

## Pre-Inquiry Note

**PCU/CPOP/Q5300/3258664**

**The London Borough of Enfield  
(Meridian Water Strategic Infrastructure Works) Compulsory Purchase  
Order 2020**

**Application by the London Borough of Enfield for a certificate under  
Section 19 and Schedule 3 of the Acquisition of Land Act 1981 Ref  
PCU/S19/Q5300/3258665**

**Pre-Inquiry Meeting held at 10am on Friday 12 February 2021**

### **INTRODUCTION**

1. The Inspector appointed for the Inquiry is Deborah Board BSc MA MRTPI. She has been appointed by the Secretary of State to hold an Inquiry in relation to the above Order and Certificate.
2. The Inspector will hear the case for the promoters, any supporters, the objections and any relevant representations.
3. At present, the Inspector has details of 9 remaining objectors to the CPO and 2 objectors to the certificate under Section 19.
4. The Inquiry will open at 10.00am on 19 April 2021 at 10am. It is currently expected to sit for 14 days.

### **PROCEDURAL MATTERS**

5. At the Pre Inquiry Meeting (PIM) discussion took place regarding how the Inquiry could proceed during the circumstances of the current Covid-19 pandemic. In particular a virtual event. The main parties all expressed the view that in principle the Inquiry should proceed in this manner.
6. The virtual Inquiry will be held using a system that enables people to participate from many remote locations, such as their own homes or offices by clicking on a link in an email invitation or dialling in via a given phone number. This enables the widest possible participation whilst the rules on social distancing, travel restrictions and limitations on gatherings are in force. Importantly, the Inquiry will be held on the same basis, and subject to the same provisions of the Rules and Regulations as conventional face-to-face Inquiries.
7. The Planning Inspectorate uses Microsoft Teams to provide access to virtual events. This is a digital conference and meetings application that operates similarly to other platforms. It allows several people to speak to one another in a virtual forum and involvement can be by video or audio or a mixture of both. Those wishing to attend can join by means of a digital device such as a laptop, tablet or smartphone. They can also join by analogue devices such as a landline or mobile phone that isn't a smartphone.

8. In a conventional Inquiry we would normally sit for full days with breaks. However, sitting in front of a screen or being on the telephone for long periods can be stressful in all sorts of ways. So, with health and safety in mind and in order to ensure that all participants are as comfortable as they can be, we will be sitting for shorter days broken up into chunks of time with breaks in between. Sessions will last for about 1.5 hours with at least 15 minutes in between. If we start at 09.30 on the second and subsequent days that is likely to mean two sessions in the morning and one after lunch. This will have implications for the timetable and duration as we discussed at the PIM.
9. For the parties I appreciate that the different locations of members of the team is likely to place new demands in terms of the ability to communicate with one another during the event, for example taking instructions. That is something you will need to consider and trial yourselves before the event and I will ensure that breaks in the timetable are sufficient for this to take place.

### **PROCEDURE AT INQUIRY**

10. The procedure at the Inquiry will follow the Compulsory Purchase (Inquiries Procedure) Rules 2007. The order of presentation of cases will follow 'Method B'. A copy of this order is attached to the note as Annex 1 and was discussed at the PIM. Whilst these are the Inspector's current intentions, the programme and order of appearances may be revised due to circumstances changing following the opening of, or indeed during, the Inquiry.
11. At Annex 2 a draft timetable for the virtual event is attached. As discussed at the PIM this should be filled out in draft by the Acquiring Authority and then shared with the objectors who intend to appear at the Inquiry. The first draft of the timetable should be returned to me via the PINS case officer no later than **9 April 2021**.
12. Witness and qualification details for the Council should be submitted in writing at the opening of the Inquiry.
13. The normal sitting times of the Inquiry will be as previously indicated at the Pre Inquiry Meeting, namely:  
9.30-11.00  
11.30-13.00  
14.00-15.30  
  
It is noted that parties may need time outside the sitting times of the Inquiry for business related to the Inquiry.
14. The Inquiry will be conducted on the basis of openness, fairness and impartiality.

### **SUBMISSION OF DOCUMENTS**

15. Proofs of evidence should be submitted by 29 March 2021. Council documents can be inspected until the Inquiry opens and during the Inquiry documents will be available for public inspection at

<https://new.enfield.gov.uk/services/improving-enfield/meridian-water-cpo/>. The Council agreed to update this website in the lead up to the Inquiry and during the event should the need arise.

