



GOVERNMENT OFFICE
FOR THE NORTH EAST

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Dear Ms Dias

**TRANSPORT AND WORKS ACT 1992
APPLICATIONS FOR LISTED BUILDING CONSENT FOR –**

- (1) **ALTERATION OF THE TYNE PEDESTRIAN AND CYCLIST TUNNELS
(COMPRISING DEMOLITION OF THE PERIMETER WALL OF THE SURFACE
BUILDINGS AREA OF THE SOUTHERN PORTAL ENTRANCE TO THE
TUNNELS), TYNE STREET, JARROW**
- (2) **DEMOLITION OF THE GASLIGHT PUBLIC HOUSE, COMMERCIAL ROAD,
JARROW**
- (3) **DEMOLITION OF SIR CHARLES MARK PALMER STATUE, RIVERSIDE PARK,
TYNE STREET, JARROW**

1. I refer to the applications for the above Listed Building Consents made by your clients, the Tyne and Wear Passenger Transport Authority ('the T & W PTA'), on 29 July 2002 and to the decision by the Secretary of State on 30 September 2002 to hold inquiries into these applications, to be held concurrently with the inquiry into the (proposed) River Tyne (Tunnels) Order.

2. The date, time and place for the holding of the inquiries has been fixed and this letter should be taken as the notice of the inquiries arrangements as required by rule 11(2) of the Transport and Works (Inquiries Procedure) Rules 1992 ("the Inquiries Rules").

3. The Secretary of State has appointed **Mr Stuart Nixon BSc(Hons) DipTE CEng MICE MRTPI MIHT** as Inspector to conduct the inquiries into these applications. The inquiries will be held concurrently with the inquiry into the proposed River Tyne (Tunnels) Order. The Inspector will open the inquiries at **10.00 am 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 these applications.



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Pre-inquiries meeting

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

Inquiries publicity

5. Rule 11(6) and (7) of the Inquiries Rules describes what applicants must do to publicise the inquiries. As the inquiries are concurrent inquiries into the matters of the proposed River Tyne (Tunnels) Order ("the TWA Order") and into the associated request for deemed planning permission; and the three listed building consent applications matters, the notice to be publicised should sensibly cover all matters in a single notice. I am copying this letter, therefore, to Howard Bassford of Messrs Herbert Smith who has been sent separately the letter providing details of the Inquiry into the matter of the TWA Order and who, no doubt, you will be contacting to discuss the notice arrangements. 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

6. 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 inquiries and who proposes 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 inquiries open (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-inquiries meeting and a note of the proceedings will be circulated as soon as possible after the end of the meeting.

7. 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.

8. Under rule 14(6) of the Inquiries Rules, all proofs of evidence sent to the Inspector and to other parties to the inquiries 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).



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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 inquiries open means that summaries only are normally allowed to be read at the inquiries. 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

10. 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 these applications, and the related TWA Order matters, will be sent to you shortly.

Other Matters

11. For your information, I would confirm that the following parties have advised of their wish to appear at the inquiries into these Listed Building Consent applications matters to present oral evidence -

- (i) Mr Paul Winch
- (ii) Mr Nicholas Boldrini, Tyne Bridge Friends of the Earth Local Group, and
- (iii) Miss A M Allan, Friends of the Earth,

who have, with the exception of (i), also submitted a statement of case (a copy of which is enclosed) which will be copied to the Inspector along with original objections/representations of those parties and of other parties who made objections/representations as listed with our letter to you of 30 October 2002.

Yours sincerely



JULIE HUME

Land Use Planning Team
Planning, Environment and Transport Directorate

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