

TOWER HAMLETS CORE STRATEGY

NOTES OF PRE HEARING MEETING HELD ON 2 MARCH 2010

1. Opening announcements and Introductions

- 1.1 The Inspector opened the meeting at 11:00.
- 1.2 She introduced herself as a Chartered Architect and Town Planner who has been appointed by the Secretary of State for Communities and Local Government to hold the examination into the soundness of TH Core Strategy.
- 1.3 She introduced Chris Banks, the Programme officer.
- 1.3 She confirmed that the hearing part of the Examination will commence at 10.00 am on Tuesday 13 April in the Town Hall.
- 1.4 The officers who will be representing the Council area: Neil Double, Jennifer Richardson and Peter Farnham.

2. Purpose of the Pre Hearing Meeting

- 2.1 The Inspector explained that the meeting provided an opportunity to explain and discuss procedural and administrative matters relating to the examination hearings. This includes the timetable, matters to be discussed and the deadline for submitting further material. It would not be appropriate to discuss the contents or merits of the CS or the representations made. A note of the meeting and a timetable of the hearings would be circulated to all those who have made representations.

3. The Programme Officer and his role

- 3.1 Chris Banks, the Programme Officer, is an independent and impartial officer. He is responsible for liaising with all parties to ensure the smooth running of the examination, ensuring that all documents are recorded and distributed and maintaining the examination library. He will be able to advise you on any administrative questions. All procedural queries or other matter that the Council or anyone else wishes to raise with me should be addressed through him. Details of how to contact him are set out in the letter of invitation to this meeting.

4. The Scope of the Examination and the Inspector's role

- 4.1 The Inspector's role is to consider the whether the Core Strategy meets the requirements of the 2004 Act and associated Regulations against the tests of soundness set out in paragraphs 4.52 of Planning Policy Statement 12. The examination will focus on these tests of soundness which cover three broad areas:

1) Justified:

- Founded on a robust and credible evidence base
- The most appropriate strategy when considered against the reasonable alternatives

2) Effective:

- Deliverable
- Flexible
- Able to be monitored

3) Consistent with national policy

- 4.2 The Council has submitted a Matrix of Changes which was prepared after the consultation period (CD62). The Inspector is satisfied that these changes are minor corrections which do not require consultation or sustainability appraisal. She will therefore take the submission version of the core strategy, which incorporates the changes in CD62, as the starting point for the examination.
- 4.3 She will start from the presumption that the Council has submitted what it considers to be a sound plan. The Council should rely on evidence collected whilst preparing the CS to demonstrate that it is sound. Those seeking changes have to demonstrate why that is not the case.
- 4.4 The process of examining plans under the Local Development Framework system is different from the previous local plan system. Now, the focus is on the plan rather than the objections and the Inspector has to examine the soundness of the plan having regard to the representations, not to consider each representation individually. She may only make changes needed to make the plan sound, rather than just to improve it. Any changes must themselves be sound and have regard to the need for public consultation and sustainability appraisal. The examination is an inquisitorial process focussing on particular topics.
- 4.4 The examination relates to the whole process, from the submission of the Core Strategy to the Secretary of State to when the Inspector's report is sent to the Council.
- 4.5 After closing the hearings the Inspector will prepare a report to the Council with her conclusions and decisions as to the action it needs to take with regard to the soundness of the Core Strategy. Her report is binding on the Council and it should, if appropriate, amend the Core Strategy in the light of the recommendations and move swiftly to its formal adoption.
- 4.6 The following publications should help interested parties to get an understanding of the process:
- Planning and Compulsory Purchase Act 2004 and the associated Regulations
 - Planning Policy Statement PPS12 – Local Spatial Planning 2008 (CLG)
 - Planning Advisory Service web based Plan Making Manual (www.pas.gov.uk)
 - Local Development Frameworks – Examining Development Plan Documents: Procedure Guidance (The Planning Inspectorate [PINS]) (updated 2009 version)
 - Local Development Frameworks - Examining Development Plan Documents: Soundness Guidance (PINS) (updated 2009)
 - Lessons Learned Examining Development Plan Documents (PINS)

5. Procedural questions for the Council

- 5.1 The Council confirmed that the Core Strategy has been: -
- prepared in accordance with the Council's Local Development Scheme and in compliance with the Statement of Community Involvement;
 - subject to sustainability appraisal;
 - has regard to national policy;
 - has regard to the Habitats Regulation Assessment; and
 - that the Mayor has confirmed the general conformity of the Core Strategy with the London Plan.

