

PLYMOUTH CITY COUNCIL
PUBLIC EXAMINATION OF THE
CITY CENTRE AND UNIVERSITY AREA ACTION PLAN

GUIDANCE NOTE FROM THE INSPECTOR

FOR THE PRE-HEARINGS MEETING ON 15 DECEMBER 2009 at 11:00 hrs
Frobisher Room, Council House, Civic Centre, Plymouth PL1 2AA

1. The Examination Hearings into the City Centre and University Area Action Plan (“the AAP”) will open at 11:00 hrs on Tuesday 26 January 2010 at The Council House, Plymouth. This Guidance Note has been sent to all those who have made representations on the AAP, and its purpose is to provide an opportunity for procedural and administrative matters relating to the Examination to be explained.
2. **My Role**
I am a Planning Inspector appointed by the Secretary of State for Communities and Local Government to independently examine the soundness of the AAP. Following the close of the Hearings I shall prepare a short report for the Council with recommendations, including any changes required to the AAP. This report will be binding on the Council, which will then move to formally adopt the AAP, changed as necessary to reflect the recommendations in my report. Details of the Examination process are contained in The Planning Inspectorate’s booklets “*Local Development Frameworks – Examining Development Plan Documents: Procedure Guidance*” (2009) and “*Local Development Frameworks – Examining Development Plan Documents: Soundness Guidance*” (2009). All involved in the Examination process should read these documents.
3. **The Programme Officer**
Robert Young is the Programme Officer for the Examination (“the PO”) and he has the contact details given on the accompanying letter. He is acting as an impartial officer of the Examination, under my guidance, and is not an employee of the Council. His main tasks are to liaise with all parties to ensure the smooth running of the Examination, to organise the Hearings Programme, to ensure that all documents received both before and during the Hearings are recorded and distributed, and to keep the Examination Library. Copies of all the Examination documents, including the representation forms and further written submissions, will be available in the Examinations Library. Procedural questions or other matters that anyone wishes to raise with me during the Hearings should be raised with Robert in the first instance.
4. **The Examination of Soundness**
The Examination is a significant departure from previous Inquiries into objections to Local Plans. These are the key points to bear in mind:
 - The Hearings are not planning appeal inquiries and will not be at all confrontational;
 - The starting point is that the Council has submitted what it considers is a sound AAP;
 - The focus is on testing soundness and not responding to objections raised in the representations. Accordingly, I shall define a number of matters and issues for discussion which will be aimed at testing the AAP’s justification, effectiveness and compliance with National guidance;
 - All those who have submitted representations are entitled to attend and speak at the Hearings. Those who are not attending do not need to submit further written evidence. If they feel further evidence is essential, then they must follow the guidance on content and format given below. Attendance at a Hearing session will only be useful and helpful to me if you wish to participate in a debate.
 - Those seeking changes should demonstrate why the AAP is unsound.

5. The Hearing sessions will be led by me and will take the form of a discussion to help me arrive at my conclusions. Those speaking at the sessions may bring with them professional experts, although there will be no formal presentations of evidence or cross-examination allowed. Barristers and solicitors, if present, will be treated as part of a team. I shall make a few brief comments on the matters I want covered, then invite individuals to make their contribution in response to the points I have raised. The sessions will then progress under my guidance, drawing those present into the discussion in such a way as to enable me to gain the information necessary to come to a firm conclusion and decision on the matters before me. There will be an opportunity to ask questions of those with opposing views.

6. **The Hearings Programme**

The programme for the Hearings is attached to this Note at Annex A. Please be aware that the programme attached could change. It will be for individual participants to check progress, either on the Council's website or with the PO, and to ensure that they are present at the correct time. I want the Hearings to be inclusive and therefore I am happy to arrange for an evening session in order to ensure that everyone has an opportunity to take part. If anyone would like an evening session, please speak to the PO and we will try to arrange times to suit everyone that needs to be there.

7. **Submission of Evidence - Content, Format and Timing**

I expect that the evidence base to support the AAP has been produced with a great deal of involvement by all stakeholders. Therefore, I want to keep the submission of further written evidence to the Hearings to the absolute minimum. Accordingly, these are the key points to remember:

- **Core Documents** are available in the Examination Library, and therefore you do not need to quote extensively from those documents but simply give me a reference to note;
- **Agreed Statements of Common Ground** between the Council and those seeking changes to the AAP are helpful to me and should be prepared as soon as possible;
- **Statements** for a Hearing session should be sent to the PO no later than **12 January 2010**. No statement should be longer than 3,000 words. Any statements longer than this will be returned for editing. **Four** copies of statements are required in each case;
- **Statement Format** should be A4, printed on both sides, not spiral bound, but punched with two holes, for inclusion in our files. Any photographs should be submitted in A4 format and should be annotated on the back with your ID number and the representation number to which the picture relates. If possible, statements should also be submitted electronically so that they can be included on the Examinations website. No statement/piece of paper submitted in advance of, or at, the Hearings will be accepted if it fails to be clearly marked at the top, right hand corner, with the relevant respondent reference and appropriate matter number.

8. **Site Visits, Closure of the Hearings and Submission of My Report**

I shall visit sites referred to, unaccompanied by the parties wherever possible. Once the Hearings are over I can receive no further evidence from any party unless it is something I have asked for. I will send my report to the Council within 6 weeks of the close of the Hearings.

Douglas Machin

Inspector
23 November 2009

ANNEX 1 - HEARINGS PROGRAMME
TUESDAY 26 JANUARY 2010
Warspite Room, Council House, Civic Centre, Plymouth PL1 2AA

Hearing Matters	Times
1. Council's Opening Statement	11:00 – 11:10
<p>2. Justification:</p> <ul style="list-style-type: none"> ▪ Does the AAP contain sufficient explanation of how the preferred approach is arrived at? ▪ What is the evidence to justify a relaxation on some sites for a requirement of at least 30% affordable housing? ▪ Does the AAP justify its encouragement for more intensive development in relation to the impact on townscape and heritage assets? How will more intensive development affect the key attributes of the Abercrombie Plan and the existing City Centre? 	<p>11:10 – 13:00 (with a mid morning break of 15 mins at a convenient point around 11:30)</p>
<p>3. Effectiveness:</p> <ul style="list-style-type: none"> ▪ Should the AAP examine how its Policies/Proposals relate to areas adjacent to the City Centre, especially the boulevard planned for Millbay, the outstanding recreational value of The Hoe and Plymouth Sound, and historic buildings and street pattern of The Barbican? ▪ Does the AAP contain sufficient guidance on what improvements to the public realm and circulation areas are expected? ▪ Are the diagrams and Proposals Map sufficiently clear? ▪ Should the Policies/Proposals contain more detail in relation to the housing numbers expected, including affordable housing and student accommodation? ▪ Does Policy CC18 need to have more detailed guidance on the form of development expected? Should not the Council's proposal to relocate the Civic Centre and Council House be included in CC18? ▪ Is there sufficient detail on the CHP? ▪ Does the AAP bring together the plans and proposals of all relevant bodies to achieve implementation? ▪ Are any implications of any delay in delivering key projects sufficiently identified and accounted for? ▪ 	<p>14:00 – 17:00 (with a mid afternoon break at 15:30, and continuing on Wednesday 27 January, if necessary)</p>
4. Council's Closing Statement	