

23 July 2014

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| Insp | First thing is the Promoters' chance to respond about admission of Doc B13. I've prepared my own things anyway and...Mr Cameron have you prepared a note?   |
| NC   | No Sir you indicated that you wanted oral subs and I've a note for myself and it's not in a fit state to hand in.   |
| Insp | I'll make own note.   |
|      | <b>Admission of heritage document</b>   |
| NC   | <p>You've given me the opp to make the final reply. I also said I'd not respond to every dot or comma in the subs made otherwise it'll take a long time. First heading is the purpose of the application to submit B13 then a response to the subs made. Point 1 sir is the essence of points taken by objectors is it's not fair for objectors to shore up points tested in X-ex and a party should have 1 opp but not be given another. Second point is that the subs miss the main point of the application - the applic is not made to shore up evidence. It's to be noted that the adequacy of the ES is ultimately a question of law. And this point is made by Mr Jones in his subs at para 17. That's right but initially it's an issue for SoS to consider. It's not accepted that the ES is inadequate. The main reason why the Applicant proposes to submit B13 is to guard against and avoid the costs and delays that would affect all the parties that would result from 3 potential outcomes: (i) a finding by SoS that the ES is inadequate, or (ii) finding by SoS that ES is inadequate followed by request for further info pursuant to rule 17(1) of the 2006 Rules, or (iii) following finding by ES that the ES is adequate and the making of the order, a statutory challenge in the High Ct on the basis that the ES is inadequate. Those are the 3 potential outcomes the promoters are seeking to guard against. If the ES as submitted is held to be inadequate there will be no ES as defined in the Act at s.14(3D). As an aside I looked at the version at C-1-15 which is in its unamended form - subsection 3D was inserted some time ago as an amendment. If it were inadequate the SoS would not be allowed to grant the Order. In these circs, Rule 17(1) of the 2006 Rules is relevant which provides that the SoS shall direct the applicant to provide the info. The objection of First refers to the 2006 Rules but don't address in any detail the implications of Rule 17(1). Er before going on from that I do accept that 1 option for SoS if not an adequate ES they could just reject the application and not make the Order but in order to give him the opp to make the Order he would have to have an ES. At para 52 of First's subs, the contention is that the Promoters elide the questions whether SoS is able to make a decision and whether he can make one in its favour based on the existing evidence. I accept those are 2 diff Qs but Promoters suggest it should be admitted to enable the SoS to make a decision in the event he comes to the conc that the ES is inadequate. So concluding the 4th point proposed doc B13 shd be admitted to enable SoS to make a decision and avoid the delay that would otherwise occur if SoS made a direction under Rule 17(1) of 2006 Rules.</p> <p>Next heading is response to subs on the exercise of your discretion. 1: No dispute that you have such a discretion and (2) shld have regard to and act in acc with the principles of fairness and fairness depends on the circumstances. (3) First cite a number of cases. I'm not going to descend into immense detail - you have them and can read them and consider them but (a) the cases concern very diff circs to those under considn here (b) Castleford Homes is summarised at First's para 35 - I accept that that is a fair summary of the main points but that was a successful challenge based upon the fact that the Insp had decided the case on a ground that was not in contention between appellants and the LPA at the inq. Principles are set out at para 52 of Mr Justice Ouseley judgment but as in any fairness issue it will depend on the facts. That case was not concerned with an applicn to admit in evidence a doc with purpose of guarding against a finding of inadequacy in an ES. Point (c): Frances is dealt with at First's subs at para 37. That's a different circumstance-concerns role of an inspector at a hearing and it's accepted that its principle that it's not for an inspector to root out a case the applicant singularly failed to put applies to inquiries but it's not suggested here you do that. Tatham Homes in many ways similar to Castleford. Hopkins which is referred to at 40 is the</p> |

CA indicating approval of Castleford Homes and Tatham cases and the essence of the point made is that there should be a reasonable opp to adduce evidence and I accept that the emphasis Mr Jones and Graham put on this is "an" opportunity. Para 41. I then move on to my point 4 in considering fairness it's necessary to balance the interests of all parties and essential that procedure should not be the enemy of good decision making based on ample info. Point 5- given the timetable, ample opp for objectors to consider it when they give their evidence. 6: Participation will occur during the inquiry. 7: any implications in costs can be dealt with by parties making applicns at the relevant time. 8: The applicants do not give an open-ended undertaking in costs and it would not be right for them to do so as would be an invitation to parties to incur costs but the applicants will consider and respond to any applicns made and if those applicns are made before the end of the Inq the applicant will respond before the end of the Inquiry. Sir, First make a submission that it's open to you in your general discretion to make an order conditional upon payment of costs. It's my submission that as there are express provs for costs it should be dealt with under tiose and it's the SoS who has the power to make a costs order. 9: It's our submission that in order to allow parties to participate fairly it's open to you to give directions that might include setting a date for further evidence in response to consultation responses- might give 1st Sept which would give 2 weeks after consultation responses - might be applicant and objectors would wish to respond to consultation responses and then further responses on 15th Sept say, to ensure that unfairness would not result. I now come back to the original subs by the applicant- a suggested approach set out at para 15 which we suggest would be an appropriate approach to apply. First, to ensure fairness is achieved to all parties: (i) determine whether the matters relevant and it's not in dispute, (ii) determine whether the info submitted is likely to assist DM in reaching a decision on a principal controversial issue- not in dispute, (iii) prejudice this is in dispute. First do't put any sound argt why any prejudice can't be overcome by other measures and it can be overcome by allowing objectors to comment upon and address B13. If necessary can recall Mr Ward. Any applicns can be made for costs. A complaint made about length of time but 42 days in the Regs, (iv) prejudice to parties is addressed by First at 52-54 of their subs. The essence of the point is that if objectors are to argue that ES is deficient it would preclude a decision being made on the merits alternatively would require directio to request info at a later date and to exclude the evidence would potentially cause either deprive the SoS an opp to make a decision on the merits - which I accept is unlikely as SoS can request the info but would cause delay for all parties and therefore there would be prejudice and undue prejudice to applicant if order refused or all parties had to come back if SoS thought it necessary to reopen the Inquiry. And finally my conclusion- the purposes of procedural rules include fairness for all parties, permitting participation and making an informed decision -not to be a barrier to providing the info to enable SoS to make a balanced decision.

Insp Thank you. I've looked at all the evidence and I'm putting fwd a suggestion. I'll make the ruling tomorrow formally but this is just a suggestion for the Applicant. My suggestion is- if I'm to admit the ES it's on understanding it's a supplement to ES helpful to Insps and SOS therefore it would be supplementary and would not replace the Heritage Info but stand as additional doc and would be given an APP number and won't actually be part of the ES unless the SOS suggested it should be. The admission of this doc would be an exception and I would not expect any additional docs to be submitted unless requested by the Insps. The original doc would stand including its conclusions as I understand it doesn't change its conclusions. Mr Ward's answers would still stand and should not be an opp for Mr Ward to alter his evidence if that doc is what it's being said to be - should not be given 2 bites of the cherry really to alter his opinion. The Objectors should be given the opp to put in written subs on status of the new doc, any inconsistencies, any credibility and weight that should be given to this doc and the evidence of Mr Ward based on the evidence before the Inquiry. I'd have said the objectors should be given 6 weeks. Open to you to say yes or no. Applicant then have opp to rebut any subs but I would only give 1 week given that this info would be already available. Would give Objectors 1 week to address any rebuttals. Would hope that this would be put in writing and form the basis of what the Objectors' evidence would be when giving their Prof or statement and the objectors could be cross-examined on that. I would hope that in the Heritage Evidence Week - including Monday Afternoon (6th Oct) - those objectors not giving evidence in that week have sufficient time to look at any rebuttal to their evidence or submissions are be able to put something forward. If the Insps consider it necessary I would

