



APPLICATION BY NORTHUMBERLAND COUNTY COUNCIL - (REF
DPI/P2935/21/19) – NORTHUMBERLAND LINE ORDER

**Note of pre-inquiry meeting held on 21 September 2021
at the Civic Centre, Renwick Road, Blyth, NE24 2BX**

Introductions and attendance

1. I introduced myself as the Inspector appointed to report to the Secretaries of State on the application by Northumberland County Council for the Northumberland Line Transport & Works Act Order, the associated application for a direction as to deemed planning permission, and the application for a certificate in relation to the acquisition of rights over open space. The **Programme Officer, Mrs J Vincent**, was present, and will be the first point of contact for the parties involved in this case.
2. The Applicant was represented by Mr R Turney (RT) of Counsel & Mr D O'Connor of Pinsent Masons. Several other members of the Applicant's team were also in attendance. Other parties were represented as follows: BDW Trading Ltd (OBJ19), The Bernicia Group (OBJ25) and The Northumberland Estate (OBJ21) – Mr F Orr (FO), Ward Hadaway; Malhotra Commercial Property (OBJ22) – Mr H Emms, Lichfields; Owners & residents at Fenwick Close (OBJ2, 8, 16 & 18) – Mr J Clough, Mrs T Cook & Mr M Saunders.

Scope of the proposals

3. The scope of the overall scheme and the TWA Order is, for the most part, summarised in table 1 of the Applicant's statement of case (SoC). I referred to the following possible modifications arising from the SoC:
Table 14, page 56 (OBJ21) – plot 95a included in error.
Table 14, page 56 (OBJ21) – powers of acquisition over The Northumberland Estate's interests in plots 102a-106 are not required.
Table 14, page 56 (OBJ21) – the car park building is proposed to be removed from plot 64.
Table 14, page 58 (OBJ25) – the extent of land required at plots 269-273 has been reduced.
Para 15.10, page 61 – the acquisition of plot 257a is not needed.
RT referred to a change to the right of way diversion at Palmersville Dairy.
RT advised that land of Watsons Haulage Ltd (OBJ14, 17) is no longer required.
4. A schedule of proposed modifications is to be submitted by the Applicant by **12 October 2021**. The Applicant will liaise with the parties concerned on the proposed modifications.

Participation in the inquiry

5. The Applicant's witnesses for the inquiry would be:
 - Mr S McNaughton, Northumberland County Council – need and strategic case for the scheme and funding.
 - Mr J Sindall, Cadenza Consulting – engineering/ design.
 - Mr A Coates, Aecom – car parking demand.
 - Mr R Mills, SLC – land acquisition and use.
 - Mr J Holroyd, Network Rail – modification of wayleaves.
 - Mr D Lord, Network Rail – level crossing closures.
 - Mr M Russell, SLC – planning, rights of way closures/ diversions and environmental impacts.

Depending on the extent of agreement reached in respect of wayleaves and parking, evidence on these matters may be in the form of a note to the inquiry.

6. The Northumberland Estate would have two witnesses, one from the Estate and one dealing with wayleaves.
7. The Bernicia Group would have two witnesses, one from Bernicia and one dealing with noise, vibration and light.
8. BDW Trading were reserving their position and may have one witness.
9. The owners & residents at Fenwick Close would be represented at the inquiry by Mr Clough, Mrs Cook and Mr Saunders.
10. Malhotra Commercial Property expected to have two witnesses: Mr Emms would deal with planning and parking, and Mr R Farr with commercial issues.
11. The Applicant understood that Blagdon Estates (OBJ13) and Mr C Scorer (PBJ2, 8, 16 & 18) intended to appear at the inquiry. It was expected that matters would be resolved with Watsons Haulage as their land was no longer required. An agreement was also expected to be reached with Nexus (OBJ20), but at present they are a potential participant.

Main considerations and other matters

12. The fifth item in the statement of matters refers to the adequacy of the environmental statement; however there is no environmental statement in this case. Otherwise, it was agreed that the matters listed would be likely to be main considerations. RT confirmed that the Applicant's witnesses would address these matters (other than No 5) in their evidence.
13. FO referred to the question of wayleaves. This is intended to be a matter for consideration.

