



**ADDRESS: BRISTOL AIRPORT, NORTH SIDE ROAD, FELTON, WRINGTON  
APPEAL BY BRISTOL AIRPORT LIMITED RELATED TO BRISTOL AIRPORT,  
NORTH SIDE ROAD ('The s78 appeal')**

**AND**

**THE BRISTOL AIRPORT LIMITED (LAND AT A38 AND DOWNSIDE ROAD)  
COMPULSORY PURCHASE ORDER 2020 ('The CPO').**

## **SECOND CASE MANAGEMENT CONFERENCE AND TEST EVENT SUMMARY NOTE HELD ON 30 JUNE 2021**

1. The Council may wish to draw the attention of interested parties to this follow up Note. At the very least, it is recommended that a copy be posted on the Council's website. The Note will be posted on the Inquiry website (details below). This Note should be read alongside that issued on the 17 March 2021.
2. The S78 appeal is transferred for determination by the Panel. The CPO has not been delegated, and the Panel will be reporting to the Secretary of State. If either of these matters change, the parties will be informed.

### **Format of the Inquiry**

3. As discussed and established at the Test Event the Inquiry will be a blended event i.e. those participating will be able to do so physically<sup>1</sup> or virtually via Microsoft Teams. Those not actively participating in the proceedings will be able to watch the event on the live web-stream on YouTube.
4. For those participating via Teams, cameras should remain turned off/ microphones on mute unless speaking. If you wish to speak please use the hands function and the Inspectors will bring you when appropriate. Unless specifically requested by the Inspectors documents should not be shared on Teams.
5. The Council is currently exploring how meeting rooms can best be provided for the Rule 6 parties and we hope to provide an update shortly.

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<sup>1</sup> In the event that social distancing requirements remain in place after 19 July the capacity of the room will be restricted to 25 people. We will aim to update parties as to the detailed arrangements following the anticipated Government announcement on 12 July.

## Remaining evidence

6. The deadline for rebuttal proofs is **6 July 2021**. Parties are reminded that these should not introduce new evidence unless, exceptionally, there is justification (e.g. publication of a new relevant document which was unavailable when proofs were being prepared).

## Statement of Common Ground

7. The Rule 6 parties are invited to comment on the second draft of Statement of Common Ground (SOCG) by **9 July 2021**. This should follow the format of the SOCG and utilise the reference numbers and indicate whether parties agree or disagree (or unknown).

## Conditions

8. An agreed updated schedule of suggested planning conditions and the reasons for them, is to be submitted by **9 July 2021** and should be cross copied to all parties.
9. The list of agreed conditions will be a living document and the Inspectors will issue comments on the list prior to the round-table session on conditions.

## Planning Obligations

10. The Inspectors are disappointed to hear there has been a lack of progress in relation to the s106 agreement and would urge the main parties to work together in a spirit of cooperation over the coming weeks to ensure a final draft is submitted before the Inquiry opens.
11. An early draft s106 along with a covering note to explain any outstanding issues, as well as the Council's CIL Compliance Statement is to be submitted by **9 July 2021**.

## Core Documents

12. To assist the Programme Officer, the list of Core Documents has been closed. Any further additions to the list will need to be approved by the Inspectors.

## Inquiry Running Order/Programme

13. The Inquiry will open at **10.00 on 20 July 2021**, though may start slightly earlier on subsequent days. An outline programme for the Inquiry is appended to this Note. A more detailed programme will be issued in due course. As parties can appreciate, this is a difficult task. In setting out the outline programme, we have taken into account representations made in terms of the logical ordering of topics, along with witness, advocate and Inspector availability.

14. In brief, after the Panel's opening comments, opening statements from the main parties will be invited in order Appellant, the Council, then Rule 6 parties.
15. We will then hear from interested parties who wish to speak. Firstly, this will include some but not all of the Parish Council Airport Association's witnesses and then unrepresented local residents.
16. To make the best use of Inquiry time and to avoid repetitious evidence, local residents are strongly encouraged to nominate a spokesperson. The Panel will not want to hear the same point made multiple times and repetition will not add any weight to the evidence before the Inspectors. It would assist the Inspectors if those wishing to speak can contact the Programme Officer at the earliest opportunity.
17. The topic-based sessions will commence on Tuesday 27 July the Inquiry starting with the Forecasting evidence. Aside from the opening and closing weeks of the Inquiry when all three Inspectors will be present, the sessions will be led by a nominated Inspector with support from another member of the Panel. The running order for each session will involve the formal presentation of evidence – Council first, followed by Rule 6 and then the Appellant.
18. The Panel are exploring the possibility of holding an evening session during the first week of the Inquiry to assist local residents who have work commitments during the day. A decision on this will be made at the start of the Inquiry if not sooner.
19. Given the length of the Inquiry, it is likely that the programme will need to be continually evaluated and if necessary amended to reflect progress, and the duration of the Inquiry may change. All parties should maintain their availability for the expected 40 days of sitting, noting that Mondays will not generally be a sitting day. It will also be necessary to identify a number of days to be reserved for over-run.

## **Site Visit**

20. The Inspectors will visit the area before the Inquiry opens, solely to familiarise themselves with the surrounding area. This will be unaccompanied and will not go onto private land.
21. The Inspectors will carry out an accompanied site visit during w/c 23 August 2021 during the scheduled break. This will include an unaccompanied site visit to see the local area on 25 June. The Council in consultation with the other parties should prepare an itinerary for this visit. It is important that that the Inspectors are not approached by local people on the visit.
22. The Inspectors along with the Programme Officer will undertake a site visit to the airport itself (including airside) on 26 August. The Appellants are expected to make the necessary security arrangements to facilitate this

visit. Whilst the Inspectors will be accompanied by an airport representative, this person should not be a member of the Appellant's Inquiry team. There will be no discussion of the case during the visit.

### **Costs**

23. The Panel notes the Appellant's comments in relation to costs. In addition all parties are reminded that in order to support an effective and timely planning system in which all parties are required to behave reasonably, the Inspectors have the power to initiate an award of costs in line with the Planning Practice Guidance. Unreasonable behaviour may include not complying with the prescribed timetables.

*P. J. G. Ware*

Lead Inspector

*C. Searson*

Inspector

*D. M. Young*

Inspector

2 July 2021

## Annex 1: Outline Inquiry Programme:

W/C	Running order	Led by
19 July	Openings PCAA – Residential Amenity/ PC Areas/ BANES Comments Local Residents	All Inspectors in attendance
26 July	Forecasting Socio-economics	Philip Ware Dominic Young
2 Aug	Noise Air Quality	Claire Searson Claire Searson
9 Aug	Air Quality (Continued) Health	Claire Searson
16 Aug	Break	
23 Aug	Break – Inspector Site Visit	
30 Aug	Highways	Dominic Young
6 Sept	Climate Change	Phillip Ware
13 Sept	Green Belt & Landscape	Phillip Ware
20 Sept	Break	
27 Sept	Planning Balance Conditions & S106 (Round Table Session)	All All
4 October	S78 closings CPO	All Phillip Ware
11 October	CPO For overrunning	Phillip Ware

## Annex 2: List of those speaking the CMC for the main parties

For the Council. Mr M Henderson of Counsel.

For the Appellant. Mr M Humphries QC.

For PCAA. Mr B Moorhouse of Counsel.

For BALPA. Mr A Renshaw. (Mr R Williams of Counsel at the Inquiry.)

For BAANCC. Ms E Dehon of Counsel.

For Bristol XR Elders. Ms L. Beth.

For SP & LS. Ms A Sutherland.