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|      | <p>expect that the author should be available to answer Qs related to that doc- only if we consider it necessary. Then this doc B13 would carry weight based on how much it has been tested, the date submitted and info in it. Doesn't appear you have been much info before this doc. The objectors would be able to make costs applications and I'd hear those submissions towards the end of the Inquiry and the SoS would determine whether costs would be awarded. I would hope that the submissions would be made so it gives opportunity to the Applicant to respond and the person submitting the application would have a chance to put a final reply forward. I would hope those could be put in writing but not necessarily the final say but it would help if they are put in writing beforehand. That is put forward as a potential way to hear this evidence. Any questions or concerns Mr Cameron?</p>  |
| NC   | <p>Um Sir will the - the suggestions you make are, it's a matter for you how you run the inquiry but we would not suggest these proposals are unreasonable...[more than 1 week for rebuttal]</p>  |
| Insp | <p>It is a problem because of the timing in some ways - I think objectors should have a good time given that there are holidays - I think 6 weeks is enough time but anything less than that is a concern with holidays coming up, bearing in mind the 6 weeks would start from tomorrow it would be quite tight to give more than 1 week for a response. If you do have a difficulty with 1 week you would have to ask.</p>  |
| NC   | <p>If we had a clear indication as to when it was then, if we knew when the 6 weeks ran out we could have someone ready to deal with it and it may be some objectors put their comments in less than 6 weeks - entitled to put it all in at the last minute but that would cause us problems.</p>   |
| Insp | <p>Yes but it would have to be an exception if it went over a week.</p>   |
| NC   | <p>If that were to be what you do, the Applicant would prioritize its response for those who would appear in the heritage week.</p>   |
| Insp | <p>That's what I'd expect and more for those with heritage evidence and interests.</p>  |
|      | <p>Unless there's anything?</p>   |
| NC   | <p>Nothing major Sir no.</p>  |
| GJ   | <p>Sir, can I make 1 express request for you to consider - an express ruling because the matter may have consequences that flow - you as advised by your colleague consider that the ES as it stands is adequate because that has a material impact on the Applicant's application. Secondly, if you are to admit it absolutely no slack should be given to Applicants. Very tight for my clients - we are giving evidence, holidays approaching and the fault is entirely with Applicants and those advising them. First time I've ever seen that in an inquiry they be allowed to submit it "just in case". Applicants have refused to give an undertaking in costs and [parties will now have to decide whether to incur up-front costs to engage professional advisers because they may not have time to do it and will have to incur costs and may not recover for months or years. May not have time if they have to give it themselves. Will not give an undertaking to pay reasonable costs and it's within your powers to make it conditional on an undertaking. We are where we are but fairness could only be achieved on timetabling.</p> |
| GJ   | <p>I suggest making an express ruling tomorrow on the adequacy of the ES.</p>   |
| Insp | <p>I can't on my own ignore a document that has now been put in as a document that's been published and say to SoS you can't look at this document and as to whether I make a ruling whether it's adequate - not read it, haven't got submissions from the parties whether it is adequate.</p>  |
| GJ   | <p>Just because it's been produced doesn't mean you have to accept it. The power exists without having all the evidence. Our submission is you need to take a view at least on an interim basis for the purpose of this application - that is a relevant factor to take into account when judging whether the additional costs and disruption should be incurred. Just to correct MLF - not the case no decision should be made but that the Order can't be made and applicant's case fails - not for inspector to give second bites at the cherry. Also, for timetable to be met TPs need to have some guarantee - at least 1 TP's adviser is not available - that they can go and engage another. Not an open chequebook - subject to taxation - can give an undertaking to pay reasonable costs subject to an undertaking - no explanation why the document not submitted before - fault's entirely theirs - if no undertaking then difficult to meet the almost impossible timetable.</p>   |

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| NC            | Don't want to prolong things and you specifically said we shouldn't have submissions and we just had them. If you were going to make directions for timetable you would have to hear subs from all parties. Not appropriate to give an undertaking in costs - not appropriate as powers for SoS- recipe for an open-ended commitment which would be inappropriate. |
| Insp          | I'll give a short ruling. I'll not address every point. I'll state what I consider should be done and whether I'll admit this doc and might put something in about other parties. Mr Speak now -will adjourn for 15 mins till quarter to 11 [10:31].   |
| Insp          | [10:46]  |
|               | Inquiry is resumed. I suggested the author be made available for questions- is that possible?  |
| NC            | Have made enquiries. I don't know. If you or sb else made a request we would get sb here who'd contributed to it.  |
| Insp          | It would have to be in the Heritage Week. If we considered that necessary, not expecting a long session. It would be points of clarification on that doc more than anything. Only points we think necessary. Nothing against Mr War but wouldn't want o hear from him again.   |
|               | <b>Mr Natkus' X-Ex of Mr Speak</b>   |
| Stuart Natkus | Planning Statement, your PoE and NPPF.   |
|               | Did you draft the Planning Statement?  |
| SS            | No.  |
| SN            | Did you know who it was?   |
| SS            | No.  |
| SN            | It's really to justify the application?  |
| SS            | If you give me a minute o look through it- a range of policy background that's thought to be relevant. Of itself, I'm not sure that it draws conclusions.  |
| SN            | Site description. Chapter 3 is generic description of the proposals, no real details and the line and the route. Then Chapter 4. You can confirm the determination of deemed planning is s.38(6)?  |
| SS            | If you say so.   |
| SN            | Development plan unless material cnsidns suggest otherwise?  |
| SS            | Yes  |
| NC            | Sir there's a legal point that s.38(6) doesn't strictly apply.   |
| SN            | No hierarchy o policies just a list  |
| SS            | Refers to emerging CS that's well advanced at present time, emerging work on Site Allocations Plan and other SPDs so pretty much covers the range of national and local policies.  |
| SN            | Your proof focuses on/gives priority to UDP , CSand NPPF but it takes this doc a long time to get there?   |
| SS            | Yes I place less weight for instance on Lcal Transport Plan though CS reflects the LTP.  |
| SN            | Yes in contrast to your hierarchical approach this just lists them?  |
| SS            | I'm not sure this document sets out to establish a hierarchy - I don't believe the order reflects a hierarchy.   |
| SN            | Then sets out the applications very generic. Section 6 looks at plans, ES, DAS. Then concs at Section 8. Want to focus on para 8.2 -says outlines how the planning issues "have been addressed"- it doesn't summarise the planning issues or demonstrate how they've been addressed?   |
| SS            | This in my view summarises the policies of relevance.  |
| SN            | Doesn't assess the policies?   |
| SS            | It doesn't in itself do that no.   |
| SN            | This is the doc that is supposed to do that isn't it, unless there's another doc that does that?   |

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| SS   | The ES maybe, I don't know.   |
| SN   | ES is to assess envtl impacts.  |
| SS   | Also relevant to policies.  |
| SN   | Shouldn't the Planning Statement be the 1 doc that address it?  |
| SS   | There's a compendium of info -a huge amount of info - I don't pretend to have read every word. It all addresses the relevant issues. Each expert addresses the detailed elements relevant to heir expertise and I draw on their conclusions to express a view.                    |
| SN   | Yes your roof tries to draw that balance but in the original application consulted on- anyone wanting to look at that couldn't find anything on the planning balance?   |
| SS   | I couldn't say.   |
| SN   | What year was UDP adopted?  |
| SS   | 2004  |
| SN   | What weight to polices in that doc?   |
| SS   | Very significant weight.  |
| SN   | Even though NPPF suggests plans out of date?  |
| SS   | I think NPPF says you should give weight according to inconsistency. If inconsistent you wouldn't give no weight as still part of extant dvpmt plan but less weight.  |
| SN   | Some of these policies refer to Supertram by name?  |
| SS   | Yes by name.  |
| SN   | You'd agree a policy that refers specifically to tram can't be complied with by an applicn related to a bus?  |
| SS   | I wouldn't. Supertram was the scheme at the time. What the policy relates to is protection of a corridor for P&R and provision of a system of modern public transport.  |
| SN   | No reference to trolleybus?   |
| SS   | No, I'd be surprised if there was!  |
| SN   | No review.  |
| SS   | The review has led to CS.   |
| SN   | The UDP inspector looked at the general alignment but not detailed specific route?  |
| SS   | The Insp clearly looked at the route before him at the time and made a judgment that it was a route necessary to secure improvement in PT- outweighed the harm and safeguarded it. I acknowledge that in places it deviates from the route.                                       |
| SN   | Not dealt with in detail of the design freezes- generic route?  |
| SS   | It's he corridor yes.   |
| SN   | Where deviations, it's not in acc with the policy? Doesn't comply 100%  |
| SS   | It varies from it.  |
| SN   | I think that's the same?  |
| SS   | No that's my words. I believe it complies wit the policy. In general terms.   |
| Insp | Can we just look at the policy.   |
| NC   | D-2-9 pp.123-124  |
| SN   | It's more about the maps. The maps identify a route like an allocation- policy T13. In the planning statement it identifies a particular location. How can the application comply with the policy f it is in a different location- how much weight should e given to that policy? |
| SS   | Very significant weight. Good general fit. I addition there are a few minor deviations bt I don't see how those deviations undermine the protection that's given for the vast majority of the route.  |
| SN   | Para 4.70 of Planning Statement- potential amendment of Proposal s Maps for NGT This s a plan-led scheme that deviates from the plan it's said to be led from. Suggests pla being   |

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|     | amended to conform to the application rather than the application amended to conform to the plan?   |
| SS  | In my view it says PT should be improved and says routes will be investigated and it's appropriate to update it.  |
| SN  | Key diagram in Appdx 2.   |
| NC  | You'll recall Sir that when Mr Speak gave his evidence that we submitted an updated version.  |
| SN  | APP159 prompted this. The submission doc was 2007 and this APP159 on was 20th Aug 2013.   |
|     | The CS itself, when submitted April 2013 included a submission version of key diagram dated 6/1/2012 which was different to this one. The NGT scheme was submitted Sept 2013. Did the NGT scheme comply with that first key diagram?  |
| SS  | I'm not sure but am aware that we have made changes to bring the Key Diagram up to date.  |
| SN  | When was this Key Diagram updated?  |
| SS  | I imagine during the inquiry, as a guess - and advertised during the first set of Modifications.  |
| SN  | October after submission of NGT?  |
| SS  | Yes   |
| SN  | So NGT was submitted when there was a UDP KD and a CS KD that had been consulted on. When NGT was submitted it claimed compliance with the UDP and CS but when submitted it was submitted with a KD that was not either of those but was the one submitted in with the Main Mods possibly not till October. |
| SS  | Yes the Key Diagram was updated and we took the opportunity of the modifications.   |
| SN  | When the NGT application was submitted that plan dated August hadn't been consulted upon?   |
| SS  | No - it was consulted upon as part of CS process.   |
| SN  | In October?   |
| SS  | Later than that.  |
| SN  | So when this says it complies with CS the plan which it complies with wasn't the same plan?   |
| SS  | It was a different plan which connected the same corridor and as a board statement the statement would be correct that it complied with the CS. I understand what you are saying but I disagree with you as to the extent of the variation.   |
| SN  | It was a different plan and it didn't comply.   |
| SS  | It did comply but I agree it's a different plan.  |
| NC  | If Mr Natkus could look at this one and heck it's the same?   |
| SN  | It's technically a different plan but the alignment's the same.   |
| NC  | Sir that's in D-1-1. And in D-1-2 is the one you've got [Mr Natkus]. Went along Barn Road Sidings.  |
| SN  | It clearly didn't comply with that plan did it?   |
| SSq | It did comply - plan trying to safeguard the route for NGT for improved public transport. I would agree the route did change at Barn Road Sidings but it broadly complies.  |
| SN  | At the time the submission was made, we can see the Council's preferred route on the KD?  |
| SS  | The plan we understood to be the route at the time - we were reflecting.  |
| SN  | The application didn't have regard to that route - it did conform in large part but departed in the South?  |
| SS  | I think what we did was perfectly appropriate. I think it would be extremely odd if even if only diagrammatically we didn't attempt to reflect the latest proposals.  |
| SN  | Not plan-led. It's development-led. The Development Plan has been retrofitted to conform to those proposals?  |
| SS  | The local plan is about reflecting and supporting local investment priorities. Those in the planning service don't devise those - our planning will reflect input from colleagues in  |

