

Christchurch and East Dorset Core Strategy

Pre Hearing Meeting

Notes of the meeting held on Tuesday 30 July 2013 at 10 am.

1. Main participants

Inspector: Mrs Sue Turner
Programme Officer: Mrs Jenny Neale

Councils' representatives:

Christchurch: Simon Trueick
East Dorset: Richard Henshaw

2. Purpose of the Pre Hearing Meeting

2.1 The Inspector explained that the meeting provided an opportunity to explain and discuss procedural and administrative matters relating to the examination hearings. This includes timetabling, matters to be discussed, the deadline for submitting further material and the hearing venues. She stressed that it would not be appropriate to discuss the contents or merits of the Plan or the representations made at the meeting.

3. The Inspector's role

3.1 The Inspector confirmed that her role is to consider:

- 1) whether the Plan has been prepared in accordance with the Duty to Co-operate as required by the 2004 Planning and Compulsory Purpose Act as amended by the Localism Act 2011;
- 2) whether it meets the legal requirements of the 2004 Act as amended and the associated regulations; and
- 3) whether it is sound.

3.2 The four soundness criteria are set out in paragraph 182 of the National Planning Policy Framework. They are that the Plan should be:

- positively prepared - based on a strategy which seeks to meet objectively assessed development and infrastructure requirements;
- justified - it should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
- effective - it should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
- consistent with national policy - it should enable the delivery of sustainable development in accordance with the policies in the NPPF.

3.3 The Inspector will start from the presumption that the Councils have submitted what they consider to be a sound plan. They should rely on evidence collected whilst preparing the Plan to demonstrate that it is sound. Those seeking changes have to demonstrate why that is not the case.

- 3.4 The focus of the examination is on the plan rather than the objections. The Inspector will examine the soundness of the plan having regard to the representations, not to consider each representation individually. She may only make changes needed to make the plan sound, not just to improve it. Any changes must themselves be sound and have regard to the need for public consultation and sustainability appraisal. The examination is an inquisitorial process focussing on particular topics.
- 3.5 The examination relates to the whole process, from the submission of the Plan to the Secretary of State to when the Inspector's report is sent to the Councils.
- 3.6 After the hearings have closed and after any modifications have been consulted upon and if appropriate subjected to sustainability appraisal, the Inspector will prepare a report to the Councils with her conclusions and decisions as to the action they need to take with regard to the soundness of the Plan.

4. The Programme Officer and her role

- 4.1 Jenny Neale, the Programme Officer, is an independent and impartial officer working under the direction of the Inspector. Details of how to contact her are set out in the letter inviting you to this meeting.
- 4.2 She is responsible for liaising with all parties to ensure the smooth running of the examination, ensuring that all documents are recorded and distributed and maintaining the examination library. She will be able to advise participants on any administrative questions. All procedural queries or other matter that the Councils or anyone else wishes to raise with the Inspector should be addressed through her.

5. Number and scope of representations

- 5.1 In response to the pre submission consultation 3,822 duly made representations were received from 1782 respondents; and in response to consultation on the schedule of proposed changes to the Pre submission consultation 482 duly made representations were received from 158 respondents.
- 5.2 The representations cover a wide range of topics. The Inspector has grouped the main matters that she considers need to be discussed at the hearings. These are identified in the Matters and Issues, in Appendix A to the examination guidance notes.

6. Processing your representations

- 6.1 Those who have made representations should already have decided whether their views can be dealt with in a written form or whether they need to come and present them orally at a hearing. Both methods will carry the same weight and the Inspector will have equal regard to views put orally or in writing.
- 6.2 The right to participate in a hearing is limited to those who have made duly made representations. Attendance is only helpful to the Inspector if participants wish to take part in a debate and there is no need for those who support the Plan to attend

hearings. However all of the Hearings are open to the public and the press.

- 6.3 Representations should have included all the points and evidence to substantiate your case and it is not necessary to submit further material. The Inspector has copies of all the representations made at the formal consultation stages.
- 6.4 However if further written evidence is to be submitted, either from those proceeding by the written method or those wishing to have an oral hearing, it should be limited to responding to the questions identified in the matters and issues (Appendix A to the examination guidance notes). It should not expand on what is in the representations or stray beyond those issues relevant to your original representation.

7 Arrangements for Hearings

- 7.1 The Hearings will start at 10:00 am on Tuesday 10th September here in the Council Chamber. The hearings will continue in the same venue, except for on Wednesday 11 September, when they will be held at Minster Hall, the Allendale Centre, Wimborne. The hearings are expected to last two to three weeks, depending upon confirmed attendance and the agenda. They will normally start at 10.00 am and continue though the day with breaks as appropriate. In planning the hearings the Programme Officer will try to accommodate the availability of various participants and the Inspector will continue to deal with agendas as flexibly as possible. Any participants who have serious time constraints should let the programme officer know as soon as possible.
- 7.2 The Hearings will follow an informal round table format, irrespective of how many participants are present. The issues will be addressed by a structured discussion, led by the Inspector. Those attending may bring professional advocates and witnesses, but, if they do, they will take part as a member of the team, rather than as a traditional advocate.
- 7.3 The discussion will focus **on the issues identified in the agenda** and the questions that the Inspector has posed, together with any additional points raised by the written submissions. Unless identified on the agenda discussions will not focus on individual sites or developments. Where many people have the same viewpoint, they should appoint one or two people as spokespersons to represent them at a hearing.

