

### **Inspector's Note No 3: Matters arising at the adjournment**

I have prepared this short note to confirm and in one minor way extend the timetable that was agreed at the end of the session yesterday (Wednesday) prior to the adjournment.

\*By Friday 8 February my rulings will be circulated to all parties.

\*By midday 1 March, in consideration of both my rulings and what it now understands to be the appellant's evidence, the Council will respond to the Planning Inspectorate case officer to explain its position with regard to the notices (are any/all to be withdrawn?) and any additional evidence that it considers will need to be called (nature, documents to be produced and number of witnesses as required by the Rules and when this would be available). Hopefully, this response can then be circulated that afternoon.

\*By midday 8 March ALL parties (except the Council) should respond to the case officer in consideration of the rulings and the Council's position with similar details of any new evidence they consider will be required and full details of documents etc again in line with the Rules. Again, I would hope these responses could be circulated to all that afternoon.

\*By midday 15 March ALL parties should then provide realistic estimates of the time to present their cases and cross examine the other side. In doing so, it should be assumed that all openings and closings will be in writing (but will still need to be read albeit at pace) and evidence will be taken as read. As applications for costs have also been indicated these and the responses to them should be in writing but time must be allowed for any additional points to be made. It would also assist if advocates' known availability could be provided.

\*As appropriate, the Planning Inspectorate will then arrange for the resumption of the Inquiry on the basis of the time estimates given and, with regard to the spirit and letter of the Rules, a timetable for the submission of any new material will be set out. This will include the submission of a Statement of Common Ground which should include the views of the Rule 6 parties and which will be timed to be available in advance of the preparation of any further evidence.

I believe the above reflects the discussion prior to the adjournment. The only additional stage is the further iteration between 8 and 15 March but this seems to me necessary.

For the avoidance of doubt **all** new material should be submitted in accordance with the timetable which, for the evidence, will ensure 4 weeks are available before the resumption. I will therefore require very exceptional reasons to justify the submission thereafter of any further documents prior to or during the Inquiry.

Brian Cook  
Inspector  
31 January 2013