

North Plymstock AAP Public Examination

Document Number:	NPS 1944 Response Bond Pearce
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Title:	Statement on Response to Bond Pearce letter dated 2nd February 2007
Examination Session:	General Paper

Summary

1. This statement comments on the letter sent by Bond Pearce to Mr D Machin on 2nd February 2007 regarding alleged deficiencies in the SEA and SA for North Plymstock AAP in respect to the lack of appraisal of alternative proposals being raised by the Co-operative Society for Sherford Refined.
2. The Inspector for North Plymstock AAP has stated that it is for others to demonstrate that the Plan is unsound and that he proposes, until that is done, to proceed on the basis the plan is sound.
3. The Council has considered the issue, in the light of legal advice, and refutes Bond Pearce's assertion. This paper summarises that advice.

The Council's response

4. The Inspector is only obliged to consider representations lodged in accordance with the relevant Regulations. The Co-operative Society did submit properly made representations suggesting that North Plymstock Area Action plan lacks soundness in relation to tests 6 & 7. However, these representations do not directly refer to any alleged legal deficiencies in the SEA/SA supporting the plan. The complaint raised in the Bond Pearce letter does not purport to be a representation made under the Regulations. Therefore the Council is advised that the question of consideration of alternatives in the Sherford Area Action Plan, should not be one considered by the Inspector at the North Plymstock Area Action Plan.
5. The Council has also been advised that it is difficult to argue how a consideration of alternatives in the North Plymstock AAP could be predicated, in so far as it relates to South Hams, on a basis other than that in the Sherford AAP.
6. In conclusion the advice to the Council is that the points raised by Bond Pearce have no substance in respect to the North Plymstock AAP.

Suggested adjustments to the North Plymstock AAP

7. Following the advice given by the Council's legal representative, the Council is proposing that no further action is taken as a consequence of the letter sent by Bond Pearce to Mr D Machin on 2nd February 2007.

Related Documents

Letter from Bond Pearce (signed by Marcus Trinick) to Mr D Machin, dated 2nd February 2007

Letter from Christine Self to Bond Pearce (Marcus Trinick), dated 8th February 2007