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Our Ref: TWA/02/APP/03  
Your Ref: 2087/5254/30811886

10 December 2002

Dear Mr Bassford,

**TRANSPORT AND WORKS ACT 1992 (TWA): APPLICATION FOR THE PROPOSED  
RIVER TYNE (TUNNELS) ORDER**

I refer to the application for the proposed River Tyne (Tunnels) Order ("the TWA Order") made on 31 May 2002 and to the decision by the Secretary of State on 20 September 2002 to hold an inquiry.

Following our consultation with you, the Secretary of State has now fixed the date, time and place for the holding of an inquiry into this proposed Order and into the associated request for a direction as to deemed planning permission. This letter should be taken as the notice of the inquiry arrangements as required by rule 11(2) of the Transport and Works (Inquiries Procedure) Rules 1992 ("the Inquiries Rules").

The Secretary of State has appointed **Mr Stuart Nixon BSc(Hons) DipTE CEng MICE MRTPI MIHT** as Inspector to conduct the inquiry into this application. He will open the inquiry at 10.00am on **Tuesday 4 March 2003 at Jarrow Community Association, Cambrian Street, Jarrow, Tyne and Wear, NE32 3QN**. We have forwarded to the Inspector all the written representations the Secretary of State has received about this application.

**Pre-inquiry meeting**

As you already know, the Inspector has decided that a pre-inquiry meeting should be held under rule 8 of the Inquiries Rules. The meeting will be held at **2.00pm on Monday 6 January 2003 at Jarrow Community Association, Cambrian Street, Jarrow, Tyne and Wear, NE32 3QN**. The purpose of a pre-inquiry meeting is principally to discuss the practical arrangements for the inquiry, to set an inquiry programme and to clarify the scope of the inquiry. There is no discussion at a pre-inquiry meeting of the merits of the proposals in question. Any person who intends to present evidence to, or be represented at, the inquiry is invited to attend the meeting. No-one who wishes to present evidence to the inquiry will be prejudiced by not attending or being represented at the pre-inquiry meeting, but attendance at the pre-inquiry meeting is usually found to be helpful. An agenda for the pre-inquiry meeting will be circulated in due course by the programme officer for the inquiry.

## **Inquiry publicity**

Rule 11(6) and (7) of the Inquiries Rules describes what applicants must do to publicise an inquiry. For our records, please could you send us copies of the newspaper notices which you publish and details of the locations where notices have been posted once this has been done.

## **Proof of evidence**

Your attention is drawn to the requirements of rule 14 of the Inquiries Rules about the submission of proofs of evidence and of summaries. Any person who is entitled to appear at the inquiry and who proposed to give, or to call another person to give, evidence by reading a proof of evidence, must send a copy of the proof and (if it is longer than 1,500 words) a summary of it to the Inspector not later than three weeks before the date the inquiry opens (in this case, by **Tuesday 11 February 2003**). The Inspector may, however, set a different timetable for this under rule 9(2) of the Inquiries Rules. Arrangements for the submission of proofs will be discussed at the pre-inquiry meeting and a note of the proceedings will be circulated as soon as possible after the end of the meeting.

At the same time as submitting proofs to the Inspector, applicants must send a copy of their proofs and (where required) a summary to each statutory objector and to all those who have served on them a statement of case. If an applicant receives copies of proofs from other parties, the applicant should, in the interests of equity, also send those parties a copy of their proofs.

Under rule 14(6) of the Inquiries Rules, all proofs of evidence sent to the Inspector and to other parties to the inquiry must be accompanied by the whole or the relevant part of any document referred to in them. Copies of these documents or parts of documents need not be provided, however, if they have previously been supplied with any statement of case and made available for inspection under rule 7(9).

Please note that applicants are obliged by rule 14(7) of the Inquiries Rules to make available for inspection any proof of evidence which has been sent to them. The exchange of proofs of evidence and their availability for inspection before the inquiry opens means that summaries only are normally allowed to be read at the inquiry. The full proofs are, nevertheless, treated as tendered in evidence and parties may be cross-examined on them to the same extent as if all the evidence had been given orally.

## **Statement of Matters**

A copy of a statement of matters about which the Secretary of State particularly wishes to be informed for the purposes of his consideration of this Order will follow shortly.

Yours sincerely,



Matthew Bigault