

Inspector's Second Note

Amended Application and Related Changes

Changes have occurred since I wrote my preliminary note. The purpose of this second note is to provide an update and some additional information.

The application has evidently been amended. The revised application has been advertised and I understand that this happened on 6 December. Allowing for the new period for statements of case to be submitted after advertising, I am now setting the closing date for submission of statements of case as 5 January 2017. Then proofs of evidence should be submitted by 11 January.

I am making these changes using the powers available to me under Article 4 of the Public Inquiries Order to extend any period within which anything shall or may be done under the Order. The timescales are tight, but the intention is to enable the inquiry to be started on the scheduled date whilst allowing for the procedural changes resulting from the late amendment to the application.

A statement of case has been submitted by the applicant, so there does not appear to be any need for a further statement from the applicant. Other parties should submit their statements of case to the Programme Officer by or before the new closing date. Earlier submission would obviously be preferable because of the Christmas and New Year period.

Submission and Exchange of Proofs of Evidence and Related Documents

The following applies to all proofs of evidence and related documents such as annexes or plans.

Send to the Programme Officer: An electronic copy and one paper copy of all documents. The paper copy is for me to use. (The PO's email address is: ac.self@blueyonder.co.uk. The address for post or courier dispatch is: Homefield House, Homefield Road, Saltford, Somerset, Bristol BS31 3EG. Telephone: 01225 872654. Notification by email of the time of post or courier dispatch would be helpful.)

Send to the Department of Environment: Ditto - the paper copy is for use as an inquiry "library", which may be deposited during the period before the inquiry either at the DoE or at a Parish Office (depending on arrangements which might be made by the DoE) for use by local people, particularly those who may not have internet access. This paper copy will then be held at the inquiry venue for public reference use (and possibly as a spare) during the proceedings.

Exchange between parties: It seems to me that the most sensible way for all the parties in Jersey to have copies of each other's documents is by mutual exchange. All parties should contact each other to establish the most convenient way of ensuring that

suitable and sufficient copies of documents, whether electronic or paper, are exchanged by or before the due dates. Please let the Programme Officer know if any problems arise. She will distribute a list of numbered documents later so that inquiry participants can then add the numbers to their documents for reference purposes during the inquiry.

Other Points on Proofs of Evidence

I do not think it necessary in this case to set out detailed instructions or requirements about the format of proofs of evidence, but would ask those involved to note the following.

Any proofs longer than about 1500 words should have a summary of not more than about 1500 words. The intention is that at the inquiry, the summary may be read out so that the gist of the evidence is apparent to any members of the public present, although the main proof, together with any annexes, plans etc, will be referred to and remains the evidence for purposes such as testing by questioning.

The paper copies of proofs should be bound so that they can be opened flat (ie not using a sliding grip binder). Most spiral binders are satisfactory, or a simple hole-punch with a string tag may be suitable. If possible, it is best to avoid lever-arch files and metal clip ring-binders as the metal parts can become easily bent out of alignment during packing and transport.

If after receiving another party's proof of evidence any party considers it would be useful to submit a rebuttal proof (ie a document setting out written points to rebut another party's evidence), in view of the tight timetable any rebuttal proof should be submitted as soon as possible, to reduce the prospect of applications for adjournments which may arise if any inquiry participant needs time to study or take instructions on late rebuttal evidence.

If anyone feels that further information or guidance about proofs of evidence would be helpful, please email the Programme Officer.

Other Timing Matters and Inquiry Sequence

Because of the timing I have mentioned above, the opportunity for me to issue an inquiry timetable after receiving statements of case will be limited. At present I do not know how many parties or witnesses intend to appear, and I may not know that until January; but I hope to issue at least an outline timetable in due course. As a rough guide, my current intention is to hear the applicant's case first, then the case for the Department of Environment, then the cases for other parties. There will be session towards the end of the proceedings to discuss possible conditions, and an opportunity for all parties to make closing submissions.

The inquiry is currently due to open at 10.00 am on Tuesday 24 January. Please note that for reasons relating to Flybe altering their winter schedule at short notice and cancelling flights which I had booked, there is just a possibility that the start time of the

inquiry may be later in the day on the Tuesday. This is only a possibility at present but I mention it here so that all involved may be alert to it. If there were to be any alteration to the scheduled start time I would obviously make every effort to inform all parties.

I have seen the application site, but only briefly. I had planned to carry out a site inspection (or inspections, possibly also including alternative sites mentioned in evidence) during the afternoon of Monday 23 January, before the inquiry. It is now likely that I shall carry out an inspection or inspections during an adjournment, which I would hope to insert at a suitable time, probably after having heard all or most of the evidence but before closing submissions. This will need to be in daylight.

For the Additional Attention of Local Residents or Other Interested Parties

At the time of writing I am aware of four letters which have been submitted by people who appear to be local residents commenting on the application. (I write "appear to be" because the address details in the letters I have seen on the inquiry website have been deleted, presumably for security reasons; so I cannot at present tell where the letters have come from.) If any other people with an interest in this proposal wish to put forward submissions or evidence for consideration, please do so to the Programme Officer - the sooner the better! Please also let the Programme Officer know as soon as possible, preferably by email, if you wish to take part in the public inquiry.

Graham Self
Inspector
8 December 2016.