

# WOKING BOROUGH COUNCIL LOCAL DEVELOPMENT FRAMEWORK CORE STRATEGY EXAMINATION

## BRIEFING NOTE FOR PARTICIPANTS

### 1 Introduction

- 1.1 These Notes are to assist those involved in the Examination into the Working Core Strategy (CS). This is one of a number of *Development Plan Documents* (DPD) the Council intends to produce as part of its *Local Development Framework*. It was formally submitted to the Secretary of State on 19 December 2011.

### 2 Inspector and Programme Officer

- 2.1 The Secretary of State has appointed the Inspector, **Andrew Seaman BA (Hons) MA MRTPI** to hold the Examination into the soundness of the Core Strategy.
- 2.2 The Programme Officer for the Examination is **Mr Chris Banks**. He is acting as an independent officer for the Examination, under the Inspector's direction. He will be responsible for organising the programme of hearings, maintaining the Examination library, recording and circulating all material received and assisting the Inspector with procedural and administrative matters. He will advise on any programming and procedural queries; any matters which the Council or participants wish to raise with the Inspector should be addressed to the Programme Officer. His contact details are set out in the letter accompanying these notes.

### 3 Pre-Hearing Meeting (PHM)

- 3.1 The Pre-Hearing Meeting will take place on **9th February** at 14.00 in the Council Chamber, Civic Offices, Gloucester Square, Woking, Surrey, GU21 6YL. 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. **Those who wish to be involved in the subsequent hearing sessions of the Examination should attend.**
- 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 that regard has been had to relevant documents.
- 3.3 An indicative agenda for the PHM is attached to these notes, it may change. A list of 'Matters and Issues', to be prepared by the Inspector, will be made available to the PHM for information/comment. These will underpin the subsequent Hearing sessions and will likely require the submission of some further written information. A note of the PHM, along with any revisions to the hearing sessions will be made available after the meeting.

### 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 tests set out in Planning Policy Statement 12 (PPS12).

He will need to check that it complies with legislation and consider whether it is justified, effective 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 their suggested changes would make it so.

4.2 The tests of soundness broadly encompass three main areas:

- Procedural: whether the Core Strategy has been prepared in accordance with the Local Development Scheme & Statement of Community Involvement/Regulations, and has been subject to adequate sustainability appraisal;
- Conformity: whether it is a spatial plan consistent with national planning policy and in conformity, as relevant, with the Regional Spatial Strategy, having regard to relevant plans and strategies of adjoining areas and the Council's Community Strategy;
- Coherence, consistency and effectiveness: whether the strategies and policies are coherent and consistent and the most appropriate in the circumstances, having considered relevant alternatives; whether they are founded on a robust and credible evidence base, with clear mechanisms for implementation and monitoring and whether the plan is reasonably flexible to enable it to deal with changing circumstances.

4.3 The Inspector is required to consider all the representations made to the submission document but only so far as they relate to the matters of soundness. It is important to note that the Inspector does not consider each "objection" or report on them 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*" ([www.planningportal.gov.uk/planning/planningsystem/localplans](http://www.planningportal.gov.uk/planning/planningsystem/localplans)).

4.4 National and regional policies will not be specifically debated in isolation although the Examination will, as necessary, consider the implications of such policies where they directly affect the areas and topics covered by the Core Strategy.

4.5 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.

4.6 After the Examination has closed, the Inspector will submit his report to the Council with his findings and recommendations for modifications needed as regards the legislative compliance and soundness of the Core Strategy. These recommendations will be considered accordingly by the Council before it may formally adopt the document.

## **5 Procedure at Hearing sessions**

5.1 The hearing format provides an informal setting for dealing, by discussion, with a range of 'Matters and Issues' identified by the Inspector. Only those previous respondents who are seeking specific changes to the Core Strategy

to ensure soundness are entitled to attend the hearing sessions. There is no need for those supporting or merely making comments on the Core Strategy to attend.

- 5.2 There should be no need for people pursuing their cases in writing to expand on their original representations because these should have identified the ways in which the Core Strategy is considered to be unsound and what changes are suggested to make it sound.
- 5.3 However, where participants relying on written representations feel that it is necessary for them to put in further material and respond to the Inspector's 'Matters and Issues', this must be submitted to the Programme Officer in accordance with the same timetable which will be set for the submission of further evidence by those attending the hearing sessions.
- 5.4 The Inspector will not ask or expect the Council to respond to each and every representation. **Representations made orally or in writing carry the same weight and the Inspector will have equal regard to each.** Attendance at the hearings will only be helpful if participants wish to contribute to the debate.
- 5.5 Participants may bring professional advisers but space around the table will often be at a premium. There will be no formal presentation of evidence or cross-examination and, as the discussion is focussed on the issues identified in the agenda, it is important that the person able to make the most useful contribution should sit forward.
- 5.6 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 the Inspector gain the information necessary to come to a conclusion on the topic.
- 5.7 If participants find that other people have raised the same issues as themselves, they are encouraged to join forces and appoint a spokesperson. This can save time at the Hearings, avoiding repetition of arguments, and often results in a more forceful presentation of evidence.
- 5.8 The Programme Officer will provide name boards for each participant which should be stood on end to indicate a wish to speak. In that way the Inspector can invite contributions as the discussion unfolds without overlooking anyone with a point to make.

## **6 Examination Programme**

- 6.1 The hearing sessions of the Examination are currently planned to commence at 10.00 in the Council Chamber, Civic Offices, Gloucester Square, Woking, Surrey, GU21 6YL. on Tuesday 20<sup>th</sup> March. Subsequent This is currently a provisional date and may be subject to change; if it alters you will be notified. 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.
- 6.2 A draft programme for the hearings is available, and a schedule of the 'Matters and Issues' identified by the Inspector will be produced for the PHM. The hearings will take place on six days which will not be consecutive. The hearings will be conducted on the basis that everyone taking part has read the relevant documents.
- 6.3 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 information

- 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 this point, any necessary additional written information should address the 'Matters and Issues' identified by the Inspector. The Inspector will ask the Council and those who have made representations to provide their statements of response, as necessary, according to the dates he sets at the PHM. At this stage, any further statements must be submitted by 17.00 on 2<sup>nd</sup> March 2011.
- 7.3 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 (see below), cross references will suffice where necessary.
- 7.5 The Programme Officer will require **3 copies of all statements and material and, as far as reasonable, an electronic copy should be supplied in MS Word Format if possible.** It is the quality of the reasoning that carries weight, not the bulk of the documents. Statements should be stapled and be no longer than 3,000 words for each matter or issue, either for a hearing session or written representations. 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 'Matters 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. 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. 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 Any 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. It is essential that all statements are marked with the personal reference number and the representation number and they should also be submitted in electronic form, if possible. However, the latter does not remove the need for paper copies to reach the Programme Officer by the deadline.

- 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 this date, the Programme Officer will assume that no further representations are to be made by that participant.
- 7.11 For the record, the Inspector will be making necessary unaccompanied site visits throughout the area during the Examination process.

## **8 Core documents and Examination Library**

- 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 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. An Examination Library has been created which can be accessed via the Programme Officer.
- 8.2 The list of Core Documents is up-dated from time to time and is available from the Programme Officer and will also be 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 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.

Andrew Seaman BA (Hons) MA MRTPI

Inspector

January 2012