The form of the inquiry

14. All of the parties present were content for the inquiry to take place as a face-to-face event. It was acknowledged that, if circumstances change concerning the ability to hold face-to-face events, a virtual inquiry would be arranged instead.
15. It was agreed that, for the most part, the Applicant's case would be presented first, with cross-examination deferred until before the evidence of the other party/ parties concerned. It may be appropriate to hold separate sessions to address certain discrete objections: these would follow the Applicant's main evidence. A roundtable session would be held to discuss conditions relating to the application for a direction concerning deemed planning permission.

Arrangements for virtual participation and observation

16. The Applicant had advised that it would not be possible to arrange live-streaming of the inquiry to allow virtual observation. It was agreed that should any individuals be unable to attend the inquiry in person, they should be able to participate virtually. A series of Teams meetings would need to be put in place to cover this eventuality, and the Applicant is to liaise with The Planning Inspectorate to discuss the arrangements.

Timetable

17. The inquiry is scheduled for 16 days (4 weeks), **9-12, 16-19 23-26 November, 30 November – 3 December 2021**. It was agreed that this is likely to be more than sufficient time for the event. I advised that I had another commitment on 25 & 26 November, and, as things stand, the inquiry will not be programmed to sit on those days. Malhotra would prefer to give evidence during the week 16-19 November, and Nexus, should they appear, towards the end of the inquiry.
18. Timings should be submitted by 26 October, following which the Programme Officer will liaise with parties on the preparation of a timetable.

Inquiry venue

19. The venue will be the **Civic Centre, Renwick Road, Blyth, NE24 2BX**. The inquiry will take place in the council chamber and retiring rooms will be available for myself and the parties. Microphones will be provided, and there will be copying facilities. Documents would be able to be stored securely overnight and at weekends. Arrangements could be made to take delivery of a box of documents from myself. The Applicant is to check the opening hours for the civic centre and that wi-fi will be available for all parties.

Documentation

20. The Programme Officer has set up an inquiry website, <https://gateleyhamer-pi.com/en-gb/northumberland-line/>,

- which hosts the core documents. The initial set of core documents from the Applicant will be extended: additional documents should be submitted by **12 October 2021**.

21. The statement of common ground between the Applicant, the Local Planning Authority (LPA), and the Local Highway Authority (LHA) should be submitted by **28 September 2021**. Proofs of evidence/ statements should be submitted by **12 October 2021** and any rebuttals by **2 November 2021**.
22. Updates on the planning applications, acquisitions, and objections should be submitted by **12 October 2021**.
23. I requested a hard copy of all relevant plans, at scale, and of the proofs of evidence/ statements. Copies of the proposed station site plans in section 4 of the Guide to the Application, which clearly distinguish between the planning and land acquisition boundaries, should be provided.
24. Documents should be given a unique reference number which identifies the party concerned. (Guidance on the content and format of evidence is included in the annex to this note.)

Site visits

25. It was agreed that visits to certain sites to be discussed at the inquiry would take place at an early stage after opening. It was suggested that Fenwick Close, Northumberland Park; Stockburn House, Bedlington; The Cheviots and the Malhotra site in Ashington be included in these visits. There will be a further programme of visits towards the end of the inquiry, suggestions for which should be submitted by **2 November**.

Other procedural matters

26. Documents should be submitted to the Programme Officer by the following dates:
 - By **28 September 2021** – statement of common ground between the Applicant, the LPA, and the LHA.
 - By **1 October 2021** - hard copies of plans for the Inspector.
 - By **12 October 2021** (4 weeks) – proofs/ statements; core documents; schedule of possible modifications to the Order; updates on the planning applications, acquisitions, and objections.
 - By **26 October 2021** (2 weeks) – time estimates.
 - By **2 November 2021** (1 week) – rebuttals, site visit suggestions.

Richard Clegg

INSPECTOR

27 September 2021

Annex - Content and format of proofs of evidence/ statements and appendices

Content

Proofs of evidence should:

- focus on the main issues identified, in particular on areas of disagreement;
- be proportionate to the number and complexity of issues and matters that the witness is addressing;
- 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 core documents or another witness's evidence;
- where case law is cited in the proof, 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;
- where data is referred to, include that data, and outline any relevant assessment methodology and the assumptions used to support the arguments.

Format

- Where proofs are longer than 1500 words, summaries should be submitted.
- Hard copies should be bound in such a way as to be easily opened and read.
- Front covers to proofs and appendices should be clearly titled, with the name of the witness on the cover.
- Pages and paragraphs should be numbered.
- Appendices should be in separate documents.
- Appendices should be indexed and paginated.

All proofs, appendices and other inquiry documents will be uploaded to the inquiry website.