

SOUTH GLOUCESTERSHIRE LOCAL DEVELOPMENT FRAMEWORK CORE STRATEGY EXAMINATION

GUIDANCE NOTES FOR PARTICIPANTS

1. Introduction

- 1.1 The purpose of these Guidance Notes is to assist those who wish to participate in the Examination into the South Gloucestershire Core Strategy Development Plan Document (CS).

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 CS. His role is to consider whether it is sound in terms of the three tests set out in Planning Policy Statement 12 (PPS12) i.e. whether it is justified, effective and consistent with national policy.
- 2.2 The Programme Officer for the examinations is **Kath Thorne** who is acting as an independent officer for the Examination, under the Inspector's direction. She is responsible for organising the programme of hearings, recording and circulating all material received and ensuring the smooth running of the examination. Any questions or matters in connection with the examination should be raised with the Programme Officer. If necessary, she will discuss these with the Inspector. The normal method of communication will be by e-mail and all documentation will be available electronically via the Core Strategy Examination web site at:

www.southglos.gov.uk/corestrategyexamination

3. Pre-Hearing Meeting

- 3.1 A Pre-Hearing Meeting (PHM) will take place on **Tuesday 17 April 2012** at **Kingswood Civic Centre, High Street, Kingswood, BS15 9TR**, starting at 2pm. The purpose of the PHM is to explain and discuss procedural and administrative matters relating to the Examination. 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 The Inspector will outline how he intends to conduct the Examination having regard to the changes made to the Core Strategy since he held an Exploratory Meeting on **Wednesday 29 June 2011**.
- 3.3 A note of the PHM, along with any revisions to the hearing sessions and a final schedule of the Matters and Issues for Examination will be circulated after the meeting to all those who have made representations.

4. The Examination Process

- 4.1 The starting point for the examination is that the local authority has submitted what it considers to be a sound plan. The examination will focus on the Matters and Issues identified by the Inspector who will also have regard to individual representations insofar as they relate to the soundness of the Plan. Those seeking changes to the Plan will have to demonstrate

why the document is not sound and how this might be overcome by any suggested changes.

- 4.2 Those who have made representations should have already decided whether their views can be dealt with in written form or if they need to present them orally at a hearing session. Both methods carry equal weight.
- 4.3 Respondents who have not indicated a preference will have their representations treated in written form unless the Programme Officer is informed no later than **Thursday 12 April** that they now wish to participate in hearing sessions. A final schedule of participants will then be drawn up.
- 4.4 It is open to the Council and any representor to submit further statements in advance of the hearings. However this is not a requirement and you may rely on your original representations if you wish. Any such statements should be sent to the Programme Officer for receipt by **5pm on Monday 21 May**. The requirements for each statement are as follows:
 - Statements should be limited to no more than 3,000 words and should relate to the matters identified by the Inspector. Generally there should be no need for appendices and only cross-references are needed for documents which form part of the Examination Library.
 - Four copies of each statement at A4 size are required with paragraph and page numbers included. Any plans should be folded so as not to exceed that size. An electronic version of the statement is also required in Word format with all documents being submitted to the Programme Officer. The top of the front page of each statement should identify the appropriate Matter and Issue number, representor reference number and name of representor.
- 4.5 The need for succinct submissions is emphasised. Unnecessary detail and repetition should be avoided. It is the quality of the reasoning that carries weight, not the bulk of the documents. It is vital that the fundamental elements of cases are set out clearly and succinctly and participants should remember the hearings are not the place for surprises!
- 4.6 Further discussion between the Council and representors is strongly encouraged – ideally leading to statements of common ground. Please keep the Programme Officer informed about progress with preparation of such statements.
- 4.7 Representors who wish to proceed by written means do not need to take any further action; they can rely on what they have already submitted in writing. However, if any party wishes to submit further written evidence in support of their position, this should be focussed on the Matters and Issues and submitted within the same timescale.
- 4.8 Before the start of the hearings the Inspector may raise questions with the Council on any points that are relevant to the examination. Any such exchanges of correspondence will be placed on the website as examination documents.

5. Hearing Arrangements and Procedure

- 5.1 Hearing sessions into the plan will commence at **10.00am on Tuesday 19 June 2012**. An initial programme of Matters and Issues for the Examination will be issued shortly and this will be finalised immediately after the PHM. Participants are advised to make use of the examination page on the Council's website where further information about the examination and any alterations that may be made to the programme can be found.

