

**EAST NORTHAMPTONSHIRE
RURAL NORTH, OUNDLE &
THRAPSTON PLAN
INDEPENDENT PUBLIC
EXAMINATION**

***A GUIDE TO THE
PRE-EXAMINATION MEETING
AND THE
EXAMINATION PROCESS***

May 2008

***Pre-Examination Meeting –
Thursday 26th June 2008 at 10.00am***

***Hearing Sessions Commence –
Tuesday 7th October 2008 at 9.30am***

**INSPECTOR: John R Mattocks BSc (Sp Hons) DipTP MRTPI FRGS
PROGRAMME OFFICERS: Nick Leigh & Fiona Waye**

**Tel: 01536 274973 E-mail: programmeofficer@nnipu.org.uk
www.east-northamptonshire.gov.uk**

GENERAL ISSUES

- 1 These Guidance Notes provide information to all who have made representations on the submitted East Northamptonshire Rural North, Oundle and Thrapston Plan Document (the DPD), whether you wish to take part in a hearing session or rely on your original representations. It is hoped that by providing these notes early in the process they will help make the Pre-Examination Meeting (PEM) as useful and helpful as possible, as well as providing background information on the approach to examination hearing sessions. An up-dated version will be available after the PEM, reflecting what has been decided at that meeting. Everyone who has made representations may find the following document useful:

Development Plans Examination – A Guide to the Process of Assessing the Soundness of Development Plan Documents

This is published by the Planning Inspectorate and an electronic copy is available via the following link:

http://www.planninginspectorate.gov.uk/pins/appeals/local_dev/develop_plan_docs.pdf

This may well answer any questions you have. The Programme Officer could supply a hard copy if you do not have access to the Internet.

- 2 The PEM will be held on Thursday 26th June 2008 in the Council Chamber, East Northamptonshire House, Cedar Drive, Thrapston, Northants NN14 4LZ, commencing at 10.00am.

Any hearing sessions into the soundness of the DPD will begin on Tuesday 7th October 2008 at 9.30am at the same venue.

The Inspector appointed to hold the Examination is Mr John Mattocks BSc (Sp Hons) DipTP MRTPI FRGS.

- 3 The Role of the Inspector is to consider whether the submitted DPD is sound and whether the requirements of the Planning and Compulsory Purchase Act 2004 and associated Regulations have been met. In considering whether the DPD is sound he will have regard to the nine tests of soundness set out in the relevant Government guidance on Local Development Frameworks (PPS12) at paragraphs 4.23 and 4.24. The presumption of PPS12 is that a development plan document is sound unless "it is shown to be otherwise as a result of evidence considered at the Examination". The term "the Examination" applies to the whole process of which any hearings form only part and the Inspector may call for the submission of evidence on any topic at any time prior to the completion of his report. The Examination process has already started and will end only when the Inspector's report is complete. The report will contain precise recommendations which will be binding upon the Council.

- 4 The Programme Officers handling work related to this Examination are Nick Leigh, assisted by Mrs Fiona Waye. They are neither East Northamptonshire Council nor North Northamptonshire Joint Planning Unit officers, but work under the direction of the Inspector. They can be contacted on 01536 274973, e-mail programmeofficer@nnjpu.org.uk and at the following address:

Programme Officer (ENC/RNOTP)
c/o North Northamptonshire JPU

1 Exchange Court
 Cottingham Road
 CORBY
 NN17 1TY

As the Examination process continues, an office will also be opened at East Northamptonshire House, and contact details and other relevant information will be given on the examination website etc.

5 The Programme Officer's main duties can be summarised as follows:

- Acting as the channel of communication between the Inspector, the Council and representors throughout the whole of the Examination process
- Liaising with those involved in any hearings to ensure that they run smoothly
- Ensuring that the documentation connected with the Examination is received, recorded and distributed
- Maintaining a library of examination documents

KEY DATES (see also paragraphs 6 – 21 below)
2008

May	June	July	August	September	October
Initial list of Main Matters & Key Questions identified by the Inspector	Further written statements invited in respect of identified matters & questions	Note of PEM and Final List of Matters and participants issued	12 August – Submission deadline for further statements	'Final' Programme and timetable issued	6 October – Probable submission deadline for written responses to the Inspector's questions
Guidance Notes & Pre-Examination Meeting (PEM) Agenda circulated	Draft List of Matters for hearing sessions, participants and programme issued		Updated Programme and timetable issued	Inspector's agenda and questions for the hearing sessions issued	7 October – Hearing Sessions commence
	26 June – PEM held				

THE PRE-EXAMINATION MEETING

6 The main purpose of the PEM is to explain and discuss the procedure for the Examination as a whole, including the management of any hearing sessions. In due course the Programme Officer will be circulating the draft timetable for the sessions, together with the Inspector's Draft List of matters and issues to be examined (see *Para 11 below*).

