

Inspector's Third Pre-Inquiry Note - Inquiry Timetable and Other Matters

Inquiry Timetable

I have now received statements of case for the applicant (the Minister for the Department for Infrastructure) and for the Department of Environment. From these statements, I have some information about the number of witnesses likely to be giving evidence and the topics to be covered. However, there are still several unknowns - two examples are: (i) I am not sure how many witnesses the DoE intend to call; (ii) there was an earlier indication from the applicant that the highways section of the DFI would be represented by an officer of the department, but the Programme Officer has not received any statement from the highways section.

A further unknown at present is the amount of time which may be needed to discuss possible conditions (see below). Depending on their number, scope and content, this topic might take anything from half an hour to half a day of inquiry time.

In these circumstances it is not feasible to set out a detailed inquiry timetable; so I provide here an approximate guide to the likely sequence. I propose to invite the applicant to present its case first, then the DoE, then any other parties. This sequence might be varied if necessary for the sake of efficiency or if, say, a witness would have great difficulty attending at a particular time.

The sequence of topics can be decided by the main parties themselves, but it appears logical for the evidence to be presented in the order set out in the applicant's statement of case, which is:

- The need for a new school (2 witnesses).
- Consideration of alternative sites.
- Landscape and visual impact.
- Design.
- Transport impact.
- Consideration against planning policies.

I have not yet seen any proofs of evidence, but my general intention is that most of the evidence will be taken as read, with witnesses being invited to summarise the main points of their evidence orally or by reading out a summary. Even so, the applicant's evidence will probably take the inquiry well into the second day. Depending on progress I may fit in the site inspection(s) on the morning of the third day. From the information currently available it is difficult to judge whether it will be possible to complete the inquiry within three days.

A key purpose of the inquiry is to enable evidence to be probed and tested by questioning as appropriate. The applicant and DoE will have the opportunity to put questions to each other's witnesses and I shall also question witnesses where I consider it necessary. This is known as "cross-examination" but is not intended to be as formal as in court proceedings.

The main parties will also each have an opportunity to make opening and closing submissions. The purpose of closing submissions in this type of inquiry is normally to summarise the main points of a party's case, having regard to matters which have arisen during the proceedings. Though not essential, a written note of closing submissions can often be helpful.

Daily Timing

The inquiry sessions will normally be from 10.00 to about 17.00 with a lunchtime adjournment of about an hour and possibly other short breaks. These times are not precise and may change, for example to avoid unsuitably interrupting a sequence of evidence or questions.

Possible Conditions

I understand that the applicant and DoE are jointly preparing a schedule of suggested conditions which could be imposed if planning permission were to be granted. Possible conditions will be discussed at some stage towards the end of the inquiry. This is a matter of standard practice, since whatever my recommendation, the decision will rest with the Minister for the Environment and it is necessary for me to provide advice in my report about what conditions would be appropriate if he is minded to grant planning permission.

The schedule of agreed suggested conditions should be submitted to me through the Programme Officer well before the inquiry.

Site Inspection(s)

I shall carry out an inspection of the site and surroundings, and possibly of other sites mentioned in evidence, at a time which will be announced during the inquiry. My provisional intention is to do this after I have heard all or most of the evidence but before closing submissions, so that I would have the chance of raising during the inquiry any questions arising from the inspection.

Other Parties

The Programme Officer has not so far been made aware of any other parties (that is to say, apart from the two main parties mentioned above) wanting to participate in the inquiry. One person has enquired in an email about the possibility of an evening session being held. In principle I am willing to consider this possibility if suitable arrangements can be made and subject to venue availability, but the person who raised this matter has not replied to two emails from the Programme Officer or supplied any telephone number. At present I am not planning to hold any evening session.

I repeat the request made in a previous note on the inquiry website - if any person or body other than the applicant and DoE wishes to take part in the inquiry please contact the Programme Officer, preferably by email, as a matter of urgency giving full contact details.

Graham Self MA MSc FRTPI
Inspector
6 January 2017