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|      | highways and investment decisions.  |
| SN   | The UDP alignment isn't complied with in full.  |
| SS   | The UDP route is varied. There are variations to it but otherwise they are protected by the policy.   |
| SN   | Those variations are not supported by it?   |
| SS   | They are supported by policy T12.   |
| SN   | Okay, so the route alignment "Complied in part" - the majority, can we agree.   |
| SS   | My view is T12 supports the proposition in its entirety. T13 protects the P&Rs and the route diagrammatically and to my mind the NGT is in general conformity with that corridor.   |
| SN   | When the application was submitted, the plan was wrong- not a published plan and wasn't the CS proposals.   |
| SS   | When you say not published I don't know if it was available in the Local Transport Plan or elsewhere- I don't know;   |
| SN   | It's headed "Proposed Modifications"- that isn't the same key diagram.  |
| SS   | It was compliant. I think I've answered the question.   |
| SN   | I don't think you have.   |
| Insp | This wasn't the CS plan at that time this Planning Statement ?  |
| SS   | That's correct.   |
| SN   | And those are very different plans...   |
| SS   | No they are *slightly* different plans. I simply do not agree with your proposition that this is not a plan-led proposal. Of course it changed to reflect the latest alignment- the Council would not wish to have a plan in it which did no contain the latest line.   |
| SN   | The application came first and it was this application that changed it?   |
| SS   | It's plan led because from the time of UDP it has been policy to protect a public transport alignment along the route.  |
| SN   | Your Proof para 6.2 includes that these proposals are supported by the NPPF. Refers to paras 4.1-4.13. I'd like to look at the policies you mention. E-4-21.  |
|      | NPPF para 17- "plan-led" covered that. Para 29 - si generic?  |
| SS   | General policy supporting sustainable transport modes.  |
| SN   | Para 31- "viable infrastructure..." Where in that does it refer t what NGT proposes?  |
| SS   | 2 points to make- one is that LPAs should work with neighbouring authorities and transport providers. In CS w complied with the duty to cooperate and neighbours have an interest in access to jobs and services across a wider area than just the Leeds dstrict. And it's important to recognise there has been work with Metro. And your secd point is support for viable infrastructure and then gives examples- doesn't say it's exclusively ports or other things but viable infrastructure to support sustainable growth. |
| SN   | Para 35. Isn't para 35 looking at new development that should take into account the things listed, not the provision of the transport itself?   |
| SS   | I agree with you to a certain extent but it's difficult to divorce the one from the other. The UDP inspector said he thought it important to locate investment where there was transport provision That holds good today - if there are transport improvements it makes sense to locate new development to take account of that.  |
| SN   | Para 41 - protect where there is robust evidence sites and routes- says protect the routes but not necessarily approve them at a later date- doesn't add anything to UDP?   |
| SS   | It would be difficult to see that a plan to protect infrastructure routes wouldn't carry weight. The merits of the scheme clearly need to be assessed.  |
| SN   | Paras 64 and 65 you omit from your evidence. The planning statement omits the second half of para 65.   |
| SS   | "unless the impact would cause material harm to heritage assets".   |

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| SN   | Vital the Inspector looks at the second half as well?   |
| SS   | Absolutely.   |
| SN   | Para 74 looks at open space. Gives 3 tests which have to be had regard to. I don't want to go over heritage matters dealt with by Mr Ward.  |
|      | Open space, heritage and generic policies on transport.   |
| SS   | Most of the NPPF is generic.  |
| SN   | At section 8 you say there is a conflict with the designations but then say they are not relevant. Why not?   |
| SS   | It clearly contains P&R and some recreational facilities. This policy needs to be considered in the round and Mr Flesher saw no harm to recreational facilities and some benefits. Mr Walker saw some benefits on open space and particularly on trees and I've sought to take their views into account.  |
| SN   | Surely it's still relevant to look at the policy constraints.   |
| SS   | Yes but if sb came to me and said, "is a residential proposal appropriate in a residential allocation" I would say to yes there was fundamental policy support.   |
| SN   | So you say the allocation for P&R trumps the policy on open space rather than carrying out the assessments.   |
| SS   | It has to be looked at in the round.  |
| Insp | Have the tests in the NPPF been met?  |
| SS   | An assessment has taken place and some is lost and some is gained. Mr Flesher said better use could be made because of the intro of artificial pitches in that case it is development for recreation. And in the round the applicant has attempted to address those issues and prevent any harms arising.   |
| SN   | In terms of heritage, there's clearly an assessment that there is harm. It's been discussed at length. Your view is on Mr Ward's concs?   |
| SS   | Yes my conclusions are based on Mr Ward's evidence and if the inspector were to find Mr Ward's evidence in some way flawed clearly that would have some impact on the planning balance.   |
| SN   | The LBC applications purport to make that balancing exercise and say the benefits are the scheme. In respect of Headingley Lane the harm to heritage assets is caused by introduction of the cycle lane after Design Freeze 6. Would you say the benefits are the overall benefits of the scheme or the benefits that that cycle lane brings?       |
| NC   | DF6 also moved the wall.  |
| Insp | DF6 moved the wall and DF7 moved the wall further.  |
| SN   | Some buildings were demolished as well.   |
| SS   | I'm not sure I'm the best person to ask about the heritage impacts.   |
| SN   | Not on the merits but in principle, is the benefit the cycle lane that needs to be considered?  |
| SS   | I'm not sure I understand this. Mr Ward's view is that less than substantial harm arises in either case. From a layman's view we need to have regard to the scheme as a whole and have regard to the needs of cyclists and treat that as an integral and important part of the scheme as a whole and the needs of cyclists are part of the package. |
| SN   | Site at Bramhope- circa 250 units and retail site etc was suggested as a consequence of NGT.  |
| SS   | When I was asked I think on Friday I referred to the UDP inspector's view of the sites that could benefit from Supertram route which became NGT and he referred to a number of sites of which Bramhope was one.   |
| SN   | You referred to developments at Adel and Bramhope. Ultimately if weight is to be given to them they have to be demonstrated as on the verge of approval and coming forward because of NGT don't they?   |
| SS   | Do they? It was his view that they were good locations for development in the future because they would benefit from investment in transport in the future. Not so much matter of   |

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|    | regeneration ut supporting sustainable growth of the district and popn growth.   |
| SN | Adel proposals are actually being objected to by Highways because of a lack of assessment together with NGT.   |
| SS | Are they- lack of assessment?  |
| SN | [Leeds High School granted PP prior to NGT?]   |
| SS | Yes  |
| SN | A new application to remedy the site to adapt to NGT and conditions for no development till revision to adapt to NGT. So NGT is actually holding development back?                             |
| SS | I don't know the details but given that it had PP in the past I would be surprised if NGT was holding it back.   |
| SN | Appendix 8-3-8. a letter from Leeds Planning Services 21st March 2014. Goes through the history. Then uses a phrase "or is finally disposed of"- can you explain more about that?              |
| SS | No -I' afraid I've never heard that phrase before.   |
| SN | Can't help with whether Leeds have delegated powers to deal wit it?  |
| SS | I wouldn't.  |
| SN | Have you ever seen the letter- the "finally disposed of" letter that was sent to the landowner?  |
| SS | No I've only seen the letter shown here- I took that to be this letter and you're telling me it's a different letter.  |
| SN | You've never seen correspondence in 2003 about whether the applicn was finally disposed of?  |
| SS | No.  |
| SN | If we look at your PoE page 26 for the next section of the site history. It explains it was considered in the SHLAA- it implies it simply gathers info?  |
| SS | Correct yes.   |
| SN | It does slightly more and checks whether land is suitable, available, achievable- assessment of deliverability?  |
| SS | It does.   |
| SN | OBJ-1611 my Proof. I include the SHLAA extract at Appdx 1. The SHLAA does make an assessment and for part of the evidence base for CS?   |
| SS | Yes - part of the background.  |
| SN | Suggests it would be a suitable suite ut its capacity is reduced by NGT?   |
| SS | Potentially but I would say the SHLAA would apply a standard rate of delivery and not whether you could have appropriate access and conservation area issues.                                  |
| SN | Does assess it in a broad sense?   |
| SS | Yes.   |
| SN | Site Allocations doc, my Appdx 2- did identify sites . This Id's the sites as red, amber green. Green- greatest potential and amber- potential with issues. Our site is Id'd as an amber site. |
| SS | Yes but was also identified in that document as a green space.   |
| SN | Was promoted as an amber site with the issue of NGT.   |
|    | NGT objected to promoting the site on the grounds that any allocation for housing would materially increase the NGT scheme costs- is that a relevant planning consideration?                   |
| SS | Well, if it affected the viability of an infrastructure scheme that would be a material consideration.   |
| SN | Not a material consideration.  |
| SS | I don't think the impact on the value is a material consideration but the impact von costs or viability of NGT could be.   |
| SN | Has there been any update to the SHLAA?  |

