

## THAMESLINK 2000

Transport and Works Act 1992

Town and Country Planning Act 1990

Planning (Listed Buildings and Conservation Areas) Act 1990

### NOTES OF A PRE-INQUIRY MEETING HELD AT Bankside House 24 Sumner Street, London 14:00 Tuesday 26 April 2005

#### Introduction

1. The purpose of the Pre-Inquiry Meeting (PIM) was to consider the administrative arrangements for the Inquiries that are scheduled to begin on Tuesday 6 September 2005.

#### Inspectors and Programme Officer

2. The Lead Inspector for the Inquiries is Ken Barton BA(Hons) DipArch DipArb RIBA FCI Arb. A single report will be produced for consideration by the First Secretary of State and the Secretary of State for Transport who will make their decisions on the Orders and associated applications based on separate recommendations in the report.
3. Colin Tyrrell MA CEng MICE FIHT is the Assistant Inspector and will sit at all times during the Inquiries. He is an experienced Inspector and will draft parts of the report. In the unlikely event that the Inspectors are unable to agree on any point, the responsibility for balancing conflicting considerations, and for the conclusions and recommendations in the report, will be Mr Barton's alone.
4. The Programme Officer is Graham Groom of Persona Associates who may be assisted by other members of his staff from time to time. Prior to the Inquiries Mr Groom can be contacted at:

Persona Associates  
West Point  
Springfield Road  
Horsham  
West Sussex RH12 2PD  
Tel 01403 219899

All correspondence from the date of the PIM should be addressed to the Programme Officer.

#### Scope of the Inquiries

5. The Inquiry that opened in June 2000 into all the earlier applications will be re-opened, but only to consider evidence relating to material changes in circumstances since the earlier Inquiry. It is not an opportunity to re-run cases that have already been heard. A concurrent Inquiry will also hear evidence relating to the most recent applications for planning permission and listed building consent (TL3 to TL9 and TL20 and TL21 of Annex A to the Planning Inspectorate's letter dated 6 January 2005). The Secretary of State issued a Statement of Matters on 6 January 2005 setting out the topics on which he particularly wishes to be informed (Annex D of letter of 6 January 2005).

6. Network Rail were requested to submit a written statement at the opening of the Inquiries setting out how all the statutory rules relating to the re-opened Inquiry and the new applications have been met. This should include the arrangements for publicising the revised Environmental Statement (ES), and the addendum to the ES that is to be issued by 12 July 2005. Network Rail confirmed that the Transport Impact Assessment relating to the closure of Blackfriars Station would form part of the addendum to the ES. The early issue of this information is necessary to allow objectors to prepare their cases.

### Appearances

7. A list of those present at the PIM is attached at Appendix A. Those who indicated an intention to speak at the Inquiries were as follows:-

<b>Representative</b>	<b>Representing</b>
Mr Philip Petchey & Mr Tim Comyn of Counsel will be led by Mr Keith Lindblom QC	Network Rail
Mr Norman Winbourne	Norwood Forum Board & Others
Mr L Andrews	Star TV
Ms Deborah Cluett	Corporation of London
Mr Trevor Wilding, Mott MacDonald	Unilever
Mr Andrew Relf	English Scottish and Welsh Railways
Ms Clare Fallows, Lovells	London & Continental Railways & Argent
Mr Benedict Birnberg	Cathedral Area Residents' Association/Bankside Residents' Forum
Mr Richard Pout	Railway Development Society & Rail Future
Mr Teige O'Donovan, Farrah & Co	Sucden & Standard Chartered
Mr John Lytton of Counsel	L B Islington
Mr Douglas Edwards of Counsel	L B Southwark
Mr Michael Woods	KPMG
Ms Helen Robinson	London Underground
Mr Alan Moody	Friends of the County of Surrey
Mr Charles Norman, Jones Laing LaSalles	Hammersons

8. A list of the witnesses that Network Rail anticipate calling is attached as Appendix B. Network Rail's team will also represent the case of the Strategic Rail Authority (SRA), although the SRA will probably be abolished and its powers transferred to the Department of Transport at some time before the Inquiries open.
9. The parties were requested not to attempt to contact the Inspectors outside formal sessions but to speak to the Programme Officer. All objectors at the original Inquiry have been informed of the re-opened Inquiry and it was stressed that cases already heard will not be revisited. A number of objectors have submitted additional statements of case or objections relating to either material changes in circumstances or the new applications. Their original objection number will be suffixed with an 'A' to indicate that additional evidence is to be submitted. In addition, there are some new objectors who did not submit evidence or representation to the original Inquiry. They will be allocated numbers starting with 5001.

10. Requests were made on behalf of the Cathedral Area Residents' Association/Bankside Residents' Forum for the Inspector to request the appointment of Counsel to the Inquiries and to rule that CARA/BRF could record the proceedings at the Inquiries. These are the subject of separate responses.

