry opening, both those sets of documents are to be transferred to the Inquiry venue where they will be managed by the Programme Officer.

28. All parties were reminded that the Rules governing Inquiries do not include provision for the submission of rebuttal statements and the Inspector confirmed that she certainly do not want to encourage any. However, if a *brief* rebuttal is necessary in order to save inquiry time, copies should be provided for each of the parties and herself along the same lines as for the main proofs, no later than **5 June 2018**. It was stressed that it is very important that any rebuttal proofs did not introduce any new issues.
29. To devise a meaningful Inquiry programme, the parties are to advise the PINS case officer of estimated timings for each part of their respective cases no later than **5 June 2018**. Timings should include openings, closings, the time required for evidence in chief with each of their witnesses and timings for cross examination of any witnesses. Careful thought will need to be given to these timings. Again, the parties should bear in mind the need for focus. All parties are also requested to submit the order in which they intend to call their respective witnesses by the same date. In addition, the Rule 6(6) parties will need to confirm the order in which they will be appearing, again by **5 June**.
30. In terms of the preferred format and content of proofs and other material, a handout was distributed at the meeting. A copy is attached hereto for reference (Annex D). In order to make best use of Inquiry time, parties were reminded that when introducing witnesses, any reading from proofs should be confined to the pertinent parts of any summary or conclusions section of the main proof and then, only to the matters of relevance to the points at issue, although cross-examination will have regard to the full content of the main proofs.
31. It would be helpful if any other interested persons who wish to speak at the Inquiry marshal their thoughts beforehand and put them down on paper, to be submitted along the same lines as set out above by **29 May 2018** if at all possible. More detailed advice for interested parties is set out in Annex B below.
32. Mrs Vyse confirmed that she would need a hard copy of the respective closing submissions, which will also need to be provided electronically via the PINS case officer and will need to be in Word format. It was stressed that the closing submissions will form the basis of the summary of the respective cases in her Report and should include relevant references and cross-references. Mrs Vyse confirmed that she would endeavour to arrange the programme to allow time for all parties to prepare closing submissions.

### **Core documents/Inquiry documents**

33. The main parties and the Rule 6(6) parties agreed to liaise on a list of Core Documents, a hard copy set of which will form part of the Inquiry library. A further set should also be submitted to PINS for forwarding to

the Inspector by **29 May**. That set will be submitted with her eventual report to the Secretary of State.

34. It was confirmed that the Inquiry library would include copies of the proofs and appendices of those taking part and the core documents. The library will be maintained at the respective Council offices as set out above and will be moved to the Inquiry venue for the duration of the event.

### **Statements of Common Ground**

35. At the time of the pre-Inquiry meeting, no statements of common ground had been submitted, although I was advised that one was being prepared between the appellant and Broxbourne Council.

36. The Inspector suggested that statements of common ground between the following may also be useful in helping focus thoughts:

Applicant and Herts CC as planning authority  
Applicant and Herts CC as highway authority  
Applicant and the Environment Agency in relation to hydrogeology and groundwater  
Applicant, the Environment Agency and the Local Lead Flood Authority in relation to hydrology and flood risk  
Applicant, the Lee Valley Country Park and the Canal and River Trust

37. In addition, the PINS guidance indicates that where there is more than one Rule 6(6) party, it can be helpful if they can jointly produce a statement of common ground. Again, given the number of participants here, Mrs Vyse was of the view that such a statement would help to focus thoughts at the Inquiry.

38. Mrs Vyse did not set a date for submission of any Statements of Common Ground but they should be prepared and submitted without delay, allowing the proofs of evidence to focus on material differences.

### **Preliminary matters for consideration at the Inquiry**

39. A considerable amount of correspondence was submitted in response to the planning application, with further correspondence being submitted by interested parties following the calling in of the application. That body of correspondence raises a range of issues, as do the various statements of case that have been submitted and the officer reports.