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| SS | There's been a 2013 SHLAA update.   |
| SN | And a SHLAA Update for 2014 has just been to development plans panel in last 2 weeks I think?   |
| SS | A bit longer ago.   |
| SN | Remained indicated in SHLAA.  |
| SS | I don't see why these would change- not allocations, just identifies sites.   |
| SN | Footnote 11 of NPPF. Do you believe the 5 year land supply document is a robust doc?  |
| SS | I believe so yes.   |
| SN | Not just thrown together but subject to detailed consideration.   |
| SS | Yes.  |
| SN | This site is included in the 5 year supply.   |
| SS | Well for the reasons you said I think we would be taken to task in any future housing inquiry.  |
| SN | Don't you give weight to this being in your 5yr HLS?  |
| SS | Well it would depend on the proposals and other development.  |
| SN | You agree it is available for development now [etc]?  |
| SS | Well that's questionable and given that this process is ongoing it's difficult to see how that site could get PP at this time.  |
| SN | If NGT wasn't here then it could be suitable.   |
| SS | I think there's potential as a windfall even if we can't allocate it because of this inquiry.   |
| SN | Now on mitigation and the ES and what can count as mitigation. Is it your view that the scheme as promoted- the detail of the route, boundary treatments, constitute the scheme?                      |
| SS | I think insofar as the details are fixed or can be governed by conditions they can be considered part of the application.   |
| SN | You believe, w/o prejudice to our opposing views that the design is sufficiently detailed?  |
| SS | I think the design goes as far as it can at this stage - there are issues about tree planting, open space and fixing whether poles or fixings but those are detailed design and in general terms yes. |
| SN | Where it matters what sort of stone the wall is, don't you need to specify?   |
| SS | In that sort of extreme example I would agree.  |
| SN | The assessment in the ES is done on the scheme as submitted?  |
| SS | As submitted at the time of those assessment. That would be the starting point, yes.  |
| SN | Look at receptor, magnitude of harm and that gives the level of harm?   |
| SS | That's my understanding and would be my interpretation.   |
| SN | If you take my wall example, the baseline would be the wall as designed with the stonework and would say whether there was residual harm?   |
| SS | I think you are straying outside my expertise. At the end of the day the assessment is done with mitigation.  |
| SN | Yes first you look whether there is a harm and if there is a harm you mitigate to bring down the level of harm?   |
| SS | You do if that's considered appropriate and proportionate and necessary- the NPPF doesn't expect the mitigation to be disproportionate to the harm.   |
| SN | The ES considers the scheme as submitted and then comes up with a hypothetical mitigation- has to emerge as part of the design process?   |
| SS | Well I'm not clear I'm following you- if after you've done the mitigation you may find there is residual harm and then you see whether that outweighs the benefit.                                    |
| Sn | Well we've heard a lot that the design and materials of the walls that are assessed are "Mitigation" but they are not -are part of the scheme. Have already assessed the scheme                       |

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|                | once. Double-counting it?   |
| SS             | Well if your scheme didn't cause much harm as originally assessed you might conclude you didn't need to mitigate.   |
| Insp           | Wil DCJ be here? Joanna- do you know?   |
| Joanna Vincent | Yes she'll be here - is waiting for a phone call from me.   |
| Insp           | Mr Foren can you say you said 2hrs and is that still right?   |
| CF             | I would hope to be less but can't be sure. Mr Speak my name is Mr Foren and will be asking Qs on behalf of A660 Joint Council. N status of NPPF- am I right in thinking this is now a pre-eminent and fundamental planning doc? |
| SS             | It's the govt's revised guidance.   |
| CF             | Is it necessary to prove conformity with NPPF?  |
| SS             | Erm in the round that would be true.  |
| CF             | The Statement of Matters identifies conformity with the NPPF too. Para 6.1 of Mr Speak's proof. Smth SoS will consider?   |
| SS             | Yup.  |
| CF             | Some Qs on open space then transport then effects on other housing dvpmts in NW Leeds. Can I check you and Mr Cameron have the doc I circulated saying what docs I'd require.   |
| NC             | No but I'll find them.  |
| DG             | Asks -Speak PoE, NPPF E-4-21; NGT Statement of Case; Leeds Site Allocation Plan Extract A660JC 100 and 101. RSS 2004 - D-6-3.   |
| CF             | NPPF says not to build on open space unless....   |
| SS             | Need to look at the NPPF in the round and it's there to ensure that open space is taken into account.   |
| CF             | Clearly something the govt recognise as of partic importance?   |
| SS             | It is important yes.  |
| CF             | And reflected in local policy isn't it at para 4.43. Ref to Leeds CS and heritage and open spce being "key contributors" to Leeds' character - and Policy P11 including undesignated assets. Pretty clear?                      |
| SS             | It's consistent with national policy and reflects importance given to the historic envt.  |
| CF             | Cinder Moor and Monument Moor ar both public open spaces?   |
| SS             | They are.   |
| CF             | When NPPF was published in 2012 did they prompt your dept to fundamentally change policy?   |
| SS             | No fundamentally about stripping a lot out but no major change.   |
| CF             | Then a lot added back in?   |
| SS             | Yes the NPPG which is quite difficult to access.  |
| CF             | The fields are also open space. Mr Natkus is concerned because he wants to build housing and I'm concerned to preserve their beauty.  |
| SS             | Yes it's open land but not designated.  |
| CF             | Conforms with NPPF definition in the Glossary?  |
| SS             | Yes   |
| CF             | You mentioned in response to Mr Natkus, it being recognised as open space?  |
| SS             | Yes the Site Allocations Plan recognises that it is open land.  |
| CF             | Sir that was already submitted as part of A660JC submission. One of the things the site allocations plan recognises is Headingley has a deficiency in all POS except children's play areas?                                     |
| SS             | Yes   |

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| CF   | And that's because there are not many children living in Headingley at the mo?   |
| SS   | I'm not sure- can check what it says are the facilities...   |
| CF   | A660JC100. Page 28, table 551 [reads]. That's obvious to anyone isn't that Headingley doesn't have its own park and is short of its own open space?  |
| SS   | In terms of the standards it is. However this derived from the Council's own assessment which does show that broadly most of Headingley is accessible to parks and gardens.  |
| CF   | What does that mean?   |
| SS   | Surrounded by parks e.g. Woodhouse Moor, Becket's Park and Meanwood Park Trail- and those are accessible.  |
| CF   | How long do you think it would take an ordinary person to walk from central Headingley to Meanwood Park- 25mins?   |
| SS   | I doubt it would take that long.   |
| CF   | Similarly to walk from central Headingley would have to walk up to Hyde Park to even get to Woodhouse Moor.  |
| Insp | Is there info on how the assessment was done?  |
| SS   | The accessibility standard is 770m.  |
| CF   | You don't seek to go behind the Council's own document do you?   |
| SS   | Within the ward I'll agree there is a deficiency,  |
| CF   | 2 conservation areas so the open spaces have an element of designation?  |
| SS   | Yes they are part of the character of the conservation area.   |
| CF   | So the fields have an element of protection but have been seen as part of route of Supertram, bypass and trolleybus?   |
| SS   | Yes.   |
| CF   | The Council hasn't seen fit to give them additional protection notwithstanding NPPF?   |
| SS   | We always need to consider the NPPF in the round. The NPPF hasn't fundamentally changed policy - before NPPF we still had planning guidance and policy statements to protect open space. If we go back to Supertram notwithstanding that they had an impact in this case on some open space. |
| CF   | If the framers of NPPF had thought it fit to add "unless there is an overriding requirement" they would have put that  |
| SS   | We acknowledge there would be harms to policy interests and one is open space and one is heritage and at the end of the day we have to balance these.  |
| CF   | Para 4.42 of PoE. Another local policy "dvpmt should respect and enhance existing landscapes acc to the local distinctiveness....quality of life and wellbeing". Width of NGT across those fields will be some 15m and goes straight across and emerges onto the highway a Headingley Hill?  |
| SS   | Yes after Elmer Road.  |
| CF   | Assuming for the sake of argument that the pocket park enhances the landscape that's at the cost of despoiling the rest -only a fraction of the land that will be lost?  |
| SS   | Only a portion of the land at Headingley Hill yes.   |
| CF   | Pocket park bordered on one side by NGT and another by a busy trunk road?  |
| SS   | Yes  |
| CF   | Not the ideal location for a pocket park?  |
| SS   | Lots of parks are bordered by roads but I agree that traffic will have an impact.  |
| CF   | Is it your view that these harms are outweighed by benefits?   |
| SS   | Yes  |
| CF   | You referred to reduction in congestion, in CO2 emissions and modal shift in PT?   |