## **Procedure**

11. The Inquiries will begin with short opening statements of around 10-15 minutes from those who wish to outline their case, followed by the presentation of Network Rail's case. Advocates should remain seated during examination of witnesses and when making submissions but it may be necessary to stand to attract the Inspector's attention during the proceedings. All topics in the Statement of Matters should be addressed. Where an objection relates to the original applications, the first matter to be addressed in evidence is what material changes there have been since the original inquiry that have led to the new evidence. Where a material change cannot be identified additional evidence will not generally be heard.
12. Cross-examination of Network Rail's witnesses will be permitted by objectors whose objection rests in some manner upon a challenge to the evidence presented by the witness. The Inspectors would find it helpful if the various planning authorities could cross-examine Network Rail's witnesses when they first appear, although that might not be appropriate for those with limited areas of objection.
13. Network Rail's case will be followed by the cases for Objectors, supported as necessary by technical witnesses who may be cross-examined by the applicant. If any objector is not present when Network Rail's case is presented Network Rail confirmed its willingness to make them available for cross-examination when the objector's case is presented. In those circumstances, the Inspectors would expect Network Rail to give brief summary evidence relating specifically to the objection, and for its witness(es) to be cross-examined by the Objector before presentation of the Objector's case and cross-examination of any Objector's witness(es). At the end of each objection the Objector may make a closing statement to save having to return. Alternatively a closing statement may be made at the end of the Inquiries. Network Rail indicated that its closing submissions will all be made at the end of the Inquiries. Where possible time will be made available for closing submissions to be in writing.
14. Written representations from parties not intending to appear at the Inquiries should be submitted three weeks before the Inquiries open. A written response should be made by Network Rail by the end of November (or by the end of the Inquiries if earlier than that date). Expert witnesses representing all parties should meet or speak prior to the Inquiries to agree methodologies, assumptions, relevant policies, design standards, computer programmes and their versions and as many other matters as is possible. This will have the effect of shortening the Inquiries. Compensation is not a matter for these Inquiries but would be in line with the statutory compensation code should the decisions of the Secretaries of State lead to that.
15. Parties who consider that any conditions should be applied, in the event of the Order being confirmed or permission /or consent granted, should set out their case in their evidence or written representations. If the conditional withdrawal of an objection is achieved by negotiation, the nature of the conditions should be included in evidence from Network Rail. The advice in Circulars 11/95 and 1/97 should be noted.

## **Programme**

16. Estimates of how long cases are expected to take should be given to the Programme Officer as soon as possible. He will programme appearances and indicate dates for the presentation of evidence. Co-operation and flexibility will be needed from everyone. As far as possible objections relating to specific details will be programmed later in the proceedings with objections relating to wider concerns being heard first. Parties will have to allow for some adjustments in the programme in either direction. If they are briefing Counsel it should be done on that basis. It will be up to individual parties to ensure that they are available at their programmed time and a party that overruns its allocated time may find that it has to return at a later date to finish its case. However, the Inspectors and Programme Officer will be as flexible as possible.

## **Accommodation and Facilities**

17. The Inquiries will be held in the hall on the 8<sup>th</sup> floor at Bankside House. The fire escape arrangements for the venue were stated at the opening of the meeting. In view of the steps at the main entrance to Bankside House Network Rail were requested to liaise with the buildings management to ensure easy access for the mobility impaired. Network Rail is also to liaise with the press over press facilities. Meeting rooms could be made available, but parties were requested to notify the Programme Officer of requirements when agreeing dates for appearances. There are toilet facilities on the 8<sup>th</sup> floor.
18. During the Inquiries the Programme Officer and the Inquiry Library will be in the first room on the left outside the main Inquiry room. A photocopier will also be available in the Programme Officer's room. Internet access, a fax and a public address system will be provided as at the original Inquiry. An Inquiry web site will be set up which will be maintained by the Programme Officer. The address is [www.tl2000inquiry.org.uk](http://www.tl2000inquiry.org.uk). Parties to the Inquiries were requested to provide as many of their documents as copyright and other factors allow in electronic format (word or pdf files) for posting on the web site.
19. Shelving behind the Inspectors to accommodate 2 sets of documents will be provided together with good quality swivel chairs to allow documents to be accessed easily during the Inquiry.

