

Vale of Aylesbury Local Plan 2013-2033 examination

Advice for hearing sessions starting 10 July 2018

Introduction

1. The Examination of this Local Plan commenced on 28 February 2018. The examination tests legal and procedural requirements and soundness. It is largely carried out by correspondence, which can be found on the Council's examination website;
<https://www.aylesburyvaledc.gov.uk/examination-updates>
2. As the examination has progressed, I have grouped my concerns and the representations made by others into themes for discussion at hearing sessions in a document entitled Matters and Issues. That represents what I expect to be discussed at the Hearing sessions in July, if not resolved in writing before then.

Purpose of this advice

1. The purpose of this advice note is to explain procedural and administrative matters, to get participants' reactions to the suggested programme so as to make sure that we have allocated enough time during the hearing sessions to deal with everything and to invite those who wish to take part in the hearings to nominate themselves for particular sessions.

Role of the Programme Officer

- 3.1 The examination process is designed to be fair to everyone. What that means in practice is that the only person who can contact or speak privately to me is the Programme Officer, Louise St John Howe. Everyone else can only speak to me publicly during the Hearing sessions, so that everyone else can hear publicly what is said to me. Anything that is written to me, Louise will copy and either distribute to everyone else who might be interested or will publish on the Examination website. That way, there are no private meetings, no deals done behind closed doors.
2. So, Louise is key to the smooth running of the examination, since I can only communicate with you via her, and vice versa. She will contact you for any documents that I request. She will make sure that any documents submitted are copied, circulated and published on the website. She will keep in contact with those who are invited

to make sure they are going to turn up at the relevant hearing session on time. She will alert those people to any last minute changes in the timetable. She keeps the library of examination documents. She assists me with all procedural and administrative matters. Any queries that you have about the Examination or the Hearing sessions themselves should be addressed to Louise in the first instance.

3. Louise's contact details have been published on the website but are also on the letter which accompanies this advice note.

The hearing sessions

1. When the Local Plan Documents were submitted to the Secretary of State there had been 2458 representations made. Many have made identical representations but many have made multiple points. My own initial appraisal of the two documents has led to 107 questions to the Council. All this material has been analysed and resolved into the draft programme for the hearing sessions which accompanies this note.
2. Those who have made a specific proposal to change the plan have a right to participate in the hearing sessions. **You will need to contact Louise by Tuesday 19 June to indicate which sessions you would like to attend.**
3. Others may participate by invitation. Because of the large numbers of people who have submitted identical representations, it has not been possible to single out those who have particular knowledge or expertise to contribute to the discussion. So self-selection is necessary. I invite those of you who feel that you have particular knowledge or expertise to put yourselves forward to Louise saying which session you would like to participate in and why you think you have particular knowledge or expertise to contribute.
4. Others are welcome to attend to listen to the discussion, even if not invited to take part. All sessions are open for the public and the press to observe.
5. In submitting the Local Plan the Council also submitted a Schedule of suggested minor changes needed post publication. In responding to my questions, the Council has also suggested a few further Modifications. These may satisfy some respondents' concerns. It would be helpful to Louise and me if respondents would indicate whether or not this is in fact the case.

The nature of the hearing sessions

1. Let me explain the nature of the hearing sessions. They are not an examination of the representations made. They are not the whole examination of the Local Plan. They are a part of the examination of the Local Plan. The representations made throw light on to the Local Plan but it is the soundness of the Local Plan itself which is

the focus of the hearings, not the strength of the objections or the number of representations.