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| SS   | Those were some issues that were raised with me on Friday - I think I gave a fairly substantial list of benefits that would arise from this scheme.   |
| CF   | One you raised was "faster, more reliable and more frequent PT system". But in fact it's 10 per hour- not as frequent as existing bus service down the A660?  |
| SS   | Um but it won't be alone will it- if you're counting every bus service down the A660 - some of those will presumably continue.  |
| CF   | I think that's up for grabs.  |
| Insp | Mr Speak's just saying he's assuming bus services will continue?  |
| SS   | If I said more frequent than that's what I said. But I think the key points are -a greater capacity, quicker, more reliable and an increase in quality.   |
| CF   | On purported benefits you accepted CO2 emissions would go up slightly?  |
| SS   | Marginally and I think the expert view was it was neutral.  |
| CF   | That's out then?  |
| SS   | Yes.  |
| CF   | It was conceded in Programme Entry Business Case that congestion would increase slightly?   |
| SS   | You mean in the wider city as opposed to the route?   |
| CF   | No- because of the priority accorded to NGT other traffic along the route would get held up.  |
| SS   | I think from a lay perspective if some PT doesn't come forward I can only see congestion getting worse so that's a benefit. And we'll need to provide parking in the city centre if we don't have P&Rs.   |
| CF   | Can you just address the point I'm putting to you- it's right isn't it that NGT will increase congestion.   |
| SS   | I agree but I qualified that.   |
| CF   | That's 2 benefits out - CO2's out and reduced congestion?   |
| SS   | Subject to my qualification.  |
| CF   | Now on modal shift- the greatest transfer is from existing bus service -73% come from existing buses and 6% from active mode walking and cycling. So 79% from bus, foot and bike and only the remaining 20% come from car use. So modal share argument doesn't stack up either?                               |
| SS   | I think you've said there is some new traffic which is a benefit and if NGT were to come forward we don't know if some people might choose the car because not satisfied with existing means of transport- possible if the bus journey time becomes longer because of increasing congestion- I'm speculating. |
| CF   | We're not in the realms of speculation- have you seen any evidence that this will happen?   |
| SS   | No but no evidence that it couldn't happen- either way.   |
| CF   | That's the 3rd of your purported benefits out of the window?  |
| SS   | I've given you a view on all of those.  |
| CF   | And you've agreed with me? Substantially?   |
| SS   | Partially.  |
| CF   | The benefits are all marginal and speculative but we know the costs are in black and white. Not in doubt many mature trees will be cut down?  |
| SS   | No.   |
| CF   | Not in doubt, significant harm to the streetscape because of poles and wires.   |
| SS   | That's the evidence of Mr Ward- according to his evidence.  |
| CF   | The benefits are speculative and the harms are definite?  |
| SS   | I've referred to a range of other benefits.   |
| Insp | How long left?  |
| CF   | Not more than probably another half an hour.  |

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| Insp | Inq adjourned to 5 to 2.   |
| CF   | New crossings slower for pedestrians. No support for transition t low-carbon future or culture change from car to bike. Modest improvement only in cycle facilities.   |
| SS   | This is 1 part of a package across the District that tries to encourage people and give them the option of using more sustainable modes.   |
| CF   | Wouldn't let 10 to 13yr old children use a lane shared with NGT and taxi traffic?  |
| Nc   | For Mr Smith.  |
| Insp | Not terribly helpful for Mr Speak- can certainly put it in your evidence.  |
| CF   | It will facilitate inappropriate development beyond the ring road? A lot of the sites are on open land- Adel next to "Centurion field"   |
| SS   | It's safeguarded land in the NGT.  |
| CF   | Building of houses on open ad agricultural space will be facilitated by this scheme?   |
| SS   | In the way the UDP envisaged- farmland not "open space" in that way and earmarked for development in UDP and the inspector accepted the Council will need to use safeguarded land and Green Belt to meet the housing target. |
| CF   | "all public space of public value...visual amenity"- it's not what you define it as but NPP policy.  |
| SS   | Yes but CS inspector clearly thinks we need that and to meet housing targets. Housing is one of most imp't things NPPF deal with and we know we have to use that land.   |
| CF   | The open space parts of NPPF are shunted off to one side and ignored?  |
| SS   | Not ignored- CS inspector had to consider reps for more and less dvpmt and come to a balanced view. I can tell you it's necessary to use GB and open land.   |
| Insp | I don't really want to get into the whole plan policy.   |
| CF   | He's the planning witness.   |
| Insp | Mr Speak' replied on that and I don't think it's useful to go much further.  |
| CF   | I can make subs on it but it's said housing is a trump card where there are lots of brownfield sites. His dept has done a brownfield assessment?   |
| SS   | Yes-have persuaded Insp to give us a windfall allowance and almost universally those are brownfield and we have sought to provide almost 65% of the housing w/i the urban area.  |
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| DCJ  | Hoardings in front of St Augustine's Church belongs to Metro?  |
| SS   | May well be that they purchased it for this scheme.  |
| DCJ  | When did Policy T13 come about?  |
| SS   | Would have been in the draft UDP in about 1992.  |
| DCJ  | A bit earlier than that there were demolitions for the Headingley Bypass scheme- what was the policy that required those?  |
| SS   | I can't remember that partic issue.  |
| DCJ  | Page 229 policy SA -doesn't this policy require you to maintain and enhance local shopping through refurbishment of retail facilities?   |
| SS   | It does and when people come to create new shops it's something we would use to judge the applications.  |
| DCJ  | Isn't it something to look at when reviewing   |
| SS   | Yes it's relevant policy   |

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| DCJ | It has an impact on a local centre at Hyde Park Corner when shops are demolished.  |
| SS  | I think most shops would remain...not sure if it's designated as a local centre in the UDP   |
| DCJ | It is. Do you know if there will be an impact?   |
| SS  | I don't.   |
| DCJ | In your PoE you say it's clear there is policy support for schemes that seek to improve public transport- would you say HPC has benefited?   |
| SS  | Given that no such schemes have come forward, I'd say no.  |
| DCJ | Would you agree that it's blighted HPC because of all these schemes that have not come forward.  |
| SS  | I suspect that might be the case but I don't know about the people who own the properties and what their investment and refurbishment decisions are.   |
| DCJ | Well Metro owns the site and the shops are short term lets, let it fall into disrepair, put rents up 20% doesn't help does it?   |
| SS  | That's a matter for metro?   |
| DCJ | Is NGT more imp't than improving local centres?  |
| SS  | No straightforward balance between one and the other -improvements in front of the Church; hopefully the PT improvements will be of benefit to the Headingley shopping centre.   |
| DCJ | Do you think there will be a benefit for HPC? More people going there? Economic growth at HPC?   |
| SS  | I suspect a similar number will use that area and don't have any knowledge but hopefully improving the area?   |
| DCJ | The 3 hoardings Metro owns and could have removed at any time in the last 40 years?  |
| SS  | They have planning permission and a benefit of this scheme will be that it would go.   |
| DCJ | Any policies on air quality?   |
| SS  | I'd have to check  |
| DCJ | You conceded the scheme will increase CO2 emissions?   |
| SS  | Very marginal increase.  |
| DCJ | Does it not matter that it doesn't reduce CO2?   |
| SS  | I think it would be better if it did. But might encourage others out of their car to use sustainable modes and if we did nothing it would get worse.   |
| DCJ | Page 228 para 964 of D-2-9 states that neighbourhood shopping facilities can also reduce the need to travel by car and cause carbon emissions - does this not mean that demolition of shops at HPC would actually increase carbon emissions? |
| SS  | I don't think we've got much info in front of us. I suspect most people walk to those facilities and will continue to walk to these and to other facilities.   |
| DCJ | Even if not so nice to visit.  |
| SS  | What do you mean "nice"?   |
| DCJ | Covered with Mr Walker and Mr Ward.  |
|     | You say devpmt not permitted unless replacement but HPC is already short of open space and your scheme will make it worse?   |
| SS  | In terms of PPG17 study, Hyde Park and Woodhouse in most categories has a slight surplus.  |
| DCJ | Should we not be using MotMacDonald's own Technical Appdx J?   |
| SS  | I think I was told that draws on the Council's own study.  |
| DCJ | Looking at that, it would show a deficit if the 2011 popn figs were applied to it?   |
|     | Doc B5- Table 3.1. This is going on 2001 popn stats isn't it?  |
| SS  | I don't know-  |

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| DCJ  | If it does use 2001 figs. The popn jumped from 22,220 to 25,914 which is 17% increase. So 0.42ha of open space instead of 0.49 per thousand. The statutory amount is 0.45ha. My question is, Hyde Park and Woodhouse is short of open space and the scheme is going to make the shortage even worse as it'll take 1 part that was appropriated and 2 parts for NGT works. |
| SS   | The Council has published info in the Site Allocations Doc in 2013 based on the 2011 census and picture mixed- allotments deficiency and natural green space a surplus?   |
| Insp | This is JC600?  |
| SS   | Issues and Options Site Allocations.  |
| Insp | You are aware of that?  |
| DCJ  | Yeah but they don't say the same thing- the Technical Appdx and the Site Allocations Issues and Options.  |
| Insp | Can you ay why and which should be given the greatest weight?   |
| SS   | I had no part directly in he Mott MacDonald work but as I understand it, it draws on the same material. My Dep was resp for the Site Allocations document - I'm not sure of the timings but the Site Allocations will I think be more up-to-date and uses 2011 Census and I've no been into the MottMcDonald one to see what the difference actually is.                  |
| DCJ  | Page 38 of NPPF. Says local plan should be based on up-to date and relevant evidence- do you agree the policies on Supertram should intersect with sustainable carbon emissions and local shopping rather than destroy those things?  |
| SS   | Should support a whole gamut of issues -growth of the city centre, the housing people need and try to do that as environmentally sensitive a manner as possible but these things have to be looked at together. The things you mentioned are part of these.   |
| DCJ  | You mentioned balancing heritage and green space with transport but don't metion local centre needs?  |
| SS   | That's for good reason as not addressed in the ES or evidence of other witnesses.   |
| DCJ  | Should have been addressed?   |
| Insp | Shouldn't it have been addressed?   |
| SS   | Well in that there's a policy that has been drawn to our attention affects something along the route, it's not unreasonable tha it's something we need to address.  |
| DCJ  | How can we know whether NGT conforms to Council policy when you haven't produced distributional impact appraisal which is mandatory under WebTAG A4.2?  |
| SS   | I don't know.   |
| NC   | Can I ask for a paragraph number?   |
| DCJ  | I don't think it's a core doc but I only found it last night.   |
| Insp | If you are going to rely on this in your evidence the sooner that s provided the better -useful to have a front page and an extract.  |
| DCJ  | Para 1.1.1- says it's mandatory in the appraisal process and it only came out in January this year.   |
|      | Was going t ask, have you been asked to provide any demographic info or info about shopping centres, child poverty etc to feed into that appraisal but I can't now.   |
| Insp | [15:03]- I'll adjourn till quarter past three.  |
| Insp | [15:18] - Interim re-examination.   |
| NC   | I'd like to start with the last point you were asked about- Policy S8 in the UDP at p.229. It has a reasoned justification at 9.6.5. Ca I ask you to read it to yourself and there indicates the City Council will use its coordination to strengthen various actions. What's the function and purpose o the policy?  |
| SS   | Designed to try to encourage investment in centres. That may be through public money, private sector initiatives or a combo of both.  |

