

Note of Pre-hearing meeting held on Tuesday 30 July 2013

1. Introductions

- 1.1. The inspector, Jill Kingaby, opened the proceedings and introduced herself and Carmel Edwards the Programme Officer, who would be assisting her through the examination process.
- 1.2. She then invited the Council representatives to introduce themselves.

Matt Gregory (GN Growth Point Manager/Policy & Research Manager Nottingham City)

Steffan Saunders (Broxtowe BC – Planning Policy Manager)

Alison Gibson (Gedling Borough Council – Planning Policy Manager)

Apologies: Joanna Gray (Gedling Borough Council -Planning Policy Manager)

- 1.3. Matt Gregory gave an introduction to the Plan and the process so far.

2. Examination process

- 2.1. Ms Kingaby explained her role and the purpose of the meeting. It was essentially administrative but also gave the opportunity to show what key issues and matters she had found so far and what needs to be looked at and be the focus for discussion at hearings sessions. She confirmed that a note of the meeting would be circulated, along with revised guidance notes.
- 2.2. The Inspector summarised the process and explained her role. She asked the Councils to confirm that the document to be examined was the Publication Version from June 2012 (CD/REG/01) plus proposed changes and modifications (CD/REG/02). She was looking to ensure that the legal requirements have been met and that the document complied with the four tests of soundness - positively prepared, justified, effective and consistent with national policy. The document needed to comply with the duty to cooperate as set out in 2011 Localism Act. Councils must cooperate with other prescribed bodies. If this has not happened, then she would have no choice but to find it unsound.
- 2.3. She had started to look at the fundamental issues. She explained that she called an early exploratory meeting for Rushcliffe but it was not needed here, however she still needed to carry out a thorough investigation. She had identified a number of big issues. The finding of soundness was not a foregone conclusion and some modifications to the document were likely.
- 2.4. Ms Kingaby explained that the process for testing local plans had changed in recent years since old-style Local Plans were produced and

outlined the differences. Her duty was now to look at the plan as a whole. She would read and assess all representations, but it is soundness not 'objections' that is the focus. There would not be references to individual representations in her final report.

- 2.5. She confirmed that the examination process had started on 7 June when the document was submitted. The first stage had been her reading the plan and accompanying documents, looking at the evidence and objections, considering where there may be weaknesses, and what the main matters and issues were.
- 2.6. She would invite the Councils and respondents to reply to her matters and issues, to specific questions that she would set. The further statements should be concise with a maximum limit of 3000 words. She explained that some questions may be self evident, but the answers would help the inspector to understand the document and the evidence base. It would also help to close down on the main issues to be examined at the hearing sessions.

3. Hearings' arrangements

- 3.1. The Inspector asked those who wished to attend to get in touch with the Programme Officer. Only 19 people had confirmed that they wish to attend the hearing sessions so far. It is not anticipated that legal representatives should attend. She asked for responses as soon as possible as there was a cut-off date **[Post meeting note – this is still 30 August as in the guidance notes]**.
- 3.2. The sessions would have an informal format but would be clearly structured, and based on agendas that she would prepare in advance. She asked those attending to come with a positive attitude. She would be looking for changes that could help make the plan sound.
- 3.3. Discussions led on to the time table for the hearing sessions. The Inspector explained that she was conscious of the summer school holidays. She would issue her final Matters, issues & questions by mid August with responses required by 19-20 Sept. She explained that the guidance notes had included provisional dates, but the councils had expressed concern about the timetable.
- 3.4. Ms Kingaby appreciated that there were 3 councils to be represented, but an overall figure of between 5 and 10 was ideal for a session. It was important that there was a good balance of representors seeking changes and Council representatives. Sessions would be broken down, perhaps by topic. She asked if a number of people shared a common issue they should appoint a spokesperson, and try to avoid going over the same ground.
- 3.5. After the hearings she would write a report. It was common for main modifications to come out of the hearings. The councils would have to ask her to recommend them and they would have to be

advertised for consultation. She would take account of the modifications and responses to them prior to issuing her final report. Once the final report is with the councils the examination comes to an end.

3.6. Questions & answers

- The Inspector confirmed that the duty to co-operate extended to other councils. She explained that she was there to examine the whole strategy, and in general she would consider broad topics. However, Day 6 would be devoted to considering the soundness of sites named in the ACS, and whether they were the most reasonable for inclusion. After the Core Strategy the Councils will go on to more specific site planning.
- The Inspector was asked how much individual representations would affect decision making. She re-iterated that this examination was broadly based, she won't look at individual sites unless relevant. But she did want to hear what people had to say.
- Regarding issues that affected more than one authority; if issues related to *this* plan then respondents would get the opportunity to write further and speak.
- The Inspector was asked whether respondents would be invited individually to respond on specific issues, but it was unclear if this was possible. Further statements could only be on the same matters as put in originally.
- Would-be attendees needed to give as much notice as possible, for instance not to introduce legal representatives the day before.

