

Briefing Note: Participation at the Hearing Sessions

The Examination in Public (EiP) of the Bridging Island Plan involves a full and demanding programme of matters to consider. Unlike previous Island EiPs, the Inspectors are considering both public representations and States Members amendments at the same time, alongside the responses to these from the Minister.

The Inspectors are issuing this briefing note to advise participants how the hearing sessions will be run and it will also be of interest to those who wish to observe proceedings. This briefing note is intended to supplement the Guidance Note from the Inspectors, which has been further updated and republished on 4 November 2021 (previously published 22 September; 11 and 18 October 2021).

1. Practical Matters on the Day

- On arrival at the EiP venue, participants will be asked to sign the attendance register. For the thematic hearing sessions, participants will be handed a nameplate.
- There will normally be short breaks during the morning and afternoon sessions; the length and timing of breaks will be flexible depending on the progress of the debate.
- All mobile phones etc must be switched off while the EiP is in session.
- All sessions will be open to the public to observe. Participants may also attend, as observers, any session to which they have not been invited, but they will not be able to take part in the discussion. Please note a seat at the venue to observe the proceedings cannot be guaranteed or reserved and will be on a first come first served basis. However, all proceedings will be live streamed and recorded. An event risk assessment is being undertaken to review COVID-19 safety at the venue and any mitigation actions necessary will be implemented as appropriate.
- Other than the official recordings and photography, no video and sound recording or photography is permitted during the EiP.
- Participants should not engage with the Inspectors except during the sessions, when invited to do so.

2. Round Table (Thematic) Hearing Sessions

- The thematic hearing sessions have been split into an **AM session starting at 10.00** and a **PM session starting at 2:00**. The times will be the same for each day. There will be a lunch break of around 60 minutes between the morning and afternoon sessions. The Inspectors will make every effort to keep to the programme; however, last minute changes may be unavoidable (see also Section 4 below).
- On the first day, the Inspectors will make a brief opening introduction, setting out the purpose and format of the hearing sessions as well as any other relevant procedural and administrative matters. Following the introduction, on the first day the Minister for the Environment (represented by the Island Plan Review Team) will make a statement. Thereafter, each hearing session will follow the programme and list of matters and issues/questions set by the Inspectors.
- The examination will take the form of a discussion led by one of the Inspectors and based on the selected matters. The Inspectors will control the proceedings, adopting an

inquisitorial approach and explore matters and issues/questions by questioning participants.

- Participants will sit at tables arranged in a U-shape. Each organisation, group or individual participating in a particular session will have one speaking point at the table, occupied by one spokesperson at a time. Any additional representatives will need to seek to sit in public seating in as close proximity as practicable to the table (subject to seating availability) and “hot-seat” at an appropriate time if necessary.
- The EiP Programme sets out the specific participants that will be required at the table for each session. For certain sessions, all participants will not sit at the table for the entire duration of the session. However, all participants should be present at the start time of the session. There may be a changeover of participants before moving onto the next issue/question (as set out in the EiP Programme). Where there is a changeover during the hearing session, there will be a short pause to proceedings to enable the relevant participants to leave or join the table. If participants are not scheduled to participate in any further discussion on the issues/questions, they may leave the venue, providing disruption is kept to a minimum.
- The Inspector will draw participants into the discussion in a logical order, reflecting their likely contributions. The representative of the Minister for the Environment will be invited to respond at appropriate points.
- Participants wishing to speak should signal their desire to the Inspectors by standing their nameplate on end. Participants will be asked to introduce themselves every time they speak, unless the Inspectors have called upon them by name.
- Contributions to the debates should be kept brief and be relevant to the matter under discussion. The Inspectors will curtail any contributions that are excessively long, or go into irrelevant matters or inappropriate detail.
- There may be no need for every participant to speak during a discussion. For example, there will be no need to take time repeating or agreeing with matters that have already been covered by others, or in the written material already submitted.
- The Inspectors will be eliciting information that may add to, not repeat, what has already been clearly set out in the initial and further representations (which will be taken as read). Participants will not be permitted to submit and/or circulate additional material at the examination, unless this results from a request by the Inspectors.
- The Inspectors will expect participants to have read the documents relevant to a particular session. The reading out of prepared statements, or the formal presentation of evidence already submitted will not be permitted.
- The informal nature of the sessions means that it will not be necessary for participants to have legal representation. There will be no formal cross-examination of participants. Any questions concerning statements made by other participants should be raised through the Inspectors.
- When discussion on an issue has reached the point at which no more is likely to be said to assist the Inspector’s conclusions, the Inspector will move on to explore the next issue. Therefore, given the volume of matters to get through, specific timings within each morning and afternoon session have not been given.

- There is an expectation that all participants will respect the parameters set by the Inspectors in order to ensure the effective running of the EiP.

3. Plenary Session

- The Inspectors recognise the Plenary Session provides an important and open opportunity to address the Inspectors.
- Separately from the round table (thematic) sessions, anyone who has made a representation on the Plan, but has not been invited to contribute on a particular matter at the thematic sessions, has been given the opportunity to express their intention to appear and be heard at the Plenary Session.
- The session will be as informal as possible. The Plenary Session will not take the form of a debate, rather each person will be invited to address the Inspectors in turn, for a period of up to five minutes.
- The Inspectors may ask questions and the Minister for Environment or his representatives will be invited to respond to the points made.
- Participants should bear in mind that the Inspectors will have already read the representations in full. There is likely to be no practical value in simply repeating verbally what has already been submitted in writing, since written representations and verbal representations will be afforded equal weight.

4. Programme and Participant Changes

- It is anticipated that the published 4 November 2021 EiP Programme will not be subject to further substantive changes. Should any revisions become necessary, participants will be informed by the Programme Officer. However, it remains the ultimate responsibility of participants to ensure that they keep themselves up to date.
- Participants who have been invited and have agreed to attend are expected to attend all sessions concerning the matter(s) for which they have been selected. Should a participant become unable to attend a session, they are asked to notify the Programme Officer as soon as possible beforehand. Organisations may substitute a named individual with another named person at any stage before the EiP, and should notify the Programme Officer if they intend to do so. Similarly where an individual has been invited but find they are unable to attend, a representative on their behalf may be put forward for consideration by the Inspectors by notifying the Programme Officer.