6. Method of considering representations

- 6.1 The Council has confirmed that 1371 duly made representations have been received from 105 different respondents.
- 6.2 Those who have made representations should already have decided whether their views can be dealt with in a written form or whether they need to come and present them orally at a hearing. Both methods will carry the same weight, with equal regard being given to views put orally or in writing.
- 6.3 The right to participate in a hearing is limited to those who propose changes to the Core Strategy. Attendance is only helpful if representors wish to participate in a debate and there is no need for those who support the CS to attend hearings. However all of the Hearings are open to the public and the press.
- 6.4 Representations should have included all the points and evidence to substantiate a representors case and it is not necessary to submit further material. The Inspector has copies of the representations made at the formal consultation stage.
- 6.5 However if further written evidence is to be submitted, either from those proceeding by the written method or those wishing to have an oral hearing, it should be limited to responding to the questions identified in the matters and issues for the Hearings. It should not expand on what is in the representations or stray beyond those issues relevant to the original representation.

7 Arrangements for Hearings

- 7.1 The Hearings will start at 10:00 am on Tuesday 13th April 2010 in the Town Hall. They will be spread over 2 consecutive weeks, ending on Thursday 22 April. They will normally start at 10.00 am and continue though the day with breaks as appropriate. The Programme Officer has taken account of the availability of various participants and the Inspector will continue to deal with agendas as flexibly as possible. For example where participants interest relates to only one or two items on a long agenda she will try to deal with these matters early. If any participants have serious time constraints they should let the PO know as soon as possible.
- 7.2 The Hearings will follow an informal round table format, irrespective of how many participants are present. The issues will be addressed by a structured discussion that the Inspector will lead. Those attending may bring professional advocates and

witnesses, but, if they do, they will take part as a member of the team, rather than as a traditional advocate.

- 7.3 The discussion will focus **on the issues identified in the agenda** and the questions the Inspector has posed, together with any additional points raised by the written submissions. It will not focus on individual sites or developments. Where many people have the same viewpoint, they should appoint one or two people as spokespersons to represent them at a hearing session.
- 7.4 Following the deadline of 29 March, copies of any further written statements that have been submitted in connection with each hearing will be sent out to the participants, together with a detailed agenda. Not all issues and policies will be discussed at the hearings; the agenda will depend on who is to attend and what are the remaining important issues that require discussion in the light of the submitted material. All participants will have the opportunity to ask questions and contribute to the discussion at the appropriate stage. The hearings are conducted on the basis that everyone has read the relevant documents and participants should make sure they bring them to the hearings. The Programme Officer will assist anyone who has difficulty obtaining hard copies.

8. Matters and Issues for the examination

- 8.1 The Matters and Issues for the examination will be sent out with the notes of this meeting.
- 8.2 The Inspector needs to know the following from those people submitting further statements:
- What particular part of the Core Strategy is unsound?
 - Which soundness test of those set out in paragraphs 4.52 of PPS12, does it fail?
 - Why does it fail?
 - How can the Core Strategy be made sound?
 - What is the precise change/wording that is sought?
- 8.3 From the Council she requires a brief statement on each issue, setting out why they consider the Core Strategy to be sound in that respect and why the changes sought by other parties would make it unsound.

9 Submission of further materials

- 9.1 Written submissions or hearing statements based on the Matters and Issues should be submitted by 18.00 hours on Monday 29 March at the latest.
- 9.2 Submissions should be succinct, avoiding unnecessary detail and repetition. Statements should be no longer than 3,000 words for each Issue; if they are excessively long or contain irrelevant or repetitious material they may be returned for editing. The number of copies of all statements and material will vary according to the number of participants at the Hearing. This will be confirmed by the Programme Officer. Statements should also be submitted in electronic form if possible. Large memory items such as logos or pictorial letterheads should be avoided. Each item should have the representors reference number on the front together with the Hearing No and which Issue it deals with.