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| NC | Is this to do with co-ordinating public and private initiatives for shopping centres? Is it engaged.  |
| SS | No- to the extent it is relating to shopping it is of marginal interest.  |
| NC | You were then asked should the ES have assessed this matter? You will be aware an ES is required to assess likely significant effects. Is that a likely significant effect of this scheme?  |
| SS | I don't think so.   |
| NC | Should the ES have assessed this?   |
| SS | Erm on the basis on which you've put it to me the answer would be no.   |
| NC | Well we have the scoping report- if sb thought it should have addressed this would they have had an opp to say so in response to the Scoping report?  |
| SS | I believe so.   |
| NC | A-08-b- scoping report, page 192, there's then a scoping report. You've not got it- will and you mine to save time. Section 5 "technical scope and methodology". Tempted to lead yo- anything on retail?  |
| SS | No <b>[BUT SEE PAGES 81 et seq]</b>   |
| NC | Scoping Opinion- anything saying it's deficient?  |
| SS | No  |
| NC | Should ES concerned with likely significant effects address this issue?   |
| SS | On the basis of the policy and the nature of the scheme, I don't think so.  |
| NC | Mr Ray asking you about D-1-2 spatial policy 11. Page 28. He said, referred to Map 9- said CS is up-to-date and asked what is the ref to "emerging transport policy". I'd like to ask you about SP11 and your understanding of it- are the routes, if a proposal is identified on the Key Diagram what's the nature of the proposal and what does SP11 tell us? |
| SS | Could be existing proposal in process of implementation or smth that hasn't got that far.   |
| NC | What is NGT, what category does it come into?   |
| SS | Could be said to be both - a known proposal that's already subject to public examination.   |
| NC | Asked about balancing exercise and if change to harm or benefits does that necessarily tip the balance?   |
| SS | Not necessarily - depends on the importance of the matter and what is harmed.   |
| NC | Mr Ray asked about Mr Farrington and where it will support regeneration on northern route and you gave a list- govt office, Girls' high school. Your opinion whether appropriate to limit it to part of the route or whole of the route or what?  |
| SS | Whole route - areas benefit in city centre, south, sites I referred to in the north and there may be locations not necessarily on the route that may benefit from the wider public transport strategy.  |
| NC | D-2-9 page 53, Policy N1. And also asked about open space. If you are making, you made the point that you are considering the plan as a whole. If you have a designation such as N1 and the proposals map showing a route for a transport scheme and that for example crosses green space how do you reconcile the 2 and deal with that in the plan-led system? |
| SS | I think it's clear the potential impact on those areas of green space must have been taken into account by the plan inspector in the round. That's not to minimise the importance of the green space and you'd have to look at what you could do by way of mitigation but in the round the development plan is clearly favouring a particular route.            |
| NC | The Insp asked you whether this is an "other relevant considn" or the development plan itself- which is it?   |
| SS | In this case it's what the plan says about protecting the corridor for potential routes but the other policies are relevant harm that needs to be addressed.  |
| NC | What do you mean, "needs to be addressed"?  |
| SS | By means of planting and integration within the places concerned.   |

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| NC              | Asked about para 74 of NPPF [E-4-21]. And asked by Mr Foren, and Mr Natkus and a similar point by Mr Foren which was also about para 74. What you said was, you gave an example of how this interacts with dvpmnt plan and said if you have residential proposal on a resi allocation it's supported. If you have a resi allocation on a green field site and if that green field site was of recreational value and covered by para 74 but the site was nonetheless allocated as residential, how would para 74 and the development plan interact? |
| SS              | Starting-point would be the allocation was accepted in principle by the development plan and accepted by the inspector as a suitable location for housing. When it came to detailed consideration of the proposals other factors would be subject to consideration as to mitigation but the principle would be established. They would be dealt with by way of layout, design, condition and mitigation.  |
| NC              | In a plan-led system- when is the decision made that you give up the open space - is it when the allocation is made or later?   |
| SS              | It's when the plan is made.   |
| NC              | Would you do that all over again for the development application?   |
| SS              | No you wouldn't though you would need to consider how it could be mitigated.  |
| NC              | What about this scheme where NGT goes across green space?   |
| SS              | The same applies.   |
| NC              | Referred to accessibility standard of 720m and Insp asked what the source was. Can we go to D-3-4? Para 4.35 on page 49. There we've 15mins walk time/720 m. Is that what you had in mind?  |
| SS              | Same figure.  |
| NC              | Plan 4.2 on page 54. When you said most of Headingley is, is that shown?  |
| SS              | Yes -I believe it is. Pretty much all of it is.   |
| NC              | But to be fair, there are parts which are not. If you keep that out and get B5 out- MottMacDonald open space study. If you go back to page do we find a reference to the OSSRA also known as PPG17 study?   |
| SS              | Yes.  |
| NC              | That's the context - desk study informed by that study. Now D-3-4 page 13 please. We've got analysis areas- what's the date of the popn figs?   |
| SS              | 2008 estimates.   |
| NC              | So if they say they used the PG17 study were they 2001 figs?  |
| SS              | I don't know but in this they were mid-2008.  |
| NC              | Mr Foren put to you that it was a disadvantage of NGT if it facilitated housing development in the NW area and particularly green field sites. If it does facilitate housing allocated in the plan -your view if a good or bad thing?   |
| SS              | It's a good thing -brings together land and transportation planning in the way we are meant to do.  |
| Insp<br>[15:53] | I'll adjourn till 4 o'clock- not sure if sufficient for you?  |
| GJ              | Well I said I'd be 3hrs.  |
| NC              | We'll be tight tomorrow- we could sit earlier?  |
| Insp            | Earlier than 9:30?  |
|                 | 9.30 is about as early as I'm willing to start. Might need to have a short break.   |
|                 | <b>X-Ex of Chadwick Ctd</b>   |
| Ch              | Terms of our retainer of AECOM and Mr Hanson don't allow us to tell him what to do.   |

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| GJ   | Was that smth expressly drawn to attn of DfT?  |
| Ch   | I don't recall.  |
| GJ   | Not aware of any documentation before the Inq that could assist on that matter?  |
| Ch   | Correct.   |
| GJ   | It's been suggested to me, has here so far as you are aware further consideration of the costings since Business Case as updated has been submitted. Any consideration that calls into question those costs that means they need to be upscaled and called into question?  |
| Ch   | So far as I'm aware those are the costings and if there is it's not been drawn to my attention.  |
| GJ   | I understand a meeting with DfT in respect of costings was scheduled for July? Smth of which you are aware?  |
| Ch   | No   |
| GJ   | So far as I understand there has been further work commission from KPMG- you know nothing about it?  |
| Ch   | I'm not aware of any report.   |
| GJ   | Nothing- not report rather than letter?  |
| Insp | Sorry, if you are aware of this, this can be chased up anyway?   |
| GJ   | To explain, I've been given today this morning the minutes of meetings under FOI request - Mr Speak attended but don't want it said I should have asked Mr Chadwick.   |
| NC   | Not knowing Mr Speak was attending I'd have said he wasn't the appropriate witness. Wd be grateful for a copy.   |
| GJ   | 24th Feb 2014 Project Board -one risk identified was commercial response of bus operators undermining the case.  |
| Ch   | I don't attend Project Board or normally receive papers and was unaware it had been identified in that way in that meeting.  |
| GJ   | Not particular to that meeting but were you aware the team, the promoters had identified as a key strategic risk commercial competition?   |
| Ch   | Well there is a risk register and wouldn't be surprise if the sort of short term commercial responses were flagged as a strategic risk.  |
| GJ   | Isn't it really the case that a commercial price war should have been modelled?  |
| Ch   | Have developed a test appropriate for this stage of development in that we have marked down the total revenue by 20% which could account for a whole range of factors one of which could be commercial response by bus operators.  |
| GJ   | The 20% is not targeted specifically at commercial responses and covering a whole host of other things?  |
| Ch   | You're right that it's not specifically targeted to any downside error on revenue but for the stage we are at it is prudent and appropriate.   |
| GJ   | That 20% is for unknown risks not "known unknowns". I suggest Mr Henkel said the operators would just "roll over" but that was not what the Board itself was thinking and I put to you that even at this stage the risk should have been modelled looking at various responses including a price war on tickets  |
| Ch   | Don't agree with your interp'n that it's "unknown unknowns" only -deals with both known unknowns and unknown unknowns in a way we think is appropriate. I don't agree with you that we need to go into those detailed responses now. As I've indicated the appropriate time to do that is at conditional approval stage to explore the responses with bus operators. |
| GJ   | You say the appropriate time to look at responses is at that stage which would be after the TWAO is made on the assumption it is granted. Why at that stage, what's it relevant for, why do you have to do it?   |
| Ch   | It's because for the Dept to grant us the conditional approval, the next stage, they want greater  |

