Please see below questions raised throughout the webinar and answers provided by the Assistant Chief Reporter. Note that not all questions could be answered at the time, though all have been passed on the DPEA to consider. These short responses may not provide the full context for the situation. We would encourage anyone to refer to the various guidance notes linked below for further information.

* [Reporters’ Guidance Notes](https://www.gov.scot/publications/planning-appeals-reporters-guidance/)
* [How to appeal guidance](https://www.gov.scot/publications/planning-appeals-guide/)
* [Guidance on taking part in planning appeals and other cases](https://www.gov.scot/publications/planning-and-environmental-appeals-division-guidance-on-taking-part-in-planning-appeals-and-other-cases/)
* [Guidance on using our case management system](https://www.gov.scot/publications/planning-and-environmental-appeals-website-user-guidance/)

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|  | Questions to the Assistant Chief Reporter |
| 1 | **Do Reporters reflect on their intended findings with fellow Reporters? I wonder whether this might foster more consistent decision-making.** |
|  | There are a number of ways in which we try and ensure consistency. A reporter can seek advice from managers but the final decision and reasoning would be their own. |
| 2 | **Can you confirm that the number of representations made to an appeal is not a determining factor?** |
|  | I'd say its more about the merits of the representations not the number of them Aileen, although I wouldn't say that the number of people concerned about an issue is always irrelevant or ignored. |
| 3 | **If a party makes an assertion and the opposing party is invited to comment and does not do so - is that assertion taken as a given?** |
|  | I think it is too difficult to answer that in the abstract, since each case is so different. I'd may be say 'not necessarily' - sorry! |
| 4 | **It may be the starting point, but we (a local CC) have seen quite divergent decisions from the LA Planners between different Planning Apps which is almost every aspect, the same; yet one is permitted, the other is rejected. My point is that there is a lack of consistency in how (against a clear set of criteria ) Planning Apps are determined.** |
|  | I think the reality of the planning system in the UK is that professional judgement is important, and that each case is different. |
| 5 | **Do you ever encourage appellants to peg out proposals on site for better understanding of the proposal** |
|  | Yes, on occasion. |
| 6 | **On a site visit can you direct attention to things that are already in the submitted documentation? Simply to ensure things are able to be observed more quickly/accurately?** |
|  | Yes, restricted to pointing out something on the site to observe or take note of, but without discussing the merits of the proposal. |
| 7 | **The majority of Reporters come from Local Authority backgrounds where the 'culture' is to agree, in the vast majority of cases with the advices received from statutory and/or non-statutory consultees with the application determined accordingly. How do Reporters move from that culture to a culture where they are adjudicating and making decisions on the conflicting positions of consultants/experts on topics/considerations in which they are not recognised experts (e.g. noise, flooding, air quality considerations) and how fair, robustly and confidently can a decision be made in such circumstances? Is there not a case for the appointment of 'independent experts' to be appointed to assist the Reporter in such situations?** |
|  | There is provision for us to appoint an assessor if there is very technical evidence, but that has hardly ever been used. Resolving differences between expert views and dealing with technical matters is part of the reporter's role. |
| 8 | **What dialogue or discussions do Reporters have with SG PAD officers in relation to live cases?** |
|  | As a management team we may keep PARD up to date about when they might expect to receive a report, for example. |
| 9 | **I thought it might be helpful for the DPEA in procedure notices to provide examples of hearing statements and precognitions or at least direct parties to look on the DPEA portal. I say this because it can be difficult for third parties to know what is required.** |
|  | We have thought about that before and I agree in some cases that may be a good idea, depending on the experience of the parties involved. |
| 10 | **with site visits, how receptive are you to requests to visit allegedly similar sites elsewhere in the district** |
|  | That's probably very case specific but if the reporter feels that it would add value, then that could be considered |
| 11 | **Inquiries are an adversarial process. In my experience where KC are used, cross-examination usually commences with a character assassination of the witness - often with little or no intervention from the Reporter. Has DPEA sought to control the process to ensure that cross-examination is of the evidence and not the person presenting the evidence?** |
|  | Certainly we should be seeking an atmosphere of courtesy and respect, and reporters are aware of that. Its a point that, as a management team, we have reiterated recently. |
| 12 | **Appreciate we can access decided cases online but is there still an appeal's library where interested parties can search by say development type or other criteria?** |
|  | You can search by category of case and type of development on our website. |
| 13 | **Can the DPEA justify not allowing third parties, such as community councils, to appeal against bad planning approval decisions?** |
|  | That's more a question for Scottish Government and, indeed, the Scottish Parliament. We must operate within the legislation as it exists presently. |
| 14 | **Improved search functionality on the DPEA case website would be really useful if possible, on a wider range of parameters/fields such as involvement of particular national bodies/agencies. Appreciate this may be tricky to do though, particularly retrospectively.** |
|  | Noted. I said earlier that I think our ability to do this may be limited but we can consider this. |