

PLEASE NOTE THIS IS A CORRECTED VERSION OF THE PRE-INQUIRY NOTES (16 August 2019)

Please see page 6 where the information is incorrect regarding the Deposit of Core Documents.

They will **ONLY** be on Deposit at:

- Dartford Borough Council, Civic Centre, Home Gardens, Dartford, DA1 1DR (Monday-Thursday 8.45am to 5.15pm, Friday 8.45am to 4.45pm);

And can be viewed as follows at:

- the Inquiry website at: <http://programmeofficers.co.uk/a2bean/>
- There will also be a copy available at the Inquiry venue during the Inquiry.

The Inspector

The Inspector for the Inquiry is Mrs Lesley Coffey BA Hons BTP MRTPI

THE A2 TRUNK ROAD (BEAN AND EBBSFLEET JUNCTION IMPROVEMENTS) (SLIP ROADS AND ROUNDABOUTS) ORDER 20

THE HIGHWAYS ENGLAND (A2 TRUNK ROAD BEAN AND EBBSFLEET JUNCTION IMPROVEMENTS) (SIDE ROADS) ORDER 2019

THE HIGHWAYS ENGLAND (A2 TRUNK ROAD BEAN AND EBBSFLEET JUNCTION IMPROVEMENTS) COMPULSORY PURCHASE ORDER 2019

**PRE-INQUIRY MEETING
7 AUGUST 2019**

Inquiry Venue/dates and sitting times

The Inquiry venue is the Mercure Hotel.: Brands Hatch Rd, West Kingsdown, Dartford DA3 8PE

The Inquiry is scheduled to sit for 9 days commencing 1 October. We will commence at 10:00 am on the first day and sit until about 5:00pm. On subsequent days the Inquiry will start at 9:30 am. We will endeavour to finish by 3:00pm on Fridays to give the parties time to travel.

I am minded to hold an evening meeting, at the venue, commencing at 6:30pm on Tuesday 8 or Wednesday 9 October. Should the evening meeting take place, the Applicant will provide transport for residents from Bean. The Applicant has also offered to provide transport from Bean to the venue for topic hearings should this be desired by local residents.

Those wishing to attend an evening meeting should advise the Programme Officer by **10 September**, so that the necessary arrangements can be put in place.

Programme Officer

I will be assisted by the Programme Officer Yvonne Parker. She can be contacted on posltd@virginmedia.com and her telephone number is 0781 333 4305.

Main Issues

The parties present at the Pre-Inquiry meeting outlined the main issues on which they wished to present evidence. These issues included:

- The adequacy of traffic modelling (including the Lower Thames Crossing, the London Resort Scheme)
- Traffic management during construction and operation (including the effect on local roads)

- Effect of the scheme on NMUs
- Noise and Air Quality impacts
- Mitigation for biodiversity
- Mitigation for archaeology and cultural heritage
- The effect on the scheme on statutory undertakers
- Loss of Green Belt
- Effect on individual businesses, landowners and occupiers including loss of access
- The buildability of the scheme and budget for the scheme
- Whether there is a compelling case in the public interest to justify the CPO. (This will include reference to the need for individual plots, funding for the scheme, and any impediments to the scheme, as well as Human Rights issues and the Public Sector Equality Duty)

It maybe that some of these issues will be resolved once the Statements of Common Ground have been prepared, therefore the issues at the Inquiry may not fully reflect this list.

Statements of Common Ground/Areas of Disagreement

The Applicant will submit Statements of Common Ground no later than **10 September 2019**. These will set out areas of consensus and disagreement. Statements of Common Ground should be submitted even if it is anticipated that there could be further agreement prior to the commencement of the Inquiry. The Inspector is willing to accept any updated Statements of Common Ground later in the Inquiry process.

Submission of Proofs of Evidence

Any person intending to give evidence to the Inquiry or call someone to give evidence on their behalf should submit a Proof of Evidence. There should be direct exchange of statements between Highway England and objectors by **10 September**. Proofs of Evidence for the Inspector and the Programme Officer (Library) should be sent directly to the Programme Officer. Please note that the Proofs of Evidence should **NOT** be sent to the Department of Transport in Newcastle. They must be exchanged between the parties and copies for the Inspector and the Library should be sent directly to the Programme Officer. ***This is a change to the instruction to the note sent out from the Department of Transport on 15 July.*** A Note regarding the compiling and referencing and exchange of documents is appended to this note.

Where the Proof of Evidence is over 1,500 words in length a summary should be provided.

A Proof of Evidence is a prepared statement that will set out what you intend to say. You must also enclose a copy of any documents you have mentioned in it (or relevant extracts including the front cover) unless these have already been supplied with your, or somebody else's, statement of case.

The reason for this arrangement is to save time at the Inquiry. It means that people who had previously planned to read out a long prepared statement need only read out a summary of it. However, since the full Proofs of Evidence are available for inspection before and during the Inquiry, they are treated as though they have been given in evidence, and questions may be asked on them. In this way, nobody is disadvantaged.

Following the receipt of Proofs of Evidence the Applicant will submit any Rebuttal statements no later than **noon on 26 September**.

As previously noted in the notice published by the Department of Transport on 15 July details of any alternative schemes proposed shall be submitted no later than **27 August**.

Any legal submissions any party wishes to rely on should be made in writing.

Procedure at the Inquiry

The Inquiry shall proceed under the Highways (Inquiries Procedure) Rules 1994 and the Compulsory Purchase (Inquiries Procedure) Rules 2007.

