

APPEAL REF: APP/Y3425/W/23/3315258

Change of use from student accommodation to asylum seeker accommodation at Stafford Education and Enterprise Park, Weston Road, Stafford ST18 0BC.

INSPECTOR'S SUMMARY NOTE OF THE CASE MANAGEMENT CONFERENCE HELD AT 14.15 ON WEDNESDAY 29 MARCH 2023 VIA MICROSOFT TEAMS**Introduction**

1. The Case Management Conference (CMC) was led by the Inquiry Inspector, Gareth Jones MRTPI.
2. The main parties were represented at the CMC by:
 - Jonathan Easton, King's Counsel, for the appellant
 - Hugh Richards, Counsel, for the Council
3. They will also perform the role of primary advocate during the Inquiry, Mr Richards will be assisted by Odette Chalaby, Counsel.
4. The Council intends to call up to 3 witnesses and the appellant up to 5 witnesses. They will confirm details as soon as possible.

Main Issues

5. The main issues were discussed and are likely to be the effect that the proposed development would have on social inclusivity, on fear of crime and on local public health resources.
6. I shall, nonetheless, review the main issues in light of the Statement of Common Ground (SoCG) and the wider evidence once it has been exchanged in accordance with the timetable set out towards the end of this note.

Statement of Common Ground, Conditions and Core Documents

7. The appellant and Council are in on-going dialogue over a SoCG, which shall include a schedule of suggested conditions. If there is any disagreement over any of the conditions the reasons shall be set out along with any suggested alternative wording. The final version of the SoCG shall be submitted by 11 April 2023 at the latest.
8. The appellant is to submit express written confirmation of its acceptance of any pre-commencement conditions within 2 working days of the conclusion of the Inquiry roundtable session on conditions.
9. Discussion is already underway regarding Core Documents (CDs). The appellant will co-ordinate the list of CDs. The list and the CDs themselves shall be finalised and submitted by 11 April at the latest. The Council will

arrange for an online set of the CDs to be made available via its website for us all to use and to allow interested parties to access the documents.

10. The purpose of the CDs is to avoid the need for witnesses to append documents to their evidence where these are likely to be referred to by more than one witness. They should comprise only those documents to which the parties will be referring. Any Appeal Decisions and/or legal authorities on which the parties rely will each need a note, perhaps best included in the witness's proof of evidence, explaining the relevance of the document to the issues arising in the Inquiry, together with the propositions on which they seek to rely, with the relevant paragraphs identified.
11. I will not require a hard copy set of the documents provided that there is a good quality electronic set.
12. The appellant confirmed that at this stage it does not intend to submit a legal agreement.
13. A timetable for the submission of these documents and other matters is set out towards the end of this note.

Inquiry Venue, Running Order & Programme

14. Four days have been set aside for the Inquiry, 16-18 and 23 May 2023.
15. The Council recognises that the event is likely to be very well attended, such that a large venue will be required, and advised that the Council's own facilities are not large enough. One venue was discussed, Stafford Rugby Club, however it does not seem likely to be suitable. So, the Council will, with the appellant's assistance, continue its search for an appropriate venue. This search will take place in tandem with risk assessment for the event / venue and the Council shall ensure that appropriate measures are put in place to reasonably minimise risk and safeguard the well-being of all attendees. It shall provide updates on this matter to the case officer on a regular basis.
16. Once proofs have been exchanged, each party shall provide detailed timing estimates (openings*, evidence in chief, cross-examination and closings**) so that I can put together a timetable / programme to help with the efficient running of the event.
17. While the Inquiry is running, in general, I will aim to finish each day at around 17.00 and after the first day I shall resume at 09.30.
18. In terms of running order, following my opening comments on Day 1 I will invite opening statements from you, which should be no longer than around 10 minutes*, the applicant first, then the Council.
19. I will then hear from any interested parties, which will be followed by the main parties' witnesses, the Council's followed by the appellant's. It is hoped that all witnesses shall have been heard by the end of the third day.

20. On that basis on the fourth and final day there will be the usual roundtable session on conditions followed by the closing submissions, which should be no longer than an hour**, setting out your respective cases as they stand at the end of having tested the evidence, before I close the Inquiry.
21. Assuming that the Inquiry progresses on this basis, it was agreed that the final day shall be held online via Teams or a similar appropriate platform. In those circumstances, the Council as the hosts of the event would make arrangements for the online format.
22. If there are any applications for an award of costs those will be heard after the closing submissions before I close the Inquiry. None were foreshadowed during the CMC.
23. I shall conduct a site visit at some point after the Inquiry has opened. At this stage I anticipate that it will take place on Monday 22 May 2023 around 2pm. It is likely to take place in two parts: firstly unaccompanied off-site, and then accompanied by representatives of the main parties on-site.
24. I would also like the Council to confirm that a suitable retiring room and at-venue or nearby car parking space will be provided for me. These details may be provided up to a week before the Inquiry opens.

Timetable for Submission of Documents and Deadlines for Other Matters

Date	Submission / Action
11 April 2023 <i>5 weeks before the Inquiry opens</i>	<ul style="list-style-type: none"> • Core Documents • Website/page for the appeal to include Core Documents hosted by the Council • SoCG • Suggested conditions
18 April 2023 <i>4 weeks before the Inquiry opens</i>	<ul style="list-style-type: none"> • All proofs
25 April 2023	<ul style="list-style-type: none"> • Council to submit a copy of the Inquiry notification letter and list of those notified
2 May 2023 <i>2 weeks before the Inquiry opens</i>	<ul style="list-style-type: none"> • Estimated timings from the main parties
9 May 2023	<ul style="list-style-type: none"> • Confirmation of Inspector retiring room and parking (Council)
16 May 2023	<ul style="list-style-type: none"> • Inquiry opens at 10.00 am

G D Jones

INSPECTOR

30 March 2023

Annex

Content and Format of Proofs and Appendices

Content

Proofs of evidence **should**:

- focus on the main considerations identified, in particular on areas of disagreement;
- be proportionate to the number and complexity of considerations and matters that the witness is addressing;
- be concise, precise, relevant and contain facts and expert opinion deriving from witnesses' own professional expertise and experience, and/or local knowledge;
- be prepared with a clear structure that identifies and addresses the main considerations within the witness's field of knowledge and avoids repetition;
- focus on what is really necessary to make the case and avoid including unnecessary material, or duplicating material in other documents or another witness's evidence;
- where case law is cited in the proof, include the full Court report/ transcript reference and cross refer to a copy of the report/ transcript which should be included as a core document.

Proofs **should not**:

- duplicate information already included in other Inquiry material, such as site description, planning history and the relevant planning policy;
- recite the text of policies referred to elsewhere: the proofs need only identify the relevant policy numbers, with extracts being provided as core documents. Only policies which are needed to understand the argument being put forward and are fundamental to an appraisal of the proposal's merits need be referred to.

Format of the proofs and appendices

- Proofs to be no longer than 3000 words if possible. Where proofs are longer than 1500 words, summaries are to be submitted.
- Proofs are to be spiral bound or bound in such a way as to be easily opened and read.
- Appendices are to be bound separately from the proof.
- Appendices are to be indexed using **projecting tabs**, labelled and **paginated**.