

## TAMAR BRIDGE AND TORPOINT FERRY REVISION OF TOLLS APPLICATION

by THE TAMAR BRIDGE AND TORPOINT FERRY JOINT COMMITTEE

Inquiry opening at 1000 on Tuesday 15 October 2024 at The Copthorne Hotel, Armada Way, Plymouth, PL1 1AR

### INSPECTOR'S PRE-INQUIRY NOTE

#### INTRODUCTION

1. The Inspector will be Mr S Dean MA MRTPI. He has been appointed by the Secretary of State for Transport to hold an inquiry into the above application.
2. The Inspector will hear the case for the Joint Committee, any supporters, the objectors and any other relevant representations. He will then submit a report to the Secretary of State on the evidence and submissions heard at the inquiry and all of the written evidence, together with his conclusion and recommendation.
3. This inquiry is necessary because objections have been received and not withdrawn.
4. Attention should be paid to, and evidence at the inquiry should be directed to the requirements of section 6 (3) of the Transport Charge &c. (Miscellaneous Provisions) Act 1954, which states that in reaching a decision on the application, the decision maker shall have regard to

*...the financial position and future prospects of the undertaking and shall not make any revision of charges which in his opinion would be likely to result in the undertaking receiving an annual revenue either substantially less or substantially more than adequate to meet such expenditure on the working, management and maintenance of the undertaking and such other costs, charges and expenses of the undertaking as are properly chargeable to revenue, including reasonable contributions to any reserve, contingency or other fund...*

5. This application, and this inquiry deals with the above application for a revision of tolls; other matters are outside the scope of this inquiry.

#### PROCEDURE

6. The inquiry will be conducted in general accordance with the procedure at inquiry set out in the Highways (Inquiries Procedure) Rules 1994 (SI 1994/3263), but with an overarching emphasis on openness, fairness and impartiality.
7. With this in mind, people should not try to speak to the Inspector outside of the inquiry. Anything that needs to be said to the Inspector should be said in the inquiry where everybody else has the opportunity to hear and comment on it.

8. The inquiry is due to sit for not more than 4 days from 15 to 18 October. It would assist the Inspector if parties could provide in advance anticipated timings for the presentation of their cases.
9. Anyone wishing to speak should attend the opening of the inquiry in order that they may be accommodated within the programme.

#### **OUTLINE SCHEDULE**

10. After the Inspector's opening announcements, the proceedings will normally follow the sequence:

- i) an opening statement by (the advocate for) the Joint Committee;
- ii) the Joint Committee's presentation of the evidence-in chief by their witness;
- iii) the cross-examination of that witness by objectors;
- iv) the re-examination of that witness by their advocate;
- v) the presentation of the objector's evidence and representations;
- vi) the cross-examination of the objector (or his or her witness if represented) by the Joint Committee's advocate;
- vii) the reply to the cross-examination (or re-examination if the objector is represented by an advocate) and a final statement by the objector;

[NOTE: stages (ii) to (iv) and stages (v) to (vii) would be followed for each individual witness and objector.]

- viii) closing statements by objectors or their advocates;
  - ix) the closing statement by the Joint Committee's advocate; and
  - xi) the Inspector's closure of the inquiry.
11. If the Inspector considers that it would be in the interests of the inquiry or necessary to accommodate individuals or unusual circumstances, he may vary the procedure accordingly.
  12. The inquiry will open at 1000 on the first day. The start time on the following days will be confirmed during the inquiry. Sitting generally will be no later than 1700, with a break for lunch and other breaks as appropriate.

#### **STATUTORY FORMALITIES**

13. The Joint Committee will need to confirm whether or not all the appropriate statutory formalities have been observed.

#### **DOCUMENTS**

14. The Inspector will require written copies of opening and closing statements as they are made, which will be given an Inquiry Document number. Provision should be made to ensure sufficient copies are available for all parties, and electronic copies should be sent to the Planning Inspectorate ([ETC@planninginspectorate.gov.uk](mailto:ETC@planninginspectorate.gov.uk)) as these may form the basis of the reporting of cases.

15. Any other documents handed up during the inquiry will be given an Inquiry Document number and again, electronic copies should be sent to the Planning Inspectorate ([ETC@planninginspectorate.gov.uk](mailto:ETC@planninginspectorate.gov.uk)). All documents should have page and paragraph numbers for easy and effective referencing.
16. The Inspector intends to work electronically, but the parties should consider whether additional copies of evidence would be useful in the inquiry to help members of the public follow the evidence.

#### **SITE INSPECTION**

17. The Inspector will visit the crossings and the area in advance of the inquiry opening or during the inquiry. It is not anticipated that a formal site inspection will be required, although this can be discussed at the inquiry.

#### **CONTACTS**

18. It would be helpful for there to be a point of contact at the Joint Committee who will be available throughout the inquiry. If there is an inquiry web-site, this pre-inquiry note should be added.
19. The Inspector thanks parties in advance for their cooperation in ensuring the smooth and effective running of this inquiry.

*S Dean*

INSPECTOR

2 October 2024