

CASE REF: APP/PCU/CPOP/L3815/3321240

**Chichester District Council (Tangmere) (No. 2)
Compulsory Purchase Order 2023**

Pre-Inquiry Meeting Notes

10:00 – Tuesday 17 October 2023

Introduction and purpose of meeting

1. This note summarises the discussion from the Pre-Inquiry Meeting (PIM) held Tuesday 17 October at 10:00.
2. The purpose of the PIM was to discuss procedural and administrative matters relating to the Compulsory Purchase Order (CPO) inquiry and, as far as possible, establish a programme.
3. The PIM was held by Katie McDonald MSc MRTPI, a Planning Inspector. However, the inquiry Inspector will be Helen Heward, a Chartered Town Planner and Planning Inspector. She is appointed by the Secretary of State to conduct the inquiry relating to Chichester District Council (Tangmere) (No. 2) Compulsory Purchase Order 2023.
4. The Programme Officer is Chris Banks (bankssolutionsuk@gmail.com). He acts as a neutral party of the inquiry and is responsible for, amongst other things, the inquiry website, programming appearances and ensuring the timely submission of documents.
5. A copy of this note will be placed on the inquiry website: www.chichester.gov.uk/article/31554/Tangmere-strategic-development-location. Please note my request to remove the other CPO from this page as it is confusing.

Inquiry venue and accommodation arrangements

6. The inquiry is to be held at the Avisford Park Hotel, Yapton Lane, Walberton, Arundel BN18 0LS. The room will be publicly accessible.
7. The venue has suitable capacity for over 50 people, internet access, and disabled access. Microphones and water are to be provided. It was also confirmed that a monitor would be provided for the Inspector, with USB-C connection. The room will be the same throughout the inquiry and can be secured overnight.
8. It was confirmed that the inquiry would be livestreamed, but there would be no ability to participate virtually, unless it became necessary.

9. A retiring room for the Inspector will also be provided and there is car parking within the hotel grounds.
10. Copies of all documents will be provided for members of the public to inspect at the venue.
11. The Programme Officer will arrange a time to meet a representative of the AA to visit the venue, in order to finalise all requirements, such as the inquiry room layout (including public seating), internet access, signage, public access, health and safety, hearing loop, audio and any planned fire drills etc.

Inquiry dates and sitting times

12. The inquiry is scheduled to open at 10:00 on Tuesday 12 December 2023. The Inquiry will continue 13 and 14 December and then resume on 9-11 January and 23-25 January 2024 as required. The inquiry will resume at 10:00 on subsequent days. It will adjourn around 17:00 each day, and no later than 17:30.

Appearances at the Inquiry

Acquiring Authority (AA)

13. The AA is represented by Alexander Booth KC. The AA will present 4 witnesses, on the topics of:
 - Planning
 - The Scheme
 - Negotiations
 - Developer
14. The AA anticipate their evidence will take around 2 days, but this depends on the extent of cross examination by the Remaining Objectors.

Objectors

15. There were 21 qualifying objections and one non-qualifying objection when the CPO was delegated to the Inspector by the Secretary of State.
16. The PIM was attended by:
 - Ben Garbett, Keystone Law on behalf of Saxon Meadow Tangmere Limited (SMTL),
 - Residents of Saxon Meadow (Paula Riches, John Wolfenden and Matthew Reese),
 - Paul Arnett, Town Legal, on behalf of the Church Commissioners for England; and,
 - Brian Cheung, Ashurst LLP on behalf of Bosham Limited and Shopwyke Limited.
17. As it stands, if SMTL does not withdraw their objection, they will appear at the inquiry. They will be represented by Mr Garbett or a professional advocate. They would present a professional witness on matters relating to planning, the requirement for the CPO, title rights and access. They

- would also present one or 2 residential occupants as witnesses. They would seek to cross examine the AA's witnesses.
18. The Residents of Saxon Meadow are self-represented. Together with SMTL, the residents are also negotiating with the AA as leaseholders. However, if their objections are not withdrawn, Mr Wolfenden and Mr Reese intend to appear at the inquiry and will represent themselves as individuals. They would also seek to cross examine the AA's witnesses.
 19. Mr Arnett, on behalf of the Church Commissioners for England, have essentially issued a holding objection and are in negotiations with the AA. They are close to reaching agreement and anticipate that their objection may be withdrawn by the end of October. For this reason, they do not currently intend to appear at the inquiry.
 20. Brian Cheung, Ashurst LLP on behalf of Bosham Limited and Shopwyke Limited also attended as an observer. Whilst their objections may be withdrawn subject to terms, they also reserve their right to appear at the inquiry. The AA does not anticipate that there will be an agreement. Therefore, I implored the importance of early notification to the Inspector and the Programme Officer of any intentions to appear, information on the number of witnesses and topics, and observing the deadlines for the submission of evidence.
 21. There may be other interested parties who wish to attend the inquiry and speak of their objections. The absence of any party from the PIM does not preclude them from participating at the inquiry. Participants should be present on the first day and any relevant days after that. The Inspector should be notified of the names of advocates and witnesses for any party via an email to the Programme Officer not later than 3 weeks before the inquiry open.
 22. Parties can simply attend as observers rather than actively participate. The Inspector will consider all the evidence heard at the inquiry as well as any written representations received.

