

Vale of Aylesbury Local Plan Examination
Advice in response to AVDC letter of 24 April 2018

My thanks go to the Council for writing to me on 24th April. The examination of VALP is an exercise in which we are jointly engaged and can only be effected successfully if we share with each other difficulties which either of us face.

Each Inspector's way of working in conducting an examination falls within PINS's Procedural Guidance but, within that Guidance, is unique to each Inspector. I am conscious, from research carried out within the Inspectorate, that methods vary. My own has evolved through the examination of a number of plans. In reverse chronological order these have been;

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| 2017;LB | Croydon; | Review of Core Strategy and Development Management and Site Allocations DPD |
| 2013;LB Harrow; | | Development Management Policies DPD, Site Allocations DPD and Harrow Area Action Plan |
| 2013;LB Waltham | Forest; | Development Management Policies DPD |
| 2012 LB Hackney; | Dalston Area Action Plan, | Hackney Central Area Action Plan, Hackney Wick Area Action Plan and Manor House Area Action Plan |
| 2011; | LB Waltham Forest; | Core Strategy |
| 2010; | Telford & Wrekin; | Central Telford Area Action Plan |

I would have no difficulty if AVDC officers were to approach their counterparts in those other authorities or their programme officers to share their experiences of how I have conducted previous examinations and to gain a fuller understanding of the way I conduct an examination.

My usual approach is to start by reading the submitted plan itself and the representations on it which people have made. This reading gives rise to an initially large number of questions or observations; 128 at Croydon, 168 for Waltham Forest's Core Strategy, 279 on its Development Management Policies.

My usual approach is that my questions or observations form the basis of the matters and issues which I wish to cover during the course of the examination. That does not mean that all will require consideration at a hearing session. Some will be answered by reading other material prior to the hearing sessions. Some will be answered by the Council's responses to the questions. Hearing sessions are then only necessary to hear people who exercise their right to be heard or to consider matters where I am not convinced of the soundness of the plan by the Council's response to a question.

It follows that the Council's previous understanding, set out in the second and fourth paragraphs of its letter would normally be correct. I do not normally require Hearing Statements from the Council or from other participants and am normally content to proceed on the basis of the original representations made and the responses to my questions. Nevertheless I do usually invite Hearing Statements because other participants may wish to supplement their representations after seeing the Council's responses and because the reason for holding a hearing session on a subject may be that I am not fully convinced by the Council's answers received, which it may then wish to supplement.

I normally issue that invitation when the notice of the hearing sessions is given, simultaneously with issuing my statement of matters and issues. I am aware that at least one party has already produced supplementary material without invitation. I do not turn away material submitted during the course of an examination; I suspect that I might be open to legal challenge were I to do so but I do advise all parties that unsolicited material which simply reiterates or emphasises points already made and does not provide new and relevant information does not assist me.

My normal approach may need to be adjusted in the present examination for two reasons. Firstly, because of other commitments in May which will take me away from work on VALP, I need to issue my statement of matters and issues within the next week or so in order that this can be available in time for the statutory notice of the hearing sessions which must be given by the end of the third week in May. Secondly, because the Council has not so far responded to any of my questions, I am not

likely to be in a position to indicate which of my statement of matters and issues need not be discussed at a hearing session. Accordingly, I am likely to have to ask my programme officer to make provisional arrangements for a more extended series of hearing sessions than may turn out to be necessary when I have received and considered the Council's responses to my questions.

For example, the Duty to Consult is a matter on which I am required to report and so it should be no surprise to anybody to find that it is one of the matters and issues which I cover during my examination. I had expected that concise answers to my questions 17, 44 and 103 would have resolved that matter by now and rendered a hearing session unnecessary. But that has not happened and so I will have to include it in my statement of matters and issues as one still requiring a hearing session, even though I have every expectation that if I do find a response from the Council when my attention returns to VALP in June, I will be able to cancel that session.

It appears that I have been overoptimistic in my expectations of the Council's preparedness to respond to my questions swiftly. That is unfortunate but, we are where we are. I hope that this communication has thrown some illumination on the concerns which the Council has expressed in its letter. If there is any further advice or explanation which I can give on the way forward for the examination, I would be happy to do so.

Paul Clark

Inspector

25.4.18