

**Darlington Borough Council  
Road Traffic Restrictions  
(Amendment No.8) Order 2021**

**Pre Inquiry note**

1. The Inquiry will commence at **10:00 on Wednesday 30 March 2022** and will be held in the **Central Hall, Dolphin Centre, Darlington DL1 5RP**.

**Purpose of the Inquiry**

2. The purpose of the Inquiry is to hear representations for and against the Order. In considering the Order I will wish to ascertain whether or not it is made for a qualifying purpose; and, whether any disadvantages which would arise as a result of the Order would be outweighed by the advantages which would be conferred by it.
3. Following the Inquiry, I will submit a report to Darlington Borough Council setting out a summary of the representations made at the Inquiry and in writing, together with my conclusions and recommendations. It will be for the Council to decide, in the light of my report, whether or not to pursue the making of the Order.

**Inquiry procedure**

4. I propose to broadly follow the Highways (Inquiries Procedure) Rules 1994 (to the extent applicable). In general terms, this will involve the formal presentation of evidence by witnesses followed by questions in the form of cross-examination and re-examination.
5. At this stage I envisage that the Inquiry will proceed as follows:
  - a) The Inspector's opening announcements and preliminary matters;
  - b) Brief opening statement by the advocate for the Council (the promoter of the Order);
  - c) The Council's presentation of evidence-in-chief by its witnesses, tested in each case by cross-examination by the objectors who will be speaking, followed by re-examination by the Council's advocate;
  - d) Any other supporters of the Orders- presentation of evidence-in-chief by their witnesses, tested in each case by cross-examination by the objectors who will be speaking, followed by the reply to the cross-examination (or re-examination if the supporter is represented by an advocate);
  - e) The objectors' presentation of the evidence-in-chief by their witnesses, tested in each case by cross-examination by the Council (and if necessary other supporters who have spoken),

- followed by the reply to the cross-examination (or re-examination if the objector is represented by an advocate);
- f) Closing statements on behalf of the objectors, supporters and finally the Council;
  - g) Arrangements for a site inspection; and,
  - h) The Inspector's closing announcements.
6. I will be visiting the streets affected by the Order prior to the Inquiry. Any additional site visits will generally be made on an unaccompanied basis unless it is necessary to enter land which is not open to the public, in which case I will be accompanied by representatives of the Council and other parties as appropriate. However, an accompanied visit would not present an opportunity for additional representations or submissions to be made. All that has to be said must be said openly at the Inquiry.

### **Inquiry Notices**

7. The Council shall issue notices of the Inquiry by **9 March 2022**.

### **Submission of written evidence**

#### Statement of Case

8. The Council shall submit to each statutory objector a copy of its Statement of Case (SoC) by **9 March 2022**. The SoC should provide particulars of the case which the Council intends to put forward at the Inquiry, together with a copy of the proposed Order, a copy of the representations received in connection with it and a list of any other documents that it intends to refer to at the Inquiry.

#### Proofs of evidence

9. Where the Council or those who have formally objected to the Order propose to give evidence at the Inquiry by reading from a document (known as a 'proof of evidence'), a copy of this must be submitted in advance. Proofs should be as succinct as possible, avoiding unnecessary or extraneous material which only serves to obscure the key points to be made. If the proof exceeds 1500 words, it must be accompanied by a summary of not more than 1500 words. In that case the proof will be taken as read with only the summary being presented orally at the Inquiry. However, the whole proof will be taken into account and may be the subject of cross-examination. If, in evidence, reference is made to any other document, a copy of that document (or the relevant extract plus the cover page), must be submitted as an appendix to the proof of evidence.
10. Proofs of evidence (including where necessary summaries and appendices to proofs) must be exchanged between the Council and

the statutory objectors and submitted to the Planning Inspectorate by **21 March 2022**.

#### Closing statements

11. Whilst closing statements will be presented orally, as far as possible, a typed copy should also be provided at the same time.

#### Requests to speak at the Inquiry

12. Those who wish to speak at the Inquiry should attend the opening of the event at **10:00 on Wednesday 30 March 2022** and indicate their wish to do so.
13. At the Inquiry I shall wish to hear from anyone who has a relevant point to make in connection with the Order. They may appear in person and may be represented by counsel, a solicitor or some other representative.
14. People who do not need or wish to speak at the Inquiry will, nonetheless, be welcome to attend as observers. In considering the Order I shall take account of all written representations as well as the evidence heard at the Inquiry.

#### Programme

15. At the start of the Inquiry, following some preliminary announcements, I shall set out the programme for the Inquiry. In order that I can formulate a realistic programme it would be helpful if each participant would indicate at the opening of the Inquiry the amount of time likely to be needed to hear their evidence. I shall then formulate a programme giving approximate times at which participants will be heard. Breaks will be taken during the morning and afternoon and for lunch.
16. The Inquiry will potentially continue into a second day, **Thursday 31 March 2022**, depending on the number of participants wishing to speak and the extent of evidence. If this is necessary, the Inquiry will resume at 10.00 for the second day.

Kevin Ward

INSPECTOR