

CASE REF: APP/PCU/CPOP/Z5060/3278231

**The London Borough of Barking and Dagenham Council
Vicarage Field and surrounding land
Compulsory Purchase Order 2021**

Pre Inquiry Meeting Notes

11:30 - Thursday 24 February 2022

Introduction and purpose of meeting

1. This note summarises the discussion from the Pre Inquiry Meeting held Thursday 24 February at 11:30.
2. The purpose of the pre-inquiry meeting was to discuss procedural and administrative matters relating to the inquiry and, as far as possible, establish a programme for the submission of proofs of evidence and for hearing the cases of the parties.
3. I am Katie McDonald MSc MRTPI, the Inspector appointed to conduct the inquiry relating to The London Borough of Barking and Dagenham Council Vicarage Field and surrounding land Compulsory Purchase Order 2021.
4. The Programme Officer is Helen Wilson (helen@programmeofficers.co.uk) She acts as a neutral party of the inquiry and is responsible for, amongst other things, the inquiry website, programming appearances and ensuring the timely submission of documents.
5. A copy of this note will be placed on the inquiry website:
www.hwa.uk.com/projects/vicarage-field-cpo-inquiry/

Inquiry venue and accommodation arrangements

6. The inquiry is to be held at the Council Chamber, Barking Town Hall, Town Hall Square, 1 Clockhouse Ave, Barking IG11 7LU.
7. The venue has suitable capacity, internet access, disabled access and hearing loops. It was also confirmed that a monitor would be provided for myself, along with accessible and safe power points.
8. It was confirmed that the inquiry would be livestreamed and that there would be a suitable facility for virtual participation. This should not require parties in the room to log into a Microsoft Teams account, but cameras, large screens and microphones should be provided. I suggest the use of an audio visual company if the AA cannot facilitate this themselves. I understand no one on the Teams call yesterday could hear

anyone else apart from me. I was not aware of this at the time, but this is unacceptable, and a better system will be necessary for the inquiry.

9. The Town Hall opens at 08:30. Retiring rooms are available, as are copying facilities, and secure storage if the Council Chamber is required for other purposes in the evening.

Inquiry dates and sitting times

10. The inquiry is scheduled to open at 10:00 on Wednesday 20 April 2022. The inquiry will normally resume at 10:00 on subsequent days, and I will aim to finish around 17:00 each day. An earlier finish on Fridays would be appreciated, at around 15:30-16:00. An earlier start of 09:30 could be accommodated as required.
11. The inquiry is scheduled to sit from 20 – 22 April, 26 – 29 April 2022 and 4 – 6 May 2022, totalling 10 days. However, it was suggested by the AA that additional time would be required. I agree, given the timing estimates already provided. I am available the following week and could sit 10-13 May. Alternatively, my next availability would be 14-17 June. The programme officer will contact parties who wish to appear to discuss their availability shortly.

Appearances at the Inquiry

12. The AA is represented by James Pereira QC and Caroline Daly, of Counsel. I was advised the AA will present 10 witnesses, on the topics of:
 - Be first
 - Scheme delivery
 - Planning
 - Design
 - Negotiations (2 witnesses)
 - Highways and servicing
 - Town Centre uses
 - Heritage
 - Viability

Objectors appearing

13. NHS Property Services is represented by Chris Young QC (as leading Counsel). Nina Pindham, of Counsel, attended the PIM. Their objection relates to Vicarage Field Health Centre (CPO Plot 22). They intend to present evidence for 1.5 days on the topics of:
 - Town Planning
 - Urban Design
14. Ali Asghar Kadkhodayi Kholghi and the personal representatives of Paula Mary Baker (deceased; represented by Mrs Paulette Bateman) are represented by David Elvin QC and their agent is Paul Burley. Their objection relates to 24-34 Station Parade (CPO Plots 2-10). Also, other objectors for the same addresses also attended the PIM, Parisa Jahan

Panah and Jamshid Hosseini. They intend to present evidence for 3 days on the topics of:

- Town Planning
- Urban Design
- Viability & Deliverability
- Company witness

15. Amerdeep Sahota and Reena Kanda (Ambareen Ltd trading as Thomas Pharmacy; and Ambareen Estates) are represented by Paul Burley. Their objection relates to 17 and 19 Ripple Road and first and second floor residential flats known as 19a and 19b Ripple Road (CPO Plots 27, 28 and 29). Mr Burley confirmed at the PIM that negotiations are ongoing in relation to this objection. However, if they are to appear, they intend to present evidence for half a day on the topics of:
 - Town Planning
 - Company witness
16. Safi Husaini attended the PIM, with his objection relating to 13-15 Ripple Road (CPO Plot 30) and intends to appear.
17. I also have written notification that Muzaffar Ali Shah and Wahed Mohammed (32 Station Parade) (CPO Plot 7), Hamid Riaz (34 Station Parade) (CPO Plot 10) and Alireza Hamidein (34 B Station Parade) (CPO Plot 10) also intend to appear at the inquiry.
18. Paul Scott represents The Barking and Dagenham Heritage Conservation Group as a non-statutory objector and intends to appear.
19. Network Rail did not appear at the PIM and are in negotiations with the AA. It is anticipated that their objection will be withdrawn.