40. It was confirmed at the meeting that an application for an Environmental Permit had been submitted. It was being progressed by the Environment Agency but some further information was required. It was hoped that a draft permit would be approved over the summer. The applicant agreed to keep PINS notified of progress.

41. From a preliminary look at the material before her, and having regard to the Direction letter, the Inspector announced that the following matters should be covered by the various proofs/Statements of Common Ground. Parties should bear in mind though, that these are not hard and fast and just represent her initial thoughts based on what she has read so far.

Considerations of interest to the Secretary of State are likely to include, but are not confined to:

- the extent to which the development proposed is consistent with the development plan for the area, in particular the Hertfordshire Waste Development Framework (Waste Core Strategy and Development Plan Policies Development Plan Document 2011-2026) adopted in November 2012 (*that would include considerations of need and location, loss of the aggregates depot, relationship with the adjacent Green Belt and alternative site assessment*)
- the extent to which the proposed development is consistent with the National Planning Policy for Waste, the Waste Management Plan for England, the revised Overarching National Planning Policy Statement for Energy (EN-1) and the National Planning Policy Framework, including delivery of the Government's climate change programme
- adequacy of the Environmental Statement
- landscape and visual effects, including heritage and the historic environment
- transport and movement
- ecology and nature conservation
- air quality, noise and vibration
- land stability and contamination
- hydrogeology and groundwater
- hydrology and flood risk
- Health Impact Assessment
- Socio-Economic effects
- any benefits to be weighed in the planning balance, including any implications of not proceeding with the scheme

42. Those present agreed that the list was comprehensive.

### **Planning Obligation**

43. The Council's resolution to approve the application was subject to the applicant entering into a planning obligation to secure a number of matters including removal of all Incinerator Bottom Ash (IBA) by rail to a dedicated facility to enable it to become secondary aggregate; the installation of pedestrian dropped kerbs and tactile paving at the Essex Road/Pindar Road junction; a commitment to review future Combined Heat and Power (CHP) opportunities and the viability of connection of such a facility to end users; diversion of Footpath 59 in order that it follows the canal towpath; and financial contributions towards access improvements onto Essex Road, towards visitor infrastructure

improvements within the Nature Improvement Area at Glen Faba, towards towpath improvements and towards the Stort Valley Meadowlands Project.

44. Mrs Vyse confirmed that she would be content to have a final draft before her to inform the related discussion at the Inquiry, with a signed and dated copy to be submitted shortly afterwards, in accordance with a timescale to be agreed at the end of the Inquiry. That would facilitate any alterations that might be necessitated during the related discussion. That final draft, together with the relevant office copy entries, should be submitted at the same time as the proofs, on **22 May 2018**.
45. The County Council was advised that she would also need a detailed statement from the Council setting out how each of the obligations secured complies with the requirements of the Community Infrastructure Regulations (Regulations 122 and 123) and the tests set out at paragraph 205 of the National Planning Policy Framework. In particular, it will need to include a detailed justification for each of the obligations, including any policy support and, in relation to any financial contribution, the statement should set out how it has been calculated and exactly where, and on what it would be spent. Confirmation will also be required that any financial contributions would not offend the Regulations relating to pooled contributions. The statement should be submitted with the draft obligation on **22 May 2018**.

### **Conditions**

46. Regardless of the Inspector's eventual recommendation to the Secretary of State, the Inquiry will have to look at conditions that he may wish to consider if he were to grant planning permission. To that end, as set out above, after hearing all the evidence, the Inquiry will discuss possible conditions on a 'without prejudice' basis. It is a normal part of Inquiry proceedings and means that any conditions that might be imposed have been fully examined. The main parties confirmed that the conditions that formed part of the report to the Development Control Committee in December 2017 would be relied upon to inform the relevant discussion.

