From: Paul Brown
To: "The Programme Officers"; Alison.McCue@indigoplanning.com; blmbarton@aol.com; richard.moyse@kentwildlife.org.uk; sean.furey@protectkent.org.uk; fay.bouri@rspb.org.uk; terry.ellames@shepway.gov.uk; Catherine.tonge@naturalengland.org.uk; laura.newland@naturalengland.org.uk; Richard.Broadbent@naturalengland.org.uk; publicinquiry@naturalengland.org.uk; kelly.phillips@indigoplanning.com; donaldrussellw@btinternet.com;
cc: blmbarton@aol.com;
Subject: RE: New witness for LAAG
Date: 31 March 2011 12:03:29

Dear Yvonne

Thank you for this. I can confirm that the approach outlined by the Inspector is acceptable to SDC, and would indeed fully endorse it. Having reviewed Ms Barton's evidence on this topic, I would (without accepting any of the arguments she advances) be happy for her evidence to stand as a written representation without any need for me to cross-examine her. I would be grateful for the Inspector's confirmation that the same would apply to that part of Mr Ellames' evidence which relates to the Council's consideration of the applications, which are set out in his proof by way of background, since it would clearly be inappropriate for one rule to apply to LAAG and another to SDC. If it would help, I would be happy to ask Mr Ellames to identify the sections of his proof which could be treated as a "written representation" for these purposes.

I note that LAAG hope to have Mr Horton as advocate. Is LAAG able to indicate for which remaining parts of the Inquiry they envisage this? In particular, could I repeat the point that I have made previously, that if LAAG anticipates that Mr Horton will be cross-examining any of LAA's or SDC's witnesses, it would be helpful to have any revised time estimates for cross-examination, if only to ensure that the Inquiry is properly programmed.

Thank you,

Paul Brown

-----Original Message-----
From: The Programme Officers [mailto:posltd@virginmedia.com]
Sent: 31 March 2011 11:39
To: Alison.McCue@indigoplanning.com; blmbarton@aol.com; richard.moyse@kentwildlife.org.uk; sean.furey@protectkent.org.uk; fay.bouri@rspb.org.uk; terry.ellames@shepway.gov.uk; Catherine.tonge@naturalengland.org.uk; laura.newland@naturalengland.org.uk; Richard.Broadbent@naturalengland.org.uk; publicinquiry@naturalengland.org.uk; kelly.phillips@indigoplanning.com; donaldrussellw@btinternet.com; pbrown@4-5.co.uk

Cc: blmbarton@aol.com
Subject: New witness for LAAG

Please find attached an email that was received yesterday from LAAG.

The Inspector has seen this email and his response is as follows:

The Inspector is concerned that at this stage LAAG wish to introduce a new witness on SDC's handling of the applications. Having re-read the evidence of Mr McGrath (LSS), Mr Ellames (SDC) and Mrs Barton (LAAG), and having regard to the fact that the applications have been called in for decision by the Secretary of State, the Inspector is of the opinion that how the Council dealt with the applications has little bearing on the merits, or otherwise, of the proposals. Whether or not the Council acted properly is not a matter for this Inquiry. Consequently, consideration of this matter would not be a good use of Inquiry time. The Inspector therefore considers that the evidence on the Council's handling of the applications, including the proposed new evidence from Mr Webb of Aecom Ltd, should stand as written representations which would still be reported to the Secretary of State. If other parties need to respond to the new evidence that should also be done in writing. A timetable for any such representations will be discussed in due course.

Kind regards

Yvonne Parker
(Tel: 01282 450522 / Mob: 0781 333 4305)
The Programme Officers (POSL)