2. Prior to each hearing session I will issue an agenda of what I believe to be the main issues which need to be discussed. The draft of these agenda will be available on the examination website <https://www.aylesburyvaledc.gov.uk/section/valp-examination> a few weeks before each hearing session. Meanwhile, the Matters and Issues document, which is available now, gives an indication of the agenda for each session.
3. Louise and I need to know whether you think these would be a reasonable basis for the discussions to take place in July.
4. In most cases, it will be unnecessary for participants to prepare additional material; the material I have seen so far appears clear and comprehensive. If any participant feels the need to prepare a paper for any of the sessions, tell the Programme Officer so that we can make allowance for that in the programme.
5. If anyone is intending to submit papers, this is the format;
 - If possible, it should be submitted electronically using Microsoft Word
 - It should be directed at the subject matter of a particular hearing session
 - It should be no more than 3,000 words; anything longer will be returned. Technical evidence should be submitted as appendices so reference to evidence rather than quoting from it should be possible. Quality of reasoning is more important than length or size of appendices.
 - Any hearing statements should be submitted **at least three weeks before the relevant hearing session (i.e. by Tuesday 19 June for the first session)** so that Louise can copy it to the Council with enough time for them to consider a response.
 - It should say which part of the Local Plan is unsound and why (i.e. which test does it fail?)
 - It should say what change to the Local Plan will make it sound and why (i.e. what is the evidence to underpin the change sought?)
 - It should make it clear whether the change sought has been the subject of any kind of public consultation or sustainability appraisal
6. For each hearing session, the Council may rely on its responses to my questions, which are posted on the website, but it may also, if it wishes, prepare a paper
 - Directed at the subject matter of each hearing session
 - No more than 3,000 words long
 - Submitted at least three weeks before the relevant hearing session
 - Explaining why the Council considers the Local Plan sound despite any representations to the contrary and/or explaining why the Council considers the Proposed Amendments (if any) will make the

Local Plan sound in response to the issue raised. Reference to evidence rather than quoting from it will be preferred.

7. I will introduce each hearing session by setting out the order in which I intend to consider the issues. The discussion will focus on those issues. On each issue I will make a brief statement explaining my understanding of the issue based on the material I have seen and then I will invite participants to comment on the issues and questions I have raised. The purpose of the discussion is to help me come to a firm conclusion on the soundness of the Local Plan. There is no formal presentation of evidence or cross-examination but I will ask participants to identify any questions which they feel would aid me to come to a better understanding of the issues.

Site visits

1. Because of the nature of this Local Plan, dealing with site allocations, I am likely to carry out a programme of site visits. This may occur before, during or after the Hearing sessions. This will usually be done unaccompanied unless there is a need to gain access to private land, in which case an accompanied visit will be arranged through the programme officer.
2. If anyone anticipates the need for me to visit a site, or to see a site from a particular viewpoint, in order to understand a particular argument, it would be helpful to say so to Louise sooner, rather than later.

After the Hearing sessions

1. The examination remains open until I have submitted my report to the Council but once I have completed the Hearing sessions I will only receive material which I have specifically requested. Any unsolicited material will be returned to the sender.
2. If, during the course of the examination, it appears to the Council that I am likely to find the Local Plan unsound, then it may put forward a change or changes to address the issue. I can only endorse a change to the Local Plan if that change is itself sound, in accordance with all of the soundness tests including the legal and procedural requirements for consultation and sustainability appraisal. The Council may need extra time before I issue my report for these processes to take place. The timetable for the issue of my report will be announced in the light of these considerations.

Useful documents and websites

1. National Planning Policy Framework, paragraphs 150 to 185. DCLG March 2012; <https://www.gov.uk/guidance/national-planning-policy-framework>
2. National Planning Practice Guidance; <https://www.gov.uk/government/collections/planning-practice-guidance>
3. The Planning Inspectorate website; <https://www.gov.uk/guidance/local-plans>
4. The Planning Inspectorate's Procedural Guidance in the Examination of Local Plans; <https://www.gov.uk/government/publications/examining-local-plans-procedural-practice>
5. The Planning Advisory Service; <http://www.pas.gov.uk/plan-making>
6. The examination website; <https://www.aylesburyvaledc.gov.uk/examination-updates>

P. W. Clark

Inspector

25 May 2018