8. Statements of Common Ground

- 8.1 Statements of common ground between the Councils and representors can be extremely helpful in identifying the key areas that need to be discussed, thus helping to make the hearings run more efficiently. The Councils are already in discussion with some representors to prepare SCGs. The Inspector encouraged other representors, particularly those with complex or wide ranging concerns, to engage in preparation of SCGs if possible.

9. Statements

- 9.1 Written submissions or hearing statements based on the Matters and Issues should be submitted by **midday Wednesday August 28th at the latest**. After this date copies of the statements for

each hearing, together with a detailed agenda, will be made available on the examination website.

- 9.2 The examination starts from the basis that the Council has submitted what it considers to be a sound document. Essentially, the Inspector needs to know the following from those people submitting further statements:
- What particular part of the Plan is unsound?
 - Which soundness criterion it fails
 - Why does it fail?
 - How can the Plan be made sound?
 - What is the precise modification/wording that is sought?
- 9.3 From the Councils she require a brief statement on each issue, setting out why they consider the Plan to be sound in that respect and why the changes sought by other parties would make it unsound.
- 9.4 Submissions should be succinct, avoiding unnecessary detail and repetition. Statements should be limited to no more than 3,000 words per matter; if they are excessively long or contain irrelevant or repetitious material they may be returned for editing. Those appearing at the hearings should submit four paper copies of all statements. Statements should also be submitted in electronic form. Detailed guidance on the format for statements is provided as Appendix B to the examination guidance notes.
- 9.5 Everyone should keep to the timetable for submitting further statements. Late submission can cause disruption and result in unfairness, so those who fail to meet deadlines may lose their right to be heard, unless there is a genuine, unavoidable reason.

10. Handling modifications

- 10.1 In preparing for the hearings the Inspector has identified that there are some shortcomings in the Plan that will need to be overcome by Main Modifications. The Councils have confirmed in a formal request, in accordance with section 20(7C) of the 2004 Act, that they wish the Inspector to make any modifications needed to rectify matters that make the Plan unsound and thus incapable of being adopted
- 10.2 As the examination progresses and particularly as a result of discussions at the hearings the Inspector will ask the Councils to record any proposed modifications on a schedule. This will be on the examination website and will be kept up to date as the hearings progress. The final schedule of proposed modifications will need to be subject to further consultation and, if appropriate, sustainability appraisal.

11. Site visit arrangements

- 11.1 The Inspector has begun to familiarise herself with the area and will carry out site visits during, or after the hearings. Generally this can be done unaccompanied but if anyone considers it necessary for the Inspector to go onto private land they should inform the Programme Officer.

12. The hearings programme

12.1 The matters and issues will be ordered into a programme/agenda that will be placed on the examination website. To assist with programme planning it would be helpful if participants could inform the Programme Officer, by **Tuesday 6 August**, which matters and issues they wish to attend hearings for.

13. Legal compliance

13.1 The Councils confirmed that:

- the Plan has been prepared in accordance with the Council's Local Development Scheme
- the Plan has been prepared in compliance with the Statement of Community Involvement
- the Plan has been subject to sustainability appraisal
- the Plan has had regard to national policy
- the Plan has had regard to the Habitats Regulations

14. Questions from participants

14.1 The Inspector clarified the following procedural matters:

- participation in the hearings is strictly limited to those who have made a duly made representation on the topic under discussion at each hearing
- the hearings will take the form of round table discussions and use of microphones should not normally be necessary however if there are large numbers of people observing the proceedings table microphones may be used to ensure that the discussion can be heard by all those present
- the guidance for preparation and submission of statements is clearly set out in Appendix B to the Examination Guidance Notes
- the matters and issues will form the basis of the hearings programme/agenda, which will be prepared to take account of the number of participants wanting to participate on the discussion on each matter

14.2 The questions in the matters and issues are broadly based and the Inspector confirmed they can accommodate the following items:

- concerns regarding the duty to co-operate in relation to Policy KS3 can be dealt with in the hearing for the overall strategy (Matter 1)
- qualitative aspects/ location of employment land in East Dorset can be dealt with in Matter 1
- concerns relating to review of Green Belt in East Dorset can be addressed under Matter 2

14.3 The suggestion that a Statement of Common Ground could be prepared in relation to deleted site VTSW5 (Matter 5) was welcomed by the Inspector

14.4 In response to questions raised at the meeting the Inspector has decided to add three items to the Matters and Issues as follows:

- Matter and issues 5 (East Dorset Site Allocations):
WMC5 Cranborne Road New Neighbourhood (Is the location and scale of this housing allocation justified by robust evidence)
- Matter and issues 6 (Bournemouth Airport):
(Is the land allocated within the Core Strategy at Bournemouth Airport sufficient to facilitate the provision of the "transport hub" as set out in the Local Transport Plan?)
- Matter and issues 11 (Other Matters):
Druitt Hall (to address concerns raised by local residents)

15. Closing remarks

15.1 Finally, the Inspector reminded all those present that she will have equal regard to views put orally or in writing. The hearings will be short, focussed debates structured around the tests of soundness. The deadline for receipt of further written material is Wednesday 28 August. Participants are reminded to keep in regular touch with the Programme Officer and to check the website for the list of Examination Documents and any further material produced by the Council.

15.2 The Inspector thanked all those present for attending and formally closed the meeting.