### **Site Visit(s)**

47. The Inspector confirmed that she would be visiting the area on an unaccompanied basis in advance of the Inquiry in order to familiarise herself with the location of the site and its surroundings. She would not go onto any private land nor enter any private property during that visit. However, she will need to make an accompanied visit at some stage.
48. Two people from each of the main parties and the Rule 6(6) parties indicated a wish to attend. Given the numbers involved, it was agreed that a minibus would be required. The applicant and the County Council would liaise to sort that out. No particular date for the visit has been agreed at the present time, although an obvious opportunity would be the afternoon of the day on which the evening session is scheduled.
49. All parties agreed to liaise in terms of an itinerary for the visit which will, in turn, give an indication of the likely time required.

50. It was made clear that whenever the visit takes place, the Inspector would not hear any discussion or evidence relating to the merits of the parties' cases– it simply provides an opportunity for her to look in detail at the site itself and the surroundings. A view will be taken during the Inquiry, as to whether there might be any need for a further visit.

### **Any other procedural matters**

51. As evidenced by the correspondence seen to date, there are clearly underlying frustrations and tensions, with local feelings running high. The Inspector stressed, in this regard, the need for all those taking part in the Inquiry to be able to do so without fear of abuse or harassment and that participants should be treated with courtesy and respect. The Inquiry will have the advantage of experienced advocates who are fully aware of their duty to assist the Inquiry. The witnesses also have a professional duty to help the Inspector on matters within their expertise. That duty overrides any obligation to the person who has instructed that witness.

52. As to members of the public, a public inquiry has a formality and the procedure differs markedly from a public meeting. Those wishing to speak will have the opportunity to do so at the appropriate time. Participants may well hear much that they disagree with. However, all need to be patient listeners and refrain from interruptions in any form, and from expressions of support or disagreement with the views of those speaking at any particular time. The Inspector also confirmed that no placards, leaflets or the like would be permitted within the Inquiry venue.

53. Mr Webb from Herts Without Waste confirmed that they wished to video parts of their evidence as it was being given. No-one present objected to the request and Mrs Vyse confirmed that, in principle, that would be acceptable on the proviso that if it became disruptive to the smooth running of the event, or influenced proceedings in anyway, she would ask for it to stop. She also advised Mr Webb that copies would need to be provided to the Inspector and any other party who may require one. A number of parties, including the applicant, the County Council and Broxbourne Council indicated that they would require a copy.

54. Herts Without Waste also commented that part of their case related to climate change considerations which in their view were not addressed adequately in the Environmental Statement. Mrs Vyse referred to the list of potential main considerations set out, which included adequacy of the Environmental Statement.

55. No other matters were raised and the meeting closed at 11.50am. Accompanied by members of various parties, Mrs Vyse then inspected the Council Chamber and the facilities at Broxbourne Council, as set out earlier, as well as looking at a function room in a nearby hotel.

56. The Inspector would like to thank all parties for their assistance during the meeting and looks forward to the Inquiry itself being conducted in the same spirit and good humour.

*Jennifer A Vyse*

INSPECTOR

## **Annexes appended to these Notes**

**Annex A** – Contact details

**Annex B** – Guidance for interested parties

**Annex C** – Content and format of proofs

**Annex D** – Key dates

## **Annex A**

### **Contact Details:**

#### **Planning Inspectorate Case Officer**

Mr Tim Salter  
Planning Inspectorate  
Room 30 Kite Wing  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol  
BS1 6PN

Tel: 0303 444 5520

Email: [Tim.salter@pins.gsi.gov.uk](mailto:Tim.salter@pins.gsi.gov.uk)

## **Annex B**

### **Summary guidance for interested parties:**

Inquiries are open to members of the public and, although you do not have a legal right to speak, the Inspector will normally allow you to do so - local knowledge and opinion can often be a valuable addition to the evidence given by the applicant and the Council. If you do wish to speak at the forthcoming Inquiry, you should provide contact details to the Programme Officer. The simplest way is by email or letter before the Inquiry (contact details in Annex A above) but equally effective would be by turning up at the opening of the Inquiry on the first day and giving details then. If there are difficulties for you in terms of timing and other commitments, you may wish to appoint someone to speak on your behalf. Although the Inquiry programme has yet to be prepared, it is anticipated that interested parties would be heard on that opening day or, if day time attendance is difficult, during the planned evening session.