Inquiry timetable and arrangements for site visits

20. It was agreed that the order of proceedings should be as follows:
 - i. The AA's overall case.
 - ii. Evidence in respect of groups of objectors (NHS property services, 24-34 Station Parade, 17-19 Ripple Road, 13-15 Ripple Road, and Barking and Dagenham Heritage Conservation Group). In respect of each group the AA would present its specific case, followed by the objector's case and submissions. (If the AA wish to defer their final submissions to the end of the inquiry, the objector must be present.)
 - iii. Any interested parties.
 - iv. The AA's response to written objections.
 - v. The AA's closing submissions.
21. There would be the opportunity to seek clarification of the AA's overall case, but other parties would each have one opportunity for cross-examination: this is expected to be when evidence is presented in respect of the AA's specific cases.
22. An initial timetable will be prepared by the Programme Officer. It is intended that this would be circulated to parties as soon as possible.

Detailed time estimates should be submitted by **6 April**, following which a detailed timetable will be prepared and circulated by the Programme Officer.

23. I have already seen parts of the CPO lands, and I will do so again before the inquiry opens. However, a programme of accompanied visits would be made in conjunction with the sitting of the inquiry. I requested that a site visit itinerary is prepared, including any requests to see other sites.

Dates for submission of statements of case and evidence

24. The AA has already submitted its Statement of Case. Statements of Case from the objectors are due **24 March**, and statements of evidence are due by **30 March**. The AA should send a copy of its statements of evidence to the objectors concerned and the Programme Officer. Objectors should send a copy of their statements and evidence to the AA and Programme Officer.
25. Time estimates, draft order of witnesses and copies of the public notifications are required by **6 April**.
26. Rebuttals statements, if necessary, are due by **13 April**.

Format of statements and other material

27. To avoid possible confusion over documents, it would be helpful if the parties used an appropriate reference code identifiable to an individual party, and it should be used for all proofs, appendices and documents.
28. Statements should have numbered paragraphs. Both statements and appendices should be paginated. Proofs of more than 1,500 words should be accompanied by a summary. Opening statements and closing submissions should be in writing and in electronic format.
29. To save time, only summaries need be read at the inquiry, but the main proof will be the basis for cross-examination.
30. I also requested that a document is produced that lists all 63 qualifying objectors (with corresponding CPO plot numbers and addresses), the 3 non qualifying objections, and the Network Rail objection. It should list the status of the objection, if they are negotiating, along with an indication of the likelihood of withdrawal. This should be a 'living' document updated as necessary and finally updated at the close of the inquiry.

Core and Inquiry Documents

31. The Programme Officer will maintain a library of inquiry documents. An initial list of core documents has been prepared by the AA and submitted with its statement of case. All inquiry documents, including objections and related correspondence, will be published on the inquiry website by the Programme Officer.

Statements of Common Ground

32. Parties were requested to consider the use of Statements of Common Ground where they would aid the inquiry. If any are to be submitted, these are required by **30 March**.

Matters to be considered at the Inquiry

33. I referred to the importance of addressing the matters in paragraphs 13-15 of the Guidance on Compulsory Purchase Process, along with paragraph 106. At the opening of the inquiry, the AA will be asked to confirm that there had been compliance with all statutory requirements.

Other Matters

34. A minor correctional modification of the CPO would be necessary if I were to confirm the order, relating to missing dashes in the Lessee column for Plots 8 & 9.
35. The AA confirmed that the issue raised relating to current owners associated with the properties by the Planning Casework Unit for the Secretary of State, has been resolved.
36. The application for the stopping up order for St Awdry's Way has been made. Consultation runs until 16 March.
37. Additional information has been requested by objectors. The AA confirmed that it would provide a comprehensive response by **4 March**.

Timings

4 March 2022	AA to provide comprehensive response to objectors' request for additional information.
24 March 2022	Objectors' statements of case appearing at the inquiry
30 March 2022	All statements of evidence Statements of Common Ground
6 April 2022	Detailed time estimates Draft order of witnesses Copies of public notifications
13 April 2022	Necessary rebuttal statements
20 April 2022	Inquiry opens 10.00 am

Katie McDonald

INSPECTOR
25 February 2022