7 All those who have made representations on the DPD, especially those seeking changes to it, are urged to attend or be represented at the PEM, as this will make the meeting more useful and assist with the subsequent running of the Examination. However, if attendance is not possible it will not prejudice any right to be heard by

the Inspector during the Examination. The PEM is not intended as a forum for discussion of the contents or merits of the DPD; these are matters for the Examination itself.

THE EXAMINATION PROCESS

- 8 In the period prior to the PEM the Inspector will produce an initial list of the main matters and key questions he wishes to deal with in his report. These will be derived from his reading of the duly made representations and the Council's own assessment as set out in their Regulation 31 Statement. The Programme Officer, in consultation with the Inspector, will produce lists of the representations which fall within or outside each of the identified matters. This Draft List of Matters and Participants will also be ready no later than the date of the PEM.
- 9 It should be noted that not all representations will be covered by the list of matters to be examined further. This is because the Inspector may deem a representation to relate to a minor issue which does not affect his consideration of the soundness of the DPD. He will not invite further representation on such issues although it does not affect the right to be heard.
- 10 An important difference between the DPD Examination process and the old local plan inquiry procedure is that there is no general opportunity for representors to supplement their representations. Nor is the Council invited to submit evidence to provide further justification for the contents of the DPD. The Inspector will assume this is all part of the submitted evidence base.
- 11 However, any person or organisation listed as having made a representation on a matter identified by the Inspector (*see Para 8 above*) will be invited to submit a statement addressing the key questions posed by the Inspector in relation to that matter. This material should not amount to substantive new evidence which goes beyond the scope of the original representation. Where a representation seeks an additional or amended site allocation the Inspector's invitation will extend to those who made representation in support of that allocation during the follow-up consultation period which expired on 25th April 2008.
- 12 The Inspector will expect the Council to respond to his initial list of matters and key questions on the same basis as all other participants in the process. He asks that any changes to the DPD that the Council may favour in response to the representations should be given separate publicity and further representations invited.
- 13 It is proposed to publish a 'Final' List of Matters and Participants during July.
- 14 All statements including those from the local planning authority in response to the Inspector's initial list of matters and key questions should:
 - **Reach the Programme Officer by not later than 12 noon on Tuesday 12th August 2008**
 - Be clearly marked in the top right hand corner with the relevant matter number and representor reference* number (**available from Programme Officer correspondence*)
 - Be limited to not more than 3,000 words on any one of the main matters (if more detailed material needs to be submitted it should be in the form of appendices (*see below*) but any such material should NOT duplicate the content of documents already included in the Examination Library
 - Be A4 size with any plans folded so as not to exceed that size

- Include paragraph and page numbers
- Show any measurements in metric units
- Appendices should have a contents page and pages should be numbered consecutively. Where these and/or maps and other diagrams contain coloured material additional hard copies will be required and the requisite number should be checked in advance with the Programme Officer.
- A separate statement should be submitted for each matter addressed.

4 hard copies of any statement should be submitted – with at least 2 of those copies being loose leaf. In addition a single electronic copy in MS Word format should be sent to the Programme Officer as an e-mail attachment by the deadline stated above.

In fairness to all prospective participants, a failure to submit statements by the stated deadline may be taken as an indication that the person or organisation concerned no longer wishes to participate and their original representations will be used to determine their concerns about the submitted DPD.

ARRANGEMENTS FOR HEARINGS

- 15 All those representors who seek a change to the DPD have a right to be heard by the Inspector should they so choose. However, it is likely that many issues will be suitable for consideration on the basis of written representations only. The Inspector may raise supplementary questions on these matters which will be communicated to all concerned with dates set for responses.
- 16 With the draft list of matters and participants the Programme Officer will circulate a short questionnaire seeking confirmation as to whether you still wish to be heard by the Inspector or are content for your representation(s) to be considered in writing. **If you elect to be heard this is likely to be done jointly with others who have an interest in the identified matter.** There is no right to an individual hearing. When a hearing is arranged into a particular matter those who choose the written method will have a opportunity to submit comments on the Inspector's supplementary questions for the session (*see below*).
- 17 On the assumption that a number of hearings will be held, arrangements are being made for these to be during the weeks beginning October 6th and 13th.
- 18 Hearings will be arranged between 9.30am on the Tuesday and 1.00pm the following Friday in each week. Sessions on Tuesday – Thursday will not continue beyond 5.30pm and there will be a one hour break for lunch with shorter morning and afternoon 'comfort' breaks. The length of individual hearings will vary according to the subject matter. A detailed Programme will be prepared in due course. A representor or their representative will be expected to attend at the agreed time and will not be given another opportunity should this be missed. In such an event, the representation will be considered in writing.

PROCEDURE AT THE HEARING SESSIONS & SUPPLEMENTARY QUESTIONS

- 19 The hearing sessions will be modelled on the procedures adopted at Examinations-in-Public, and used to examine Regional Spatial Strategies and the old-style Structure Plans. As stressed in PPS12, the Examination is conducted on

inquisitorial lines and hearings will be of an informal nature, with no formal representation or cross-examination.