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|    | firmness on the financial model. Want greater firmness on what we see as the revenue and what we see as the borrowing reqts and the schedule for paying that back.   |
| GJ | Why do they want that?   |
| Ch | First they want to make sure they are not overpaying their own contribution. If we are forecasting a greater revenue surplus, they might want to pay less.   |
| GJ | Are the Council aware that the 170-odd million aware that the £120m will not be forthcoming?   |
| Ch | Yes they are -set out in that letter.  |
| GJ | Other reason?  |
| Ch | If any downsides that the Promoter is able to deliver the scheme,  |
| GJ | Why are they worried whether the revenues will come in?  |
| Ch | It goes back to the point we discussed yesterday - at some stage the authorities will have to have some contingencies in place -both for construction and capital cost and the operational period -particularly in the delicate period of revenue build-up which is difficult to build up a forecast for. But the budgets are not set now -will be set in 4 or 5 yrs time for 1 or 2 yrs after that. So you can't identify where those contingencies come from. It's quite proper that you have the contingencies in the proper planning of the scheme. You have to have them. |
| Gj | We agree that council needs contingencies- disagreement about when?  |
| Ch | It's impossible to do it now.  |
| GJ | The Dept's nt going o underwrite the contingency   |
| Ch | Not just on this scheme.   |
| GJ | So it can't be the contingency they are worried about. They don't want to give consent for a white elephant that will cause all the harm and disruption and thrown £120m at a scheme that will become a white elephant?  |
| Ch | I don't accept the premise of your question that the Dept is worries. All standard procedure. Doing exactly what they would do in any other case.  |
| GJ | You misunderstand the question. It's because presumably they don't want to pa out £125m for a scheme that'll be a white elephant? Am I wrong?  |
| Ch | Yes it is wrong. It's not an empty statement the Programme Entry say minded to fund the project.   |
| GJ | Why do they care whether it makes a loss or not if thy have put in the £125m?  |
| Ch | Because the overall policy of got is that rapid transport schemes should not be operated with a subsidy -should cover its operating costs. There's nothing diffit in what they are saying to this promoter to any other promoter.  |
| GJ | It's whether you've done enough for this inquiry. You say it's just to avoid ongoing subsidy from local govt but I'm sure the Dept would not want to fund bad schemes that would be white elephants.   |
| Ch | What the letter says they are minded to fund provided the conditions are met- shows that should they be met it won't be a white elephant and will get the funding...   |
| GJ | We can see what the conditions are and the Dept gives no undertaking to pay the money. We're short of time. We know don't we no contingency has been made- from Mr Haskins- I put to him, no sensitivity analysis o profits not coming by Year 8 on assumption bus operators won't compete. And that's the evidence from operators. The evidence is we know from your evidence that it is possible and can be done at second stage funding to make an assessment of what that contingency should be?   |
| Ch | Yes.   |
| GJ | Given that a discharge of the conditions CAN come before approval of TWA0, no reason why the exercise cold not have been carried out now so SOS could have an idea what the level of contingency needs to be and some evidence from someone in authority at he underwriter as to the likelihood of their commitment t fund it.   |

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| Ch | My understanding is that a commitment can't be made till after TWAO is granted.   |
| GJ | Well first I'll be suggesting 2 things need to be done- (i) the assessment should have been done of the likely contingency and (ii) evidence from the underwriters as to the likelihood or otherwise of the political authority to fund the contingency. Because we don't have that - otherwise SoS is left with a real risk that the business case doesn't succeed. Why can't you express a view so your clients can say how likely they are to underwrite it? |
| Ch | If we were commissioned to do that we could but our advice is that's not required at this stage from or reading of the guidance. Technically can it be done yes but is it required, no, appropriate time is conditional approval. Mssrs Haskins and Henkel both identified the size of the overall budget of the authority and their view was both orgs have sufficient flexibility to cope with that.  |
| GJ | That's not their evidence but its interesting that that's your understanding.   |
| Ch | The Section 151 officer who has a statutory duty to ensure the organisation has the wherewithal to commit to underwrite it.   |
| GJ | Your recollection is wrong. Mr Farrington made a throwaway remark the budget was large and it was me by a gasp of horror in the room and he was pressed on it whether consideration was given. That advice is advice from SDG is it that it's unnecessary to address that at his stage at the inquiry?  |
| Ch | Simply that in the business case process it's unnecessary to do it at this stage.   |
| GJ | Yes and yesterday there was a dif between yourself and myself about what you consider the role of this Inquiry and the Inspector.   |
|    | The issue of contingency is relevant to financial viability?  |
| Ch | Yes relevant to the viability of the whole project.   |
| GJ | If that isn't here it goes to the level of risk and the commercial viability?   |
| Ch | Yes/  |
| GJ | Your PoE para 3.11. While not part of DfT process it is common to update the business case?   |
| Ch | That's what we have done.   |
| GJ | The question of what the TWAO Inq is entitled to look at is we see the contingency and viability as material to the Inq process and you don't?  |
| CH | That's correct. I understand your point of view. The review was because of the realignment in the south and it was imp't to have a business case that included that realignment.  |
| GJ | You advised your clients it's not relevant for the purpose of this inquiry?   |
| Ch | Yes   |
| GJ | You are no a lawyer?  |
| Ch | No ut I am part of a wider team that does include the Pltary Agent for the Promoter and if they had a view that that wasn't the case, they would have said that.  |
| GJ | Well let's be clear- are you saying Instructing sols have endorsed some joint note of advice to your clients that the contingency analysing the commercial response of the bus operations is not necessary for his inquiry?   |
| Ch | No I'm not saying that. Our advice on the business case review and of MottMacDonald on the ES is taken in the round by BDB.   |
| GJ | Is it that you've given this advice and not a positive endorsement?   |
| Ch | You're right I'm unaware of any [positive endorsement of the legal team of this approach but it's a highly experienced team.  |
| GJ | Is it actual advice you've given or is it just the approach you've taken and no-one's taken issue with it?  |
| Ch | No the scope of the work has been mutually agreed.  |
| GJ | The issue is now acute- have you advised in clear terms?  |
| Ch | As I've said the contents of the business case review have been agreed with the clients.  |

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| GJ | Short point- spare trolleybuses. The position is this. As I understand it there are 20 trolleybuses- peak vehicle reqt is 18 trolley buses?   |
| Ch | Correct.  |
| GJ | Off-peak reqt is 16 trolleys?   |
| Ch | Right.  |
| GJ | 2 spare in peak times and 4 off-peak?   |
| Ch | That's right.   |
| GJ | You don't have any personal; experience of running trolleybus or ordinary buses?  |
| Ch | That's right.   |
| GJ | Promoters are not calling anyone with experience of running buses?  |
| Ch | That's right they are not calling tem as witnesses but they are members of a team.  |
| GJ | No qualifications set out of anyone in the evidence you've put in of anyone with experience of ordinary buses or trolleybuses?  |
| Ch | Correct.  |
| GJ | A number of things I'd suggest need to be taken into acct - maintenance?  |
| Ch | Yes.  |
| GJ | Equivalent of MOTs - reqts to be checked over for safety reasons?   |
| Ch | Yes.  |
| GJ | Vehicles have to be taken out of service e.g. Passengers vomiting over the place?   |
| Ch | Yes and potentially RTAs and could be breakdowns.   |
| GJ | Special events.   |
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| GJ | One of the factors is, we know unlike buses you won't be able to phone a friend or another operator and say "we need a few extra buses over here we're a bit short" -have to rely on the buses you have?  |
| Ch | Yes.  |
| GJ | No trolleybus factories in UK?  |
| Ch | Correct.  |
| GJ | Quite a high likelihood from tie to time of not having enough trolleybuses. Let's take "a real possibility" first- in respect of the 16 trolleybuses off-peak. MOTs, accidents, vomiting, a real possibility that 4 will e out of action.   |
| Ch | Yes I can't say the probability is zero so you are right there's a real possibility. That's why the promoters have taken the leasing approach they have -incentivising the vehicle provider to ensure the vehicles are available for service as required. One of the aspects included in he costs is an incentivisation scheme. That's one of the key reasons a leasing arrangement is taken -same as in rail industry- one of the principal reasons. |
| GJ | I suggest he initial proposal was not to lease them?  |
| Ch | Yes in 2009 the proposal was to purchase them.  |
| GJ | The principal reason was so they were not regarded as CAPX expenditure?   |
| Ch | No -principally they are about mitigating the risks you are talking about- costly over he life of the vehicles. About mitigating the risks about the vehicles no being available and incentivising the operator t make sure they are available.   |
| GJ | So that's not the reason to get under CAPX?   |
| CH | That's not the advice I've given- not that I'm aware. Erm I am aware of that consideration because moving to the leasing model enables the promoter, the client to spend more on capital and secure additional benefits. At the same time we were advising them on the leasing model they were considering realignment outside the Uni. So simultaneously the benefit was to do the realignment.  |