As set out at paragraph 31 above, it would be helpful if any interested persons who wish to speak at the Inquiry marshal their thoughts beforehand and put them down on paper, to be submitted by **29 May 2018** if at all possible. However, that is not to say that anyone who does not do so would not be able to speak at the Inquiry, but Inquiries are not the place to spring surprises. If a statement is not provided electronically or on paper, then the resident will need to speak slowly, at 'dictation speed', when appearing so that the Inspector can make notes.

No matter how strongly people feel about this proposal, there is nothing to be gained by a procession of people all saying the same thing. On the day, it might be that some residents decide that their point has been made already and that it did not need to be repeated. Repetition should be avoided. Residents might face questions from the applicant's advocate but this often does not take place at residents' sessions and, in any event, the Inspector will ensure that there is no aggressive questioning. Residents may also ask questions of the applicant's witnesses. Any such questions must be relevant to the evidence that particular witness has given and should not repeat questions that have already been asked.

Further more detailed information for interested parties can be found on the Planning Portal, including:

#### **Procedural Guide: Called-in planning applications – England (23 March 2016)**

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/509807/Procedural\\_Guide\\_Called\\_in\\_applications\\_v3\\_23\\_03\\_16\\_MASTER.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/509807/Procedural_Guide_Called_in_applications_v3_23_03_16_MASTER.pdf)

and

#### **Guide to taking part in planning and listed building consent appeals proceeding by an Inquiry – England (April 2016)**

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/514292/taking-part-planning-inquiry-April-2016.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/514292/taking-part-planning-inquiry-April-2016.pdf)

## **Annex C**

### **Content and Format of Proofs and Appendices**

#### Content

Proofs of evidence **should**:

- focus on the issues of remaining dispute following the statements of common ground;
- be proportionate to the number and complexity of issues and matters that the witness is addressing;
- be concise, precise, relevant and contain facts and expert opinion deriving from witnesses' own professional expertise and experience, and/or local knowledge;
- be prepared with a clear structure that identifies and addresses the main issues within the witness's field of knowledge and avoids repetition;
- focus on what is really necessary to make the case and avoid including unnecessary material, or duplicating material in other documents or another witness's evidence;
- where case law is cited, include the full Court report/ transcript reference and cross refer to a copy of the report/ transcript which should be included as a core document.

Proofs **should not**:

- duplicate information already included in other Inquiry material, such as site description, planning history and the relevant planning policy;
- recite the text of policies referred to elsewhere: the proof need only identify the relevant policy numbers, with extracts being provided as core documents. Only policies which are needed to understand the argument being put forward and are fundamental to an appraisal of the proposal's merits need be referred to.

#### Format of the proofs and appendices:

- Proofs to be no longer than 3000 words if possible. Where proofs are longer than 1500 words, summaries are to be submitted.
- Proofs are to be spiral bound or in such a way as to be easily opened and read.
- Appendices are to be bound separately.
- Appendices are to be indexed using **projecting tabs**, labelled and **paginated**.
- Front covers to proofs and appendices are to be clearly titled, with the name of the witness on the cover and numbered.

## Annex D

### Key Dates:

<b>Action</b>	<b>Timetable</b>
Submission and exchange of proofs of evidence (Applicant, County Council and all Rule 6(6) parties)	22 May 2018
Draft planning obligation and CIL compliance statement	22 May 2018
Written statements of other interested parties who wish to speak (if speaking from a written statement) if possible	29 May 2018
Submission of Core Documents	29 May 2018
Time estimates (opening and closing statements, evidence in chief, cross examination of other parties' witnesses) to enable an Inquiry programme to be drafted	29 May 2018
Order of witnesses and order of Rule 6(6) parties	5 June 2018
Submission of any necessary rebuttal proofs	5 June 2018
Inquiry opening	19 June 2018
Evening session	TBA