Following the discussion at the Pre-Inquiry meeting, I have decided that the Inquiry shall run to the following Programme:

- a) Opening statement by the advocate for the Applicant;
- b) Round table discussion in relation to modifications to the Application and the alternative suggested by Bean Residents Association;
- c) The presentation of Applicant's evidence in chief, with the witnesses appearing one after the other (the whole of the Applicant's case);
- d) Questions of clarification by objectors and/or Inspector to the Applicant's witnesses;
- e) Cross-examination on evidence in chief of the Applicant's witnesses by the first objector
- f) Re-examination of the promoting authority's witnesses by their advocate;
- g) The first objector's presentation of his or her case (and introduction of alternative proposals);
- h) The cross-examination of the first objector by the advocate for the Applicant;
- i) First objector's presentation of final address;
- j) The response of the Applicant's advocate to the first objector's case.

- k) The same procedure will be followed with subsequent witnesses
- l) Closing address by the Applicant
- m) Arrangements for accompanied site inspections;
- n) Close of the Inquiry

The above order is based on the views presented to the Pre-Inquiry meeting, and there may be some changes once I have received the Proofs of Evidence and time estimates. On the basis of the information available at the present time I would suggest that Bean Residents Association should be the first objector, due to the range of issues they wish to address. This will not preclude any other party from presenting their case to the Inquiry.

Also as requested by the Applicant, it would be preferable if any matters of clarification are put in writing prior to **4:00pm on Friday 27 September**. This is to ensure that the Applicant has the necessary information/materials to address any matters raised. It would therefore help with the efficient running of the Inquiry. Failure to provide written notice of matters of clarification will not preclude parties from seeking clarification at the Inquiry.

Time Estimates

The Applicant and those wishing to appear at the Inquiry shall submit estimates of the time required for evidence in chief, cross examination of witnesses and opening and closing submissions. These estimates shall be submitted by **17 September**. The Applicant shall also submit estimates of the time required for the round table sessions in relation to modifications to the scheme and consideration of Bean Resident's Association's alternative.

Arrangements for Site Visit

I will undertake an accompanied site visit at a convenient point towards the end of the Inquiry. The Applicant will prepare an itinerary for the site visit in conjunction with the Bean Residents Association.

Those wishing to attend the site visit should let the Programme Officer know by **10 September**. The purpose of the site inspection is to allow me to look at particular physical features, first hand. There will be no discussion of the merits of the case at the site visit.

Core Documents

A list of Core Documents will need to be prepared in advance of any proofs so that they can be properly referenced within the proofs. That list and one hard copy of the Core Documents must be submitted with the proofs. Electronic versions of Core Documents should be submitted as soon as possible to the Programme Officer so they can be put on the website as quickly as possible.

If any party has documents that need to be referred to they should let the Applicant know via the Programme Officer.

The Core Documents will be available to view at

- ~~Highways England, Bridge House, 1 Walnut Tree Close, Guildford, Surrey GU1 4LZ;~~
- Dartford Borough Council, Civic Centre, Home Gardens, Dartford, DA1 1DR (Monday-Thursday 8.45am to 5.15pm, Friday 8.45am to 4.45pm);
- ~~Swanscombe & Greenhithe Town Council, The Groves, Swanscombe, DA10 0GA (Monday, Tuesday, Thursday & Friday 9.30am to 4.00pm, Wednesday by appointment only);~~
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- and on the website at: <http://programmeofficers.co.uk/a2bean/>
- There will also be a copy available at the Inquiry venue.

Inquiry Library

The Programme Officer will be responsible for the upkeep of the Inquiry library.

The website for the Inquiry will host the lists of Core Documents, the Proofs of Evidence and documents submitted during the Inquiry and the Inquiry Programme. The electronic links will be included where they are available. The website can be found at <http://programmeofficers.co.uk/a2bean/>

Appendix 1

Note for the submission of the Proofs of Evidence which are due on 10 September 2019

1. Each Party should use an acronym (prefix) to identify their party. For example Highways England will be HE. Bean Residents Association (RSA).
2. If you have a number of clients with the same issues and are being covered in one set of proofs please contact me so we can agree the referencing.
3. Each witness needs to be allocated a number and the evidence should be referenced in the **TOP RIGHT HAND CORNER** using the system below if you have numerous Proofs of Evidence. *If you have any questions on referencing PLEASE contact me in advance especially when dealing with the appendices.* I do NOT want the appendices presented for example in 26 parts – they should have only one reference on the final appendices’ document. They should be sub-divided inside (and for the purposes of the website but not for the paper copy).

Highways England (HE)	
HE/1/A	Summary Proof of Evidence of witness 1
HE/1/B	Proof of Evidence of witness 1
HE/1/C	Appendices to Proof of Evidence of witness 1
HE/2/A	Summary Proof of Evidence of witness 2
HE/2/B	Proof of Evidence of witness 2
HE/2/C	Appendices to Proof of Evidence of witness 2

4. Proofs, summaries and appendices should be bound **separately**. (Please avoid using lever arch files if at all possible but if you do use them **MUST NOT BE OVERLOADED** or they will be returned to you to be re-done.
5. Every document and page within the appendices needs to be referenced – NOT just the dividers. If the file is dropped it is impossible to put them back together unless everything is referenced.
6. Parties should email their evidence between themselves and agree how many copies they require from each other. Two copies should then be sent to me. Please see point 8 for details.
7. The evidence should be emailed to posltd@virginmedia.com by no later than 5pm on Tuesday 10 September. It is important to reference each document correctly so I can put it on the website as soon as possible.

8. Hard copies (2 copies of each set of proofs etc) should be sent to:
Yvonne Parker, Programme Officer
2 Priory Court,
Burnley,
Lancashire,
by **1pm on Thursday 12 September** Please do not send them earlier as
I won't be here to receive them. If this causes any difficulties please call
or email me to discuss.
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If you have ANY questions please contact me?

Yvonne Parker
Programme Officer
Tel: 0781 333 4305
posltd@virginmedia.com