- 5.2 The sessions will be held at the **Kingswood Civic Centre, High Street, Kingswood, BS15 9TR**. A short break will normally be taken mid-morning and mid-afternoon, with a lunch break at about 1.00 pm. Where an afternoon session is shown, this will normally begin at 2.00pm. The hearings are open to the public and interested persons to attend, even if not taking part.
- 5.3 The hearings will take the form of round table sessions. They will be inquisitorial rather than adversarial and led by the Inspector. The purpose of the hearings is to focus on those matters the Inspector needs to explore having regard to all representations. There will be no formal presentation of evidence or cross-examination and participants will be discouraged from repeating points made previously. To assist in the organisation, could those involved please ensure the Programme Officer is kept informed about who will be taking part.

6. Site Visit Arrangements

- 6.1 The Inspector has undertaken a number of site visits and may make some further visits after the hearings. Normally these site visits will be unaccompanied and unannounced unless the Inspector intends to enter private land or buildings. Requests for accompanied site inspections should be submitted to the Programme Officer. Both a Council representative and the representor will be present on all accompanied visits but these will not provide an opportunity to discuss the merits of individual sites or issues.

7. Close of the Examination and the Inspector's Report

- 7.1 After completion of the hearings the Inspector will submit his report to the Council with his conclusions and recommendations on any actions or changes needed.
- 7.2 The examination remains open until the report is submitted to the Council. However, once the hearing sessions are completed the Inspector can receive no further information from any party, unless it is a matter on which further comments have been requested. Any unsolicited items will be returned to the sender. The Inspector will announce the likely date of the report's submission at the end of the final hearing session.
- 7.3 The Localism Act received Royal Assent on 15 November 2011 and contains a number of provisions relevant to the development plan process. These came into effect on 15 January 2012, prior to the completion of the examination process and remove the power of an Inspector to make binding recommendations to a DPD.
- 7.4 An Inspector can no longer make changes unless specifically requested to do so by the local planning authority (LPA). Such changes are referred to as **Main Modifications (MM)** and are limited to issues of soundness and legal compliance. Minor changes are now known as **Additional Modifications** but are no longer referred to in the Inspector's Report. The LPA is accountable for such changes on adoption of the DPD.
- 7.5 The Council published changes to the CS in December 2010, March 2011 and December 2011. Each set of changes was subject to consultation and representations made to the Plan at each of these stages will be taken into account by the Inspector as part of his assessment of the soundness of the Plan.
- 7.6 Participants should also be aware that section 110(3) of the Localism Act introduces the duty for local authorities to cooperate on cross-boundary matters with section 20(5) of the amended 2004 Act incorporating this as an

additional purpose into the examination process. The CS was submitted before this legislative requirement came into effect and the duty to cooperate does not, therefore, apply in this instance to the South Gloucestershire Core Strategy.

- 7.7 The Government has indicated its intention to publish its final National Planning Policy Framework (NPPF) on 27 March 2012. The revised guidance is likely to have implications for the CS and will need to be taken into account as part of the examination process. Participants are therefore invited to consider how the NPPF affects their representations.
- 7.8 For those relying on written representations or for participants in the examination hearings who do not intend to make any further written submissions, a further statement indicating how the NPPF affects their previous representations can be submitted to the Programme Officer no later than **5pm on Monday 21 May**. This should not exceed 1500 words. For those intending to participate in examination hearings it is suggested that the implications of the NPPF is woven into any further statements they make on the Matters and Issues to be identified by the Inspector

8. Examination Library

- 8.1 Throughout the examination process, the Programme Officer will maintain an examination library of Core Documents. The List of Core Documents will be updated as required during the process and will be posted on the examination website. Paper copies of the latest list may be requested from the Programme Officer.
- 8.2 From 11th April the library is available for inspection during normal Council hours at Kingswood Civic Centre, High Street, Kingswood, BS15 9TR and documents can also be accessed via the examination website at:
www.southglos.gov.uk/corestrategyexamination
- 8.3 Additional guidance produced by the Planning Inspectorate can be found at:
<http://www.planningportal.gov.uk/planning/planningsystem/localplans>

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