4. Main matters, issues and questions

4.1. The Inspector outlined the key questions/concerns for her at this point:

- Duty to cooperate, especially in the light of representations from Ashfield and Newark & Sherwood Councils.
- Has the overall aligned strategy dealt with all the big decisions or has it deferred any critical decisions to later and sometimes unspecified development plan documents?
- Overall housing numbers, are they justified and consistent with national policy (Reference to para 47 of NPPF).
- 5 years housing land supply; has it been measured against housing requirements; are there deliverable sites, and the need to consider a buffer as well.
- Expected rate of deliverability of affordable housing, not shown on trajectory; is there up to date work on viability (reference to para 173-174 in NPPF) and cumulative impacts. IDP also

relevant. Affordable housing targets, paying careful attention to viability.

- Whether the Gypsy & Traveller policy is consistent with national policy and will it be effective.

4.2. The timetable for hearing sessions was then examined and the Inspector asked if her draft Matters covered all the issues that needed to be considered at this examination. There was general agreement. The Inspector confirmed that issues to do with brownfield land and windfalls would be covered in Matter 2, safeguarded land would be covered in Matter 3, and she agreed to add a mention of landscape to Matter 5. She would also revise the wording on the Transport issues recognising that the proposed new station at Toton for HS2 will be a decision for Central Government.

4.3. The actual programme of the hearing sessions depends on numbers who will wish to attend but the draft is based on her experience. There are issues that have to be considered (such as Duty to cooperate). She invited the Council's initial thoughts on the timetable. It was felt that a day and a half on Matter 2 was prudent, and it should be no shorter. Ms Kingaby indicated that for specific sites, discussion would probably be at the end on Day 6. There may be a Day 7 added.

4.4. For the transport and infrastructure sessions, she would expect some specialist input. She gave a health warning that the schedule of hearing sessions could well change, but confirmed that the sessions were due to be held in the same venue as the Pre-hearing meeting. She would not cut short debate on big issues, there could be extensions to the programme.

4.5. Hearing sessions were to be split, allowing a 2 week break for school holidays. The Councils were happy for the inspector to take the lead on setting the programme but accepted that the break between sessions may be useful.

- The hearings will open on Tuesday 15 Oct (provisionally 3 days)
- 21 Oct to 1 Nov - 2 week break for half term
- The hearings will resume on Tuesday 5 Nov (provisionally 3 days)

The Inspector confirmed that members of the public were welcome to attend to observe the sessions.

4.6. Questions & answers

- In creating the timetable Ms Kingaby would allocate people to sessions. This was very much a draft. She would try to tailor everyone's needs to what was on offer.
- Concern was expressed whether further statements could include comments on new issues and changes in the last 12 months, such as new sites. The Inspector considered her questions would be wide

enough to allow responses; from time to time there were big changes, which could be included. But she repeated that statements should be kept brief. Her questions would enable respondents to mention sites in the plan or others as alternatives.

- The Inspector was asked how councils should respond to planning applications that came before the hearings. It was business as usual. The 2 strands of planning policy and development management were separate. Steffan Saunders (Broxtowe) added that the major application for development at Field Farm had been called in by the Secretary of State for a separate public inquiry and that might be after the hearings. He agreed that councils will have to deal with applications that come before them. The Inspector had been alerted to the call-in on Monday. It made the process more complicated. There would be the opportunity for people to give evidence at the call-in public inquiry. The inspector was asked whether her report had to be published before the Field Farm decision, but there were no rules. She may have to take the decision into account if it comes first.
- There were questions regarding the timing of site allocations for the individual boroughs. The Broxtowe Site allocations Issues & Options was programmed for late summer, so before the hearings. Similarly for Gedling, their Issues and options was expected in the Autumn. Nottingham City were progressing to Preferred options stage in the Autumn. Alison Gibson (Gedling BC) explained that the Core Strategy looked at key strategic sites. They would be taking the Issues & options to Cabinet on 12 September and out to consultation in October. The Inspector reminded the meeting that she was not examining what was happening to sites, this plan was more general.
- There was a concern that census information had become available since last year. The Inspector was aware that the Councils had produced a new housing background paper. Matt Gregory confirmed these covered 2011 census results and new government household projections. It was there to be commented on. Ms Kingaby would be inquiring further into its effect on the plan.

5. Further written statements

- 5.1.** In line with this timetable the Inspector confirmed that additional written statements were to be submitted by either 19 or 20 Sept to allow her 3 weeks prior to the start of hearing sessions to read them. **[Post meeting note: the deadline has been set at 1pm on Thursday 19 September].**

6. Any other business

- 6.1. Steffan Saunders had previously confirmed that a Call in letter had been received regarding Field Farm.
- 6.2. The Inspector confirmed that she will be making site visits, generally unaccompanied. If an accompanied site visit was necessary, because the site was not visible from the public highway, this would be with the landowner and a representative from the council. If people felt that a site visit was essential then contact should be made via the Programme Officer.
- 6.3. The Councils confirmed that they anticipated putting forward a schedule of withdrawn reps and statements of common ground. The Inspector agreed that this would be very useful and added that it should set out any proposed changes.
- 6.4. There was a question regarding appeals if the report was contrary to the Council's position. The next step would be judicial review by the courts.
- 6.5. The Inspector thanked everyone for their attendance and closed the meeting at 3.40pm.