#### **FORMAT OF EVIDENCE TO BE PRESENTED**

16. The Council's opening statement and closing submissions should be produced in writing. An electronic copy of the submissions should also be submitted to the Planning Inspectorate Case Officer, as this may form the basis of the reporting of the Council's case. Other parties' representations should be in writing, with electronic copies wherever possible. The parties' documents should include copies of any handwritten notes that are read to the Inquiry. Documents should be emailed across before delivery if possible to the Planning Inspectorate Case Officer.
17. All documents should have page and simple paragraph numbers and use metric units. Where proofs of evidence are more than 1500 words long, summaries are required. Generally, only the summary will be read at the Inquiry. Summaries should not be more than 1500 words or 10% of the proof whichever is greater. They should contain the main points to be relied upon, as they may form the basis of the reporting of the cases.
18. The Acquiring Authority and Objectors submitting evidence for both cases should provide separate documents for each case rather than trying to combine evidence.
19. Evidence drawn from the internet should be submitted with the proofs, normally as an appendix, as website material may change or be removed.

#### **TIMETABLE AND PROGRAMME**

20. The Inquiry is currently scheduled to last for 14 days sitting on the 19-23 April, 26-30 April and 04-07 May. The detail of the timings and the order of Objectors was discussed at the Pre Inquiry Meeting. The CPO case will be heard first followed by the Section 19 Certificate. Therefore, Objectors will be arranged to accommodate those who have made submissions on both. In completing the first draft of the timetable at Annex 2 please take this into account.

#### **SITE INSPECTIONS**

21. The Inspector will look at the sites and surroundings unaccompanied from public vantage points before the Inquiry. The unaccompanied visit will take place on 14 April 2021.
22. If there are any particular locations which any party wishes the Inspector to visit before the opening of the Inquiry, details, together with appropriate plans, should be submitted to the Planning Inspectorate Case Officer no later than **9 April 2021**.

*D J Board*

INSPECTOR

01 March 2021

## **Annex 1 – order for proceeding at an Inquiry**

### **ACQUIRING AUTHORITY'S CASE:**

(1) opening statement by advocate

(2) all witnesses in turn:

(a) evidence-in-chief on common or general matters.

(b) questions by Inspector on matters of fact or common interest only.

*NB cross-examination by objectors is generally deferred.*

### **FIRST OBJECTION:**

(1) Acquiring authority's case on that objection:

(a) evidence-in-chief by authority's witness(es) specific to the objection.

(b) cross-examination of all or any of acquiring authority's witnesses by Objector

(c) re-examination

(d) Inspector's questions (if not dealt with during evidence).

[repeated for each subsequent witness]

(2) Objector's case:

(a) evidence-in-chief by Objector's first witness.

(b) cross-examination by acquiring authority.

(c) re-examination

(d) Inspector's questions (if not dealt with during evidence).

(e) procedure repeated for objector's second and subsequent witnesses (if appropriate).

(f) Objector's submissions (if appropriate)

(g) Acquiring authority's specific reply to objection (unless deferred to final submissions – if so, ensure objector will be present).

**SECOND AND SUBSEQUENT OBJECTIONS** - Same procedure as for first objection.

OBJECTIONS WHERE NO APPEARANCES MADE

INTERESTED PERSONS

ACQUIRING AUTHORITY'S FINAL SUBMISSIONS

CLOSE OF INQUIRY

## Annex 2 – Draft timing for virtual event<sup>1</sup>

Date	Time	Content
Day 1	10.00-11.00	Inspectors Opening
	11.30-13.00	
	14.00-15.30	
Day 2	9.30-11.00	
	11.30-13.00	
	14.00-15.30	
Day 3	9.30-11.00	
	11.30-13.00	
	14.00-15.30	
Day 4	9.30-11.00	
	11.30-13.00	
	14.00-15.30	
Day 5	9.30-11.00	
	11.30-13.00	
	14.00-15.30	
Day 6	9.30-11.00	
	11.30-13.00	
	14.00-15.30	
Day 7	9.30-11.00	
	11.30-13.00	
	14.00-15.30	
Day 8	9.30-11.00	
	11.30-13.00	
	14.00-15.30	
Day 9	9.30-11.00	
	11.30-13.00	
	14.00-15.30	
Day 10	9.30-11.00	
	11.30-13.00	
	14.00-15.30	
Day 11	9.30-11.00	
	11.30-13.00	
	14.00-15.30	
Day 12	9.30-11.00	
	11.30-13.00	
	14.00-15.30	
Day 13	9.30-11.00	
	11.30-13.00	
	14.00-15.30	
Day 14	9.30-11.00	
	11.30-13.00	
	14.00-15.30	

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<sup>1</sup> Please consider this when formulating timings for the presentation of evidence and cross examination of witnesses. It would assist the Inquiry if each team could provide a list of appearances to the planning case officer before the Inquiry opens.