- 20 The Inspector will prepare an agenda for each hearing raising any supplementary questions which may arise from the statements previously submitted. The agenda and questions are intended to structure and promote discussion at the hearing, and so may not be circulated in advance. There is no requirement for statements of evidence to be produced for the hearings and no new evidence will be accepted on the day. The hearing will be led by the Inspector and will take the form of a discussion around each of the questions set out in the agenda for the session.
- 21 Those respondents who have been identified from their representation(s) as having an interest in a matter being discussed at a hearing, but who are unable or do not wish to attend the hearing, may submit a short written response to the Inspector's supplementary questions as set out on the relevant agenda. When the agenda is circulated it will confirm the date for the return of those responses.

THE EXAMINATION LIBRARY

- 22 The Library will be maintained at the East Northamptonshire Council Offices, and will be updated and maintained by the Programme Officer during the Examination. It will comprise Reference Documents which are the background material (Planning Policy Statements and so on) and Examination Documents which are the administrative papers (Attendance Sheets, Examination Programmes etc) and documents submitted by the Council and respondents during the Examination period. Where possible electronic copies of library documents will also be available via the Examination website. To ensure availability, anyone interested in viewing any of the documents held in the Library should first contact the Programme Officer.

SITE VISITS

- 23 The Inspector will make site visits before and during the Examination to see areas or sites that have been referred to. It is hoped that most of these will be unaccompanied but if, exceptionally, there are features that cannot be seen without going onto private land, a request for an accompanied visit should be made to the Programme Officer. The visit will then take place with the respondent (or respondent's representative) and a local planning authority officer present. No further discussion on the merits of the respondent's concerns is permitted during the course of the site visit.

MISCELLANEOUS MATTERS

- 24 A detailed note on 'housekeeping' matters will be circulated after the PEM together with the note of that meeting. As indicated in Para 4 above, during the Examination the Programme Officer will have an office at Cottingham Road, Corby and then at the venue, namely East Northamptonshire House. The Examination Library will be maintained at Thrapston and available for inspection by arrangement, and there will also be an Examination notice board with details of the programme and other relevant information. Reasonable requests for photocopying will be met wherever possible, subject to any charges that the Council may make. However, please note that requests to assist with producing representors' evidence or copy large volumes of material cannot be met.

- 25 Any participant who has a disability that could affect their contribution to the Examination should contact the Programme Officer as soon as possible so that any necessary assistance can be provided.
- 26 The Examination website alluded to above will be established hopefully in time for the PEM. The Programme Officer will update you in due course once the site is operational. In addition, material published to date by the Council, together with copies of the original duly-made representations can be viewed on its website www.east-northamptonshire.gov.uk .

DIRECTIONS TO THE EAST NORTHAMPTONSHIRE HOUSE

- 27 From the A14, leave at junction 13 (signposted Wellingborough/Northampton A45 and Peterborough A605), follow directions to the A605 and then turn off for Thrapston town centre. Go along the High Street until you reach a roundabout junction. Turn left into Midland Road which is signposted for the cattle market and council offices, follow this road as far as the second mini-roundabout and then turn left into Cedar Drive. Follow this road up the hill, bearing left at the top and then taking a right turn to the council offices' parking area.
- 28 From the A6116 which links the A14 and Corby, turn off onto the minor road signposted for Islip and Thrapston, follow this past the Bridge Hotel and the Ford dealership and then turn right at the roundabout into Midland Road.
- 29 The public access to the Council Chamber is on the right hand side of the walkway to the main reception entrance. Use this to gain entrance to the public examination meetings. Wheelchair users will need to gain access to the main part of the Chamber via a separate entrance and directions will be available on site. Please contact the Programme Officer beforehand should you need this assistance.

ADDITIONAL GUIDANCE FOR UNREPRESENTED PARTICIPANTS & USEFUL READING

- 30 You do not need to engage a professional representative in order to participate in the hearing sessions. The system is designed to be 'user friendly' and the publications listed below can help you make the best use of your time and be ready to participate in the process as effectively as possible. In addition you can contact the Programme Officer who will be ready to explain procedural and related matters to you.
- 31 The following publications give guidance and advice on the new development plan system:
- PPS12 – Local Development Frameworks (Department for Communities and Local Government [DCLG])
 - Companion Guide to PPS12 – Producing Local Development Frameworks (DCLG)
 - Local Development Frameworks – Frequently Asked Questions (DCLG)
 - Development Plans Examination – A Guide to the Process of Assessing the Soundness of Development Plan Documents (Planning Inspectorate)
 - A Brief Guide to Examining Development Plan Documents (Planning Inspectorate)

These documents can be viewed at or downloaded from the websites of:

- (a) DCLG (www.communities.gov.uk)
- (b) Planning Inspectorate (www.planninginspectorate.gov.uk)

Copies will also be kept in the Examination Library.

