

# CASTLE POINT LOCAL DEVELOPMENT FRAMEWORK CORE STRATEGY EXAMINATION

## GUIDANCE NOTES FOR PARTICIPANTS

### 1 Introduction

- 1.1 These Guidance Notes are to assist those involved in the Examination into the Castle Point Core Strategy. This is one of a number of *Development Plan Documents* (DPD) the Council intends to produce as part of its *Local Development Framework*.

### 2 Inspector and Programme Officer

- 2.1 The Secretary of State has appointed the Inspector, **Paul Crysell** BSc (Hons) MSc MRTPI to hold the Examination into the soundness of the Castle Point Core Strategy.
- 2.2 The Programme Officer for the Examination is **Andrea Copsey**. She is acting as an independent officer for the Examination, under the Inspector's direction. She will be responsible for organising the programme of hearings, recording and circulating all material received and ensuring the smooth running of the Examination. Any matters which participants wish to raise with the Inspector should be addressed to the Programme Officer. She can be contacted on 01268 882368 or by email at [acopsey@castlepoint.gov.uk](mailto:acopsey@castlepoint.gov.uk)

### 3 Pre-Hearing Meeting (PHM)

- 3.1 A Pre-Hearing Meeting will take place on **Tuesday 11<sup>th</sup> May 2010** in the Council Chamber at Castle Point District Council Offices, Kiln Road, Thundersley, Benfleet, starting at 2pm. The purpose of the PHM is to explain and discuss procedural and administrative matters relating to the Examination of the Core Strategy. This will include details about the programme, further submissions and the procedure to be followed. **The content and merits of the Core Strategy and the representations will not be discussed at this meeting.**
- 3.2 At the PHM the Inspector will ask the Council a series of procedural questions to confirm that the Core Strategy has been prepared in accordance with the statutory procedures and with regard to relevant documents.
- 3.3 An agenda for the PHM is attached to these notes. A note of the PHM, along with any revisions to the hearing sessions and a schedule of the Matters and Issues for Examination will be circulated after the meeting to all those who have made representations.

### 4 Purpose and Scope of the Examination

- 4.1 The purpose of the Examination is to examine the soundness of the Core Strategy. The Inspector's role is to consider whether the Core Strategy is sound in terms of the three broad tests set out in Planning Policy Statement 12 (PPS12), i.e. whether it is **justified** (founded on a robust and credible evidence base), **effective** (deliverable, flexible and able to be monitored) and **consistent** with national policy. The Examination will focus on these tests of soundness. Those seeking changes to the Core Strategy have to demonstrate why the document is not sound and how the suggested changes would make it sound.

- 4.3 The starting point for the Examination is that the local authority has submitted what it considers to be a sound plan. The Inspector is required to consider all the representations made to the submission document but only so far as they relate to the three matters of soundness. The Inspector **does not** consider or report on each representation individually. Further information on the process can be found in the Planning Inspectorate's explanatory booklets: "*A brief guide to examining development plan documents*" and "*Local Development Frameworks: Examining Development Plan Documents: Soundness Guidance*" (go to: [www.planning-inspectorate.gov.uk](http://www.planning-inspectorate.gov.uk)).
- 4.4 Respondents have already indicated whether their views should be dealt with in a written form or discussed orally at a hearing session. **Both methods carry the same weight and the Inspector will have equal regard to each.** Attendance at a hearing session will only be helpful if participants need to contribute further to a debate. Only those parties seeking specific changes to the Core Strategy are entitled to attend the hearing sessions and there is no need for those supporting or merely making comments on the Core Strategy to take part although they may attend as observers.
- 4.5 As this Examination relates to a Core Strategy, discussion will focus on strategic issues rather than particular sites or proposed developments; these detailed matters will be dealt with in subsequent DPDs. Similarly, national and regional policies as such will not be debated but the Examination will consider the implications of such policies if they directly affect the areas and topics covered by the Core Strategy.
- 4.6 The Council should not propose any fundamental changes to the submitted Core Strategy before the hearing sessions of the Examination. Where the Council considers minor changes are necessary, these should not affect the substance of the document, its overall soundness or the submitted sustainability appraisal. If, exceptionally, more fundamental changes are proposed, they must be subject to the same process of sustainability appraisal, publicity and opportunity to make representations as the submitted plan.
- 4.7 After the Examination has closed, the Inspector will submit his report to the Council with his findings and recommendations on the actions or changes needed as regards the soundness of the Core Strategy. These recommendations are binding on the Council and it has to amend the Core Strategy accordingly before moving to the formal adoption of the document.

