

INSPECTOR'S PRE INQUIRY NOTE

The South Tees Development Corporation (Land at the Former Redcar Steel Works, Redcar) Compulsory Purchase Order 2019

Public Inquiry: Commencing at 10am on Tuesday, 11th February 2020 at The South Tees Business Centre, Middlesbrough TS6 6TL

Inspector: Phillip Ware BSc (Hons) DipTP MRTPI

Introduction

1. I have been appointed by the **Secretary of State** to conduct the Inquiry and make a recommendation to him in respect of the above proposed Compulsory Order (CPO).
2. The Public Inquiry into the CPO is scheduled to open on **11 February 2020**. It is planned to last **12 days**, sitting **11-14, 18-21** and **25-28 February**. This note is intended to help participants prepare and to outline various procedural issues.
3. I will be assisted by the **Programme Officer, Joanna Vincent**. Any queries can be raised via her at: joannavinc@personaassociates.co.uk, tel: **07483 133 975**

Appearances at the Inquiry

4. The Inquiry is held in public and anyone can attend to observe and hear what is said. There is no need to book in order to just listen to proceedings: those generally interested may come and go as they please during the Inquiry sessions.
5. The right to speak at the Inquiry is limited to those whose land would be needed for the scheme and who have made a formal written objection to the CPO. These are known as **Statutory Objectors**. But as the Inspector, I have discretion to allow other people to speak at the Inquiry. I have already indicated that I will allow one non-statutory objector to appear.
6. The Programme Officer has contacted parties to ascertain how many wish to appear or to be represented at the Inquiry. Please contact her as soon as possible, this will help ensure that the Inquiry runs as efficiently and smoothly as possible. Where interested parties' cases are similar, it may be beneficial to the Inquiry to appoint a single spokesperson to put forward your cases. We hope to put out a draft timetable for the Inquiry early next week.
7. Those parties who do not wish to appear will still have their objections considered, based on their written submissions.

8. For those objectors who wish to speak, or to be represented at the Inquiry, your original written objection will be 'taken as read'. This means that I will have already read it carefully, and you need not repeat it. However, you may wish to add to it either by making further submissions orally or by presenting an additional written 'Proof of Evidence'.
9. If you intend to appear at the Inquiry to present a Proof of Evidence, this should be provided in electronic format to the Programme Officer no later than **21 January 2020**. Two paper copies must also be provided to the Programme Officer prior to the opening of the Inquiry. Please notify the Programme Officer if you wish your letter of objection to be regarded as your Proof of Evidence. The Applicant will be also required to prepare its Proofs of Evidence no later than **21 January 2020**. All Proofs of Evidence will be made available to all parties intending to appear at the Inquiry.
10. Please provide the Programme Officer with the names of those proposing to appear at the inquiry, including details of any Counsel, and witnesses and the topics they will deal with.
11. **Proofs of Evidence** should be short – preferably as succinct as possible and should avoid repetition. There is no advantage in lengthy proofs. Similarly, voluminous appendices are rarely necessary. If a Proof of Evidence is longer than 1500 words, a written summary should also be provided and this will be read out by the witness at the Inquiry.
12. Rebuttal Proofs are not usually necessary and I am not encouraging them. If they are considered to be absolutely necessary, these should be sent to the Programme Officer at least one week before the start of the Inquiry.
13. If you do not intend to appear at the Inquiry but wish to submit an additional written statement (and any supporting documents) to your letter of objection, this should be provided to the Programme Officer **one week** before the opening of the Inquiry.

Procedure at the Inquiry

14. I plan to start each day at **10.00 hrs** and to take a short break during the morning and afternoon, with around an hour for lunch. But this can be adjusted to suit the circumstances. I plan to finish no later than around **5pm**.
15. At the opening of the Inquiry, the Applicant will be asked to confirm that all the relevant statutory procedures have been complied with, and documentary evidence should be provided to establish this is so.

16. I will then ask the Applicant to set out its case as to why the Order should be confirmed, starting with an opening statement. Generally, the evidence should address:
- Whether the purpose for which the land is being acquired fits in with the adopted Local Plan for the area;
 - The extent to which the proposed purpose will contribute to the achievement of the promotion or improvement of the economic, social or environmental well-being of the area;
 - Whether the purpose for which the Applicant is proposing to acquire the land could be achieved by any other means, including consideration of the appropriateness of any alternatives suggested;
 - The financial viability of the scheme and whether there is a reasonable prospect that the scheme will proceed;
 - The purposes of the CPO must also justify the interference with the human rights of those with an interest in the land affected.
17. The Applicant will be asked to call its professional witnesses to give their general evidence, and each one in turn will then be subject to questioning on their evidence by those Objectors who have opted to speak, or to be represented, at the Inquiry. I may also put some questions of my own. Any questions should relate to the evidence presented by that particular witness. It is not an opportunity to re-state or introduce new evidence. The order in which Objectors are called to participate in asking questions will be at my discretion.
18. When the Applicant has completed its general case, the Inquiry will turn to consider individual objections. I will give the Applicant the brief opportunity to highlight any parts of their evidence which relate to this particular objection. Objectors will each be invited to present their cases in turn, in accordance with an Inquiry programme which will be arranged via the Programme Officer. Objectors and their representatives will be allowed to present their case, and then may be questioned by the Applicant and myself. All objectors will also be permitted to make a final closing statement summarising their cases. The Programme Officer must be notified of your intention to provide a closing statement, which should be read out at the Inquiry and submitted to the Programme Officer electronically.

Statements of Common Ground

19. If there are any matters on which objectors and the Applicant can agree, and thereby shorten the amount of time that needs to be taken at the Inquiry, it would be helpful if these could be recorded in a Statement of Common Ground. Such a statement needs to be signed by both sides, and should be submitted to me, via the Programme Officer, as early as possible.

Site Visits

20. I will also need to undertake an initial accompanied site visit, which will take place on the afternoon of the first day of the Inquiry, so I have a good

knowledge of the site before hearing evidence. To this end, it would be helpful if a plan / itinerary can be drawn up in advance of the opening day.

21. The accompanied site visit can be attended by objectors. Please confirm to the Programme Officer as soon as possible if you would like to attend the site visit so that suitable arrangements can be made. Any requests by those appearing at the Inquiry for me to carry out an inspection of the site so that they may highlight location specific points mentioned in their evidence will be considered. I will be accompanied on such site visits by representatives of objectors and the Applicant. Such visits would rely on permission to enter onto land being given, or where there is public access.

22. From time to time I may also carry out additional unaccompanied visits to the area, to view properties externally or from areas which are publicly accessible.

Compensation

23. **Important:** it is not for me to determine the amount of any financial settlement or compensation to be offered or paid to any owner or occupier. The process for deciding such matters is entirely separate from this Inquiry. Consequently, any objection which is based solely or mainly on the amount of compensation will not be considered at the Inquiry.

Withdrawal of objections

24. If any objector wishes to **withdraw** their objection at any time up to the close of the Inquiry, their withdrawal **must** be put in writing. There is no penalty for withdrawal, and I encourage the Applicant to engage positively with each of the remaining Objectors with a view to reaching agreement on as many issues as possible. Any withdrawals should be addressed to the Inspector, via the Programme Officer, with a copy to the Applicant.

Phillip Ware

Planning Inspector

17 January 2020