## **Documents**

20. Guidance for the preparation of documents was circulated with the agenda for the PIM and copies are available from the Programme Officer. Anyone who is unsure of their Objection number can also obtain that from the Programme Officer. Four copies of all documents should be provided for the use of the Inspectors with an additional copy for the Inquiry Library. Network Rail indicated that they would generally require 6 copies of all documents but it was agreed that each Objector would liaise with Network Rail to agree the number of copies that would be provided by each party. Prior to the Inquiries copies of documents will be available for viewing at:

James Forbes House  
27 Great Suffolk Street  
London  
Tel: 0845 0002000

## Site Visits

21. The Inspectors will make unaccompanied visits before the Inquiries or before evidence is heard relating to specific locations. At the end of the Inquiries, or at a convenient time following the presentation of particular evidence, the Inspectors will make a series of accompanied site visits. These will be carried out in the company of Network Rail representatives and the Objectors concerned about the location. Where it is unnecessary to enter private land or buildings the visits may be unaccompanied. If there are particular locations that it is considered the Inspectors should visit, details should be given to the Programme Officer who will compile a list.

## Costs

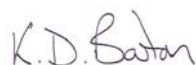
22. Everyone who intends to give evidence at the Inquiries should be aware of the advice in the *Department of Transport Circular 3/94: Awards of Costs in Applications Proceedings Under Section 6 of the Transport and Works Act* and *Circular 8/93: Awards of Costs Incurred In Planning and Other (Including Compulsory Purchase Order) Proceedings*.

## Sitting Times

23. It was agreed that normal sitting times will be 10:00 to 17:00 with an hour for lunch around 13:00. Mid-morning and afternoon breaks will be taken at about 11:30 and 15:30 as convenient. On Fridays, the Inquiries will sit between 09:30 and 15:00 with a mid-morning break at 11:00 and a 20 minute break at around 12:30. If evening sessions are thought to be necessary specific applications should be made at the Inquiries.
24. The Inquiries will open on 6 September 2005 at 10:00. As a general rule the Inquiries will sit for a period and then have a non-sitting week to enable the Inspectors and advocates to re-read the evidence and to prepare for the next sitting period. Bankside House is not available on Thursday and Friday 15 & 16 September. The Inquiries will therefore sit on 6-9, 13-14, 20-23 and 27-30 September. The first non-sitting week will be the week commencing 3 October. The Inquiries will resume on 11 October for two weeks but will not sit in the week commencing 24 October. The next sitting date will be 1 November and there will follow 4 sitting weeks until 25 November. If the Inquiries have not closed by the end of November, there will be a non-sitting week then three sitting weeks until Christmas.

## Any Other Business

25. It is not expected that a second PIM will be necessary. However, if matters do not progress smoothly notice will be given of a second PIM and 12 July has been reserved for that purpose.
26. A letter from the Secretary of State dated 6 January 2005 indicated that the adequacy of the Environmental Statement (ES) would be considered at the PIM. As an addendum to the ES is to be issued by 12 July 2005 the adequacy of the ES will be a matter for the main Inquiries.
27. No other matters were raised and the meeting closed at 15:37 hours.



Inspector

ID/1

Appendix A

PIM Attendance Sheets

**Appendix B**

**LIST OF WITNESSES PROPOSED TO BE CALLED  
ON BEHALF OF NETWORK RAIL AS AT 26 APRIL 2005**

*Note: in all cases, witnesses will concentrate on matters which have changed since the first inquiry.*

1. **Janet Goodland**, Director, Network Development:

Development, Promotion and Implementation of Thameslink 2000.

*In particular, Janet Goodland will describe relevant changes in the railway industry and put the Thameslink 2000 proposals in the context of those changes.*

2. **Jim Steer**, Managing Director, Strategic Planning, SRA:

The Transportation Case for Thameslink 2000.

*In particular Jim Steer will provide an updated assessment of transportation case for Thameslink 2000, including an updated cost benefit appraisal, taking 2016 as the reference year.*

3. **John Rhodes**, Director, RPS:

The planning case for Thameslink 2000.

*In particular, John Rhodes will consider the implication for Thameslink 2000 of the London Plan, the City of London UDP and the Southwark Plan (Second Deposit Draft).*

4. **Michael Haste**, Director, Pascall + Watson:

Architectural Evidence in respect of the Blackfriars Proposal.

*Michael Haste will explain the designs that are the subject of the planning and listed building consent applications at Blackfriars Station and bridge, and in particular, will address the replacement building at 167-179 Queen Victoria Street, the so-called 'Missing Tooth'.*

5. **Tom Jestico**, Director, Jestico and Whiles:

Architectural Evidence in respect of the proposals for replacement buildings in the Borough Market area.

*Tom Jestico will explain the designs that have been submitted for replacement buildings in the Borough Market / Borough High Street area.*

6. **Roy McGowan**, Senior Consultant, Steer Davis Gleave:

The effects of the temporary closure of Blackfriars London Underground Station.

*In particular, Roy McGowan will focus on the implications of temporary closure for the travelling public and the alternative travel arrangements that may be followed.*

In addition, it is likely that Network Rail will call witnesses to address the following matters:

- heritage (overview)
- railway operations
- interface with Crossrail.