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| GJ   | Real reason was to avoid Treasury Limit.  |
| Ch   | Doesn't count as capital expenditure but that saving was reinvested in the scheme.  |
| GJ   | Because the scheme wouldn't work without it. So the tactic you client employed was to shift the costs by leasing the vehicles.  |
| Ch   | Gain a benefit- able to fund the realignment.   |
| GJ   | Let me deal with you saying the leasing gives an incentive scheme. Let's test the reality. No suggestion there will be more than 20 vehicles?   |
| Ch   | Well I think Mr Haskins at a later stage...   |
| Insp | If it's not relevant do't say anything.   |
| GJ   | With the current set of assumptions?  |
| Ch   | Current set of assumptions.   |
| GJ   | No provision in business case for where 4 are out and the 5th one is then in trouble. Since there's been no assessment we've got to accept the real possibility?  |
| Ch   | No but equally if you had 21 that might not be a real possibility, though the probability will go down.   |
| GJ   | It's highly likely isn't it that in peak time- you only need 2 out of service- one to be in for an MOT and one to have sb throw up o it?  |
| Ch   | You can't do it at this stage without vehicle specification and manufacturer quotations.  |
| GJ   | Not many factories in the world making trolleybuses?  |
| Ch   | There are enough to have a viable scheme  |
| GJ   | But it's not rocket science to get some indications on reliability -otherwise one of your key assumptions becomes unreliable.   |
| Ch   | We consider our spares assumption is reasonable.  |
| GJ   | Not based on any evidence?  |
| Ch   | It's based on purchasing patterns for schemes elsewhere,  |
| GJ   | Do you set out anywhere the source of those assumptions?  |
| Ch   | No.   |
| GJ   | Do you have any evidence anywhere that having 2 spares is sufficient?   |
| Ch   | No.   |
| GJ   | It's just "trust us" isn't it?  |
| CH   | You're right it's not in the report but I can assure you it's based on experiences of systems elsewhere.  |
| GJ   | They're not trolleybus systems are they?  |
| Ch   | No.   |
| Insp | I'm happy to sit later today [17:09].   |
| GJ   | Let me see if there is a quick topic to deal with.  |
|      | Right- capacity- there's been APP numbers and FWYs flying about. The Inspector's got a feel of competing issues on capacity. There's already been cross-examination of what are the trolleybus potential capacities. Can we agree that we know from the evidence of other experts esp Mr Robertson that in order to achieve punctuality benefits there is a limit to no of vehicles that can pass through the signals before benefits start to trail off? |
| Ch   | The runtimes yes.   |
| GJ   | Important to have some idea isn't it of capacity and comfort and the ability to get a seat?   |
| Ch   | Yes   |
| GJ   | Your SP survey highlighted that?  |
| Ch   | Yes.  |

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| GJ   | If we're not at peak times going to get into an area where the signalling will lead to an increase of runtimes we look at purchase of 160 haven't we?  |
| Ch   | Um up to 160 and we have set out the options.  |
| GJ   | Well we've been through this before- a peak times you need 160 at peak times or then going to have to have additional trolley buses and you start to get into additional run times.  |
| Ch   | Part depends on the operating strategy. What we've assumed is at peak times 1 additional vehicle would be inserted. 2 strategies to deal with that - all vehicles given the same level of priority or, other vehicles have a regular pattern with an additional vehicle slotted in in between. Not if the additional vehicle slotted in is not afforded the same priority as the other vehicles.             |
| GJ   | The business case doesn't take account of that pattern.  |
| CH   | The business case takes account of 10 vehicles but another one even if it were slower would lead to additional benefits.   |
| Insp | I was led to believe you would have equal spacing to avoid bunching - wouldn't that additional slower one lead to bunching?  |
| Ch   | We wouldn't have to work that out yet but the aim is to even it out over the 17 or 18hr operating period - that one vehicle doesn't affect that cost-benefit analysis.   |
| GJ   | Can't have it both ways- we know the benefits in terms of timing and speed have a max of 10. Once you insert another one in, the runtime benefits diminish.  |
| Ch   | Only if you give it the same priority.   |
| GJ   | You are making a number of assumptions that it can be slotted in going slower without any adverse effect on the other 10 trolleybuses. None of this is set out in the evidence.  |
| Ch   | All we've done is penalise ourselves- we've taken the additional operating costs but not made any allowance for the additional benefit of carrying capacity. The phased process the appropriate time to deal with these matters is not now but after conditional approval when firming up the contracts which we take to market and will firm up the spec of the vehicles- number of doors, number of seats. |
| GJ   | Well I'm not going to over Prof Bonsall's cross-exam but you can't just slot in to meet demand everywhere. You can't just take a theoretical approach - it doesn't matter whether it's a Siemens or Mercedes Benz but you've got to deal with these difficult issues now. Why can't we work it out now? No magic in how many doors it has?   |
| Ch   | Because if we came to the Inquiry now you'd say "how can be sure this will be the vehicle that is procured" and we can't.  |
| GJ   | Then it could be properly tested. You rely on the vehicles being comfortable and we need to know.  |
| Ch   | We can't prejudice the product procurement - will go to do market testing and then at the time indicate a specification either because of changes required by SoS or conditions of Inspector- only then can you do that and fix the specification.   |
| GJ   | Okay. What happens when your clients start carrying out the task and find the parameters you've suggested can't be met. They have to adjust?   |
| Ch   | Absolutely as you would with a tram or a train.  |
| GJ   | Well I won't be diverted from those as no evidence on trams and trains and I can only deal with the evidence. They will have to deal with your projections?  |
| Ch   | They are accurate within an acceptable tolerance?  |
| GJ   | What is the acceptable tolerance? Not defined in your evidence?  |
|      | Acceptable for who?  |
| Ch   | Acceptable for DfT. There's an understanding. Say Fred Bloggs series X today, in 5 years time might be on Fred Bloggs Series Y. Can't procure a spec now as we don't know it'll still be available in 6yrs time. And can't predict what will be available in 6yrs time.  |
| Insp | I was led to believe you wouldn't have an "off the peg" vehicle but would have one ordered to your specification?  |

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| Ch   | There's a great deal of flexibility in the specification. But the basic vehicle is the same. E.g. A tram - body shell is standard and the option list is as long as your arm.   |
| GJ   | As a point of fact we've had no evidence before the Inquiry of trolleybus manufacture. If we look at trams, a world of difference between the two. First, no trolleybuses operating in UK - last one 50 yrs ago. Wellington are RH Drive and they're going. We're looking for modern right-hand drive trolleybuses - may be a few in Japan I suppose.   |
| CH   | As Mr Haskins said, when Manchester got a tram there were no trams operating in UK - not insurmountable difficulty.   |
| GJ   | No reason why core parameters, specs can't have been given now - ones relied upon for modelling?  |
| Ch   | I've set you the reasons, I don't want to repeat myself.  |
| GJ   | You want to keep it vague, "could be this could be that" as don't want to be tested on it. Are you comfortable to advise your clients to take a considerable risk on that basis?  |
| Ch   | Yes it's appropriate for a rapid transit scheme at this stage in the process.   |
| GJ   | Mr Haskins' rebuttal to Mr Turner para 2.6. "During peak times it is anticipated that the majority of passengers will stand". Are you disagreeing with Mr Haskins?  |
| Ch   | What Mr Haskins hasn't done in that do is define "peak times". What we've done in APP108 is set out the loadings in the 3 types of vehicles. Authored by me. Not Mr Haskins. So what I have done in APP108 is we have defined "peak" - within that peak period there will be peaks within the peak and in that period there will be times when the majority have to stand. I simply note that Mr Haskins' note is imprecise.  |
| GJ   | It's right that you point out what you understand.  |
|      | We are aware one of the prime things people value is ability to get a seat?   |
| Ch   | It's important yes.   |
| GJ   | Also revealed by SP study?  |
| Ch   | Yes.  |
| GJ   | We do also know the backgrounds, ages etc. For those people it's very important that they can get a seat?   |
| Ch   | No. It's. You're quite right SP says people place a greater penalty on travelling at times when they don't have a seat. But it doesn't mean they won't travel. Say there are 60 people seated and 1 standing - doesn't mean that 1 person will never go on NGT again.   |
| GJ   | I'm not saying they will never go on NGT. You disagree with "very"?   |
| Ch   | Yes   |
| GJ   | What factor did your study show was more important?   |
| Ch   | That's not the point.   |
| GJ   | I don't see what basis you challenge the word very? Doesn't suit your case?   |
| Ch   | I think you're using it in a pejorative way. We can agree it's an important factor.   |
| GJ   | I'm using it in a positive way. Insp's go a note on it.   |
|      | There's been a difference between the client witnesses and the Insp will judge TWE they have real knowledge and understanding of the case. The broad difference is this - when initially asked to ID the main benefits both Mr Farrington and Mr Speak identified easing congestion on the A660 and modal shift. Neither could identify the percentage of modal shift. Then when we see the consultant witnesses with more knowledge the case isn't advanced on that process - modal shift is what it is but it's not very big? |
| Ch   | It's very significant.  |
| GJ   | Do you know what it is?   |
| Ch   | I don't know nit off the top of my head - I'd have to look it up - would you like me to?  |
| Insp | I don't want to prolong this.   |

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| GJ   | I'm happy to let Mr Chadwick look it up.   |
| Insp | I'd hope by giving you this time tonight you can be done in about an hour. Tomorrow it'll be 9.30 start and we'll start with Mr Purseglove and don't think Mr Natkus will take very long -=said about half an hour. Then Mr Chadwick to finish, re-exam of Mr Chadwick and I'll put in writing the ruling on the doc and the programme will need updating. [17:4]. |