## **5 Procedure and Programme for Hearing sessions**

- 5.1 The hearing format provides an informal setting for dealing with issues by way of a discussion that the Inspector leads based on a Matters and Issues schedule he has prepared. There is no formal presentation of evidence or cross-examination; the Inspector will look to draw all relevant parties into the discussion to enable representors to air and explain the nature of their concerns and to help him gain the information necessary to come to a conclusion on the matters before him.
- 5.2 The hearing sessions of the Examination will commence at 10.00am on **Tuesday 22<sup>nd</sup> June 2010** in the Council Chamber at the District Council Offices. There will be a break for lunch at about 1.00pm each day, with the intention of finishing at about 5.00pm. There will normally be a short break during morning and afternoon sessions.

- 5.3 A programme for the hearings will be available at the PHM, along with the schedule of the Matters and Issues identified by the Inspector. Participants will be circulated with the statements relevant to their particular hearing sessions. The hearings will be conducted on the basis that everyone taking part has read the relevant documents.
- 5.4 Every effort will be made to keep to the programme, but late changes may be unavoidable. The Programme Officer will inform the participants of any late changes to the timetable but it is the responsibility of the participants to keep themselves up to date with the arrangements and programme.

## **7 Submission of further written statements and other material**

- 7.1 The representations already made at submission stage should include all the points, documents and evidence to substantiate representors' cases. It should not therefore be necessary to submit any further material based on the original representations. Please note that, although representations may have been made at earlier stages of the plan process, **the Inspector only has copies of representations made at the Core Strategy submission stage.**
- 7.2 From now on, all written submissions should address the Matters and Issues for Examination identified by the Inspector and provided at the PHM. The Inspector will ask the Council and those who have made representations to provide their statements of response according to the dates he sets at the PHM.
- 7.3 As the Examination starts from the basis that the Core Strategy is fundamentally sound any further statements from participants need to explain:
- Which particular part of the Core Strategy is unsound?
  - Which soundness test(s) does it fail?
  - Why does it fail?
  - How can the Core Strategy be made sound?
  - What is the precise change/wording that is being sought?
- 7.4 Submissions should be succinct, avoiding unnecessary detail and repetition of what has already been provided. There is no need for verbatim quotations from Core Documents, cross references will suffice where necessary.
- 7.5 The Programme Officer will require **4 copies of all statements and material** plus a copy for each participant attending that hearing session. Participants should ask the Programme Officer closer to the time of submission to clarify how many copies are needed. They should also be submitted in electronic form, if possible. Statements should be no longer than 3,000 words for each matter or issue. Statements which are excessively long or contain irrelevant or repetitious material will be returned.
- 7.6 All statements should clearly reference the Core Strategy Matter No. (from the Inspector's Matter and Issues paper), the representor's personal ID No. the relevant policy/paragraph/ page of the Core Strategy to which it relates and the relevant soundness test.
- 7.7 Participants should attempt to reach agreement on factual matters and statistics before the hearings start. They are encouraged to maintain a dialogue with the Council and other participants in order to narrow down any areas of disagreement. Representors with common interests are

encouraged to agree a spokesperson to avoid repetition of cases. The Inspector will seek to avoid any repetition of points because it is not helpful and wastes hearing time.

- 7.8 **Statements of Common Ground** can be useful in focusing on the issues in dispute and should be submitted within the timescale set out at the PHM. There is no need to prepare a further statement on matters/issues if all the points are already covered in the original representation. However, participants are asked to notify the Programme Officer if they do not intend to submit any further statements so it is clear their original representation represents their views.
- 7.9 Technical evidence should be limited to appendices, and should be clearly related to the case. Supporting material should be restricted to that which is essential and need not contain extracts from any documents that are already in the Examination library. Submissions should be on A4 paper, unbound but punched with two holes for filing. Plans or diagrams should fold down to A4 size.
- 7.10 **All participants should adhere to the timetable for submitting any further material.** Late material will disrupt the hearing timetables, be unfair to others and will not be accepted. If material is not received by the dates to be set by the Inspector, the Programme Officer will assume that no further representations will be made by that participant.

## **8 Core documents**

- 8.1 The Council has prepared a list of key documents (referred to as Core Documents). These are the documents expected to be referred to most frequently and include the Regional Spatial Strategy (RSS), Planning Policy Guidance Notes (PPGs) and Planning Policy Statements (PPSs), Background Papers and any other documents to which participants are likely to need to refer. Extracts of these documents should not be attached to statements as they are already examination documents.
- 8.2 The list of Core Documents is up-dated from time to time and is available from the Programme Officer at the District Council Offices and is also posted on the Council's website. Links to electronic versions of the reference documents are provided wherever possible. The Programme Officer will assist anyone wishing to see and copy any document.

## **9 Close of the Examination**

- 9.1 The Examination will remain open until the Inspector's report is submitted to the Council. However, the Inspector will not accept any further representations or evidence after the hearing sessions have finished unless he specifically requests further information. Any late or unsolicited material is likely to be returned.

pc 27/4/10