

APPEAL TIMETABLE	
Week 0	●Appeal Submitted and Validated ●PINS sets Start Date
Week 1	●BCP to submit completed questionnaire and documents to PINS and MVV ●Parties interested in Rule 6 status should apply for it
Weeks 2-6	●Interested Parties to submit representations ●Statement of Common Ground between BCP and MVV ●Statements of Ground required by PINS
Week 7	BCP, MVV and Rule 6 parties attend a (Teams) Case Management Conference (CMC) where process and central points are outlined and agreed upon
Pre-Inquiry 4 weeks before	Rule 6 parties submit Proof of Evidence
At least 2 wks before	BCP publicise details about Inquiry arrangements
Inquiry For 1-5 weeks	Inquiry sits (On average, 8-11 sitting days)
Decision 30-40 wks after Start	If decided by Inspector, decision announced
55-70 wks after Start	If Inquiry recovered by Secretary of State, decision announced

PLANNING APPEAL – Some Notes

Participants

- The Planning Inspector (PINS)
- The Appellant (MVV)
- The Local Planning Authority (BCP)
- Interested Party (Individuals and groups with views on the proposed development)

Representation

Community

There will be a community session at which residents will be able to speak.

‘Interested Party’

This requires a written statement (with arguments for refusal rooted in material planning considerations), provided to all sides, at a fairly early stage in the process.

‘Rule 6 Party’

This is a more formal role for group who have applied for this status and who will have equal footing with MVV and BCP. They will share the same deadlines, and will be entitled to sight of BCP and MVV papers in advance. There will be an obligation to put forward at least one witness (ideally an expert), who most likely would be led through their statement by their advocate, then cross-examined by a MMV lawyer. Such representation, the most effective, would be costly and would require a significant fund-raising effort, if that is a path Magwatch wished to follow.

Some Terms

Statement of Case

The detailed arguments put forward to the PINS 1) by the appellant (MVV) as to why the refusal decision was wrong and should be overturned, 2) by the LPA (BCP) and 3) by Rule 6 parties as to why the refusal was the correct decision.

Statement of Common Ground

This is a shared document produced by the LPA and Appellant in which they identify the areas and issues in which they are in agreement so that the Inquiry can focus on the contentious issues. It is something of a tightrope for BCP to walk: there is always the risk of giving away too much ground, thus playing into the hands of MVV.

Proof of evidence

This is the written statement of the evidence a witness will present to the Inquiry in the Statement of Case. It is likely to contain professional opinion, with supporting facts. At the Inquiry itself witnesses will speak to their proofs and be subject to cross-examination by other parties (possibly a lawyer) and the Inspector.

Witnesses do not technically have to be professional experts, but need to be capable of undergoing the same level of rigorous cross examination as an expert.