

Tynedale District Wind Farms Inquiry Inspector's Guidance Note – Closing Submissions

1. Earlier in the Inquiry I sought the views of most of the main parties about the nature and format of closing submissions. With two Rule 6 parties, two local authorities, three aviation interests and three applicants, closing submissions, if delivered in full, could occupy considerable Inquiry time. In my view this would not represent the best use of Inquiry time.
2. In addition, I am looking to use closing submissions as a framework for reporting each party's case to the Secretaries of State, subject to editing at my discretion. It is anticipated that this will result in time and related cost savings.
3. Closing submissions, whilst necessarily covering all aspects of a party's case, and supported by legal authorities as necessary, are usually far more extensive than the material reasonably required to inform the Secretary of State of the gist of a party's case. I have indicated that, in addition to full written closings, I would very much favour and welcome an accompanying abridged version, covering, in brief, all of the material aspects of the case. This would form the oral closing submission and would be incorporated into my report.
4. Alternatively, as some parties would prefer, I am prepared to accept oral delivery of selected parts of the full written closings. However, more extensive editing would fall to me with limited prospect of efficiency savings.
5. I intend to set specific time-limited slots in the programme, generally reflecting the extent of participation in the Inquiry and the issues to be covered. Each party should prepare full written closings which are to be made available to other parties prior to delivery and in accordance with the time table set. How an individual party chooses to use their allotted time is a matter for them to decide in the light of my comments above.
6. In terms of the format for closing submissions, I would ask that they address each of the matters identified by the respective Secretaries of State, so far as material to a party's case, preferably in the order as set out in the Statements of Matters.
7. It would also be helpful if the following conventions could, where possible, be adopted in written closings/summaries: -
 - When referring to the effects of the proposals, to use the conditional tense (e.g. *'the development would/would not ...'* rather than *'the development will/will not ...'*);
 - Do not personalise the evidence; please refer to submissions and evidence of a party and not an individual unless it relates to that of an individual interested person (e.g. *'The Ministry of Defence contends ...'* rather than *'Mr Chafer said ...'*) but give references;

- Do not rehearse large chunks of evidence – set out as briefly as possible what you regard as the salient points of it, citing the sources by reference to documents or to oral evidence and any conclusions you draw;
 - Give comprehensive and explicit references to the source material in the form of footnotes (documents – using the references from the documents list - e.g. CD106 (paragraph 1.12), oral evidence etc;
 - If referring to oral evidence, identify the witness and stage *in a footnote* (e.g. 'Oral evidence of Mr Ormston'). If you wish, you may also refer to the stage (e.g. 'Mr Spaven in XX', 'Mr Collinson in re-X');
 - Keep paragraph numbering simple (no more than two levels); and
 - Avoid the use of abbreviations and acronyms as far as practicable.
8. A draft timetable will follow under separate cover.

David M H Rose

INSPECTOR

7 October 2008