- 9.3 Technical evidence should be limited to appendices, and should be clearly related to the case. Submissions should be on A4 paper, unbound but punched with two holes for filing. Plans or diagrams should fold down to A4 size.
- 9.4 Everyone should keep to the timetable for submitting further statements. Late submission can cause disruption and result in unfairness, so those who fail to meet deadlines may lose their right to be heard, unless there is a genuine, unavoidable reason.

10. Core documents

10.1 The Council has prepared a list of Core Documents for the examination. This list will be placed on the Council's website with links to those documents that are available electronically. All the documents can be viewed in hard copy by arrangement with the Programme Officer and during the Hearings will be held in the office here. They include the Regional Spatial Strategy, Planning Policy Guidance Notes and Planning Policy Statements, the evidence base and other documents that the parties are likely to need to refer to. There is no need to attach extracts of these documents to statements, but representors should refer to them as necessary, using the same numbered reference as on the Core Documents list.

10.2 Anyone who intends to refer to a document which is not yet on the Core Document list must as soon as possible provide a hard copy for the library and preferably an electronic copy for the website.

11. Site visit arrangements

11.1 The Inspector has begun to familiarise herself with the area and will carry out site visits during, or after the hearings. Generally this can be done unaccompanied but if anyone considers it necessary for her to go onto private land they should speak to the Programme Officer.

12. Close of the Examination and submission of the report

12.1 Once the Inspector has gathered all the information necessary for her to come to reasoned conclusions and decisions on the main issues, she will write her Report. The Examination itself **remains open** until she submits her Report to the Council, however once the hearings are completed in April she can receive **no further information** from any party, unless it is a matter on which she have specifically requested it. Any unsolicited items sent in will be returned to the sender.

12.2 The date for submitting the binding report to the Council will be given at the final hearing.

13. Questions from participants

13.1 **John Allen London Thames Gateway Development Corporation (LTGDC)** – Would like to be present around the table at all sessions. Informed that his happened at the LB Barking & Dagenham CS hearings. – Inspector comment was OK but not to speak.

13.2 **Terry McGreenera** – a) will there be a public address system at the hearings. Answer yes. b) Suggested that the hearings clashed with canvassing time for the pending general elections c) Would like to appear for sessions H2 & H4.

13.3 **Katherine Tyrrell MERA** - How is the hearing going to deal with the issue of poor public consultation. – Inspector stated that this could be addressed in the Hearing entitled “Other Matters”.

13.4 **Kay Jordan Spitalfields Small Business Association (SSBA)** - Concerned that they were programmed under H9 Other Matters. Agreed they would contact the PO regarding where in the programme they thought their representation sat.

13.5 **Lucy Rogers JHERA** – would like to be included in H6. Also asked Re Matters and Issues can we suggest our own – Inspector answer NO

13.6 **Katherine Tyrrell MERA** – Would like to be included in H1 and H8

13.7 **Mark Taylor part of MERA** – Would like to appear in a consultation session

13.8 **Katherine Tyrrell MERA** – Would like to appear in H5

13.9 **Lucy Rogers JHERA** – Are the Matters and Issues based on the number representation – Inspector answer NO. Also can others ask to speak. Inspector re iterated that it was only those who had made duly made representations who were entitled to participate in the Hearings

13.10 **Katherine Tyrrell MERA** – Felt that there is a general misunderstanding of the how the process works – After the meeting it was agreed that the PO would circulate a simple guide to the process

13.11 **Wanda Briggs JHERA** – Not received the letter. – After the meeting she agreed that she had received the letter.

13.12 **Kay Jordan SSBA** – Asked when Matters and Issues will be available. Inspector answered by the end of this week.

13.13 **Katherine Tyrrell MERA** – Early site of the Matters and Issues via email would be beneficial

13.14 **Austin Mackie Neptune Group** – Asked for confirmation of the deadline for further written evidence – 6pm Monday 29th March confirmed

14. Closing remarks

- 14.1 Finally, the Inspector reminded participants that she will have equal regard to views put orally or in writing. The hearings will be short, focussed debates structured around the tests of soundness. The deadline for receipt of further written material is 5:00 on Monday 29 March. Participants are reminded to keep in regular touch with the Programme Officer and to check the website for the list of Core Documents and any further material produced by the Council.
- 14.3 The Inspector thanked everybody for attending and closed the meeting at 11.55 am