Inquiry timetable and arrangements for site visits

23. It was agreed that the order of proceedings should be as follows:
 - i. The AA's case in full. This will comprise each witness presenting evidence in chief, which will be the subject of cross examination by Remaining Objectors. The Inspector may also ask questions.
 - ii. Each Remaining Objector's case. This will comprise each witness presenting evidence in chief, which will be the subject of cross examination by the AA. The Inspector may also ask questions.
 - iii. Any interested parties.
 - iv. **(ONLY IF NECESSARY)** Recall of the AA's witnesses (*to respond to new points raised by objectors only*). This will be the subject of cross examination by Remaining Objectors only on the recalled evidence. The Inspector may also ask questions.
 - v. AA's response to written objections.

- vi. Objector's final submissions.
 - vii. The AA's closing submissions.
24. Detailed time estimates and the draft order of witnesses should be submitted by **28 November**. Following this, a detailed timetable will be prepared and circulated by the Programme Officer. It was noted the Mr Leech, the AA's developer witness, could not attend on Day 1.
25. Any availability issues should be highlighted to the Programme Officer as soon as possible to allow for the programme to be drawn up efficiently.
26. An accompanied site visit would be made in conjunction with the sitting of the inquiry. The AA should prepare a site visit itinerary to be submitted by **28 November**.

Dates for submission of statements of case and evidence

27. The AA has already submitted its Statement of Case. Statements of evidence from **ALL PARTIES** are due by **21 November**.
28. The AA should send a copy of its statements of evidence to the objectors concerned and the Programme Officer. Objectors should send a copy of their evidence to the AA and Programme Officer.
29. The Inspector requires paper copies of the CPO and Map, all objections, statement of reasons, statements of case and all statements of evidence. These should be sent to the Programme Officer. Additionally, a full set of paper Core Documents should be provided at the venue for the Inspector.
30. Copies of the public notifications are required by **28 November**.

Format of statements and other material

31. To avoid possible confusion over documents, it would be helpful if the parties used an appropriate reference code identifiable to an individual party, and it should be used for all statements, appendices and documents.
32. Statements of evidence should have numbered paragraphs and be paginated. Statements of more than 1,500 words should be accompanied by a summary. Opening statements and closing submissions should also be in writing and in electronic format.
33. I requested that a document is produced that lists all qualifying objectors (with corresponding CPO plot numbers and addresses), non-qualifying objections, and any other objections. It should list the status of the objection, if they are negotiating, along with an indication of the likelihood of withdrawal. This should be a 'living' document updated weekly and finally updated at the close of the inquiry.

Core and Inquiry Documents

34. The Programme Officer will maintain a library of inquiry documents. An initial list of core documents has been prepared by the AA and is available on the inquiry website. All inquiry documents, including objections and related correspondence, should also be published on the inquiry website.

Matters to be considered at the inquiry

35. I referred to the importance of addressing the matters in paragraphs 13-15 of the Guidance on Compulsory Purchase Process, along with paragraph 106.
36. At the opening of the inquiry, the AA will be asked to confirm that there has been compliance with all statutory requirements. The AA set out that a letter of compliance will be provided to the Inspector on the opening day.

Other Matters

37. Mr Booth KC, for the AA, made clear that there is a proposed modification to the CPO. This is to exclude Plots 9, 9A and 9B. It is detailed in the AA's Statement of Case. As this has been identified before the inquiry, the Inspector will provide an opportunity for this to be debated at the inquiry, in accordance with Stage 4, paragraph 44 of the Guidance on Compulsory purchase process and The Crichel Down Rules.
38. Additionally, whilst the Inspector will have regard to the proposed modifications in her Decision if she were to confirm the Order, it would be helpful to produce a corrected CPO Map before the end of the inquiry.

Timings

21 November 2023	All statements of evidence
28 November 2023	Detailed time estimates Draft order of witnesses Copies of public notifications Site visit itinerary
12 December 2023	Inquiry opens 10.00 am

Katie McDonald

INSPECTOR
17 October 2023