

## Public Examination into the Haringey Core Strategy (CS)

### **Pre-Hearing Notes– Originally Issued 15<sup>th</sup> April 2011; Revised 6<sup>th</sup> January 2012**

#### **1 Introduction**

- 1.1 These Notes are to assist those involved in the Examination into the Haringey Core Strategy (CS). This is one of a number of *Development Plan Documents* (DPD) the Council intends to produce as part of its *Local Development Framework*. It was formally submitted to the Secretary of State on 9th March 2011.

#### **2 Inspector and Programme Officer**

- 2.1 The Secretary of State has appointed the Inspector, **Andrew Seaman BA (Hons) MA MRTPI** to hold the Examination into the soundness of the CS.
- 2.2 The Programme Officer for the Examination is **Ms Litha Efthymiou**. She is acting as an independent officer for the Examination, under the Inspector's direction. She will be responsible for organising the hearing, maintaining the Examination library, recording and circulating all material received and assisting the Inspector with procedural and administrative matters. She will advise on any programming and procedural queries and any matters which the Council or participants wish to raise with the Inspector should be addressed to the Programme Officer. Her contact details are set out in the letter accompanying these notes.

#### **4 Purpose and Scope of the Examination**

- 4.1 The purpose of the Examination is to examine the soundness of the CS. The Inspector's role is to consider whether the CS is sound in terms of the tests set out in Planning Policy Statement 12 (PPS12). He will need to check that it complies with legislation and consider whether it is justified, effective and consistent with national policy. The Examination will focus on these tests of soundness. Those seeking changes to the CS have to demonstrate why the document is not sound and how their suggested changes would make it sound.
- 4.2 The tests of soundness broadly focus on three main areas:
  - Procedural: whether the CS has been prepared in accordance with the Local Development Scheme & Statement of Community Involvement/Regulations, and has been subject to sustainability appraisal;
  - Conformity: whether it is a spatial plan consistent with national planning policy and in conformity with the Regional Spatial Strategy, having regard to relevant plans and strategies of adjoining areas and the Council's Community Strategy;
  - Coherence, consistency and effectiveness: whether the strategies and policies are coherent and consistent and the most appropriate in the circumstances, having considered relevant alternatives; whether they are founded on a robust and credible evidence base, with clear mechanisms for implementation and monitoring and whether the plan is reasonably flexible to enable it to deal with changing circumstances.

- 4.3 The Inspector is required to consider all the representations made to the submitted CS but only so far as they relate to the three matters of soundness. It is important to note that the Inspector does not consider each "objection" or report on them individually. Further information on the process can be found in the Planning Inspectorate's explanatory booklets: "*A brief guide to examining development plan documents*" and "*Local Development Frameworks: Examining Development Plan Documents: Soundness Guidance*".  
(<http://www.planningportal.gov.uk/planning/planningsystem/localplans>).
- 4.4 National and regional policies as such will not be debated although the Examination will consider the implications of such policies if they directly affect the areas and topics covered by CS.
- 4.5 The starting point for the Examination will be the submitted CS: this includes the Haringey Core Strategy Proposed Submission (May 2010); the Schedule of Minor Changes (March 2011) and the Schedule of Focused Changes (March 2011).
- 4.6 The Council should not propose any fundamental changes to the submitted CS before the hearing sessions of the Examination. Where the Council considers minor changes are necessary, these should not affect the substance of the document, its overall soundness or the submitted sustainability appraisal. If, exceptionally, more fundamental changes are proposed, they must be subject to the same process of sustainability appraisal, publicity and opportunity to make representations as the submitted plan.
- 4.7 After the Examination has closed, the Inspector will submit his report to the Council with his findings and recommendations on the actions or changes needed as regards the soundness of the CS. These recommendations are currently binding on the Council and it has to amend the CS accordingly before moving to the formal adoption of the document.

## 5 Procedure at Hearing sessions

- 5.1 The hearing format provides an informal setting for dealing, by discussion, with a range of 'Matters and Issues' identified by the Inspector. A series of hearings were held during 2011; a revised hearing has been scheduled in relation to the Council's Core Strategy Fundamental Changes Document (core document CSSD-03) and the Sustainability Appraisal. Only those parties seeking specific changes to the CS to address issues of soundness are entitled to attend the hearing session. There is no need for those supporting or merely making comments on the CS to attend.
- 5.2 1485 representations were received in relation to the Core Strategy Fundamental Changes Document (core document CSSD-03) from 300 bodies and individuals. There should be no need for people pursuing their cases in writing to expand on their original representations because these should have identified the ways in which the DPD is considered to be unsound and what changes are suggested to make it sound.
- 5.3 However, where participants relying on written representations feel that it is necessary for them to put in further material and respond to the Inspector's 'Matters and Issues', this must be submitted to the Programme Officer in accordance with the same timetable which will be set for the submission of further evidence by those attending the hearing sessions.
- 5.4 The Inspector will not ask or expect the Council to respond to each and every representation. **Representations made orally or in writing carry the same weight and the Inspector will have equal regard to each.**

Attendance at the hearings will only be helpful if participants wish to contribute to the debate.

- 5.5 Participants may bring professional advisers but space around the table may be at a premium. There will be no formal presentation of evidence or cross-examination and, as the discussion is focussed on the issues identified in the agenda, it is important that the person able to make the most useful contribution should sit forward.
- 5.6 The Inspector will look to draw all relevant parties into the discussion to enable representors to air and explain the nature of their concerns and to help the Inspector gain the information necessary to come to a conclusion on the topic.
- 5.7 If participants find that other people have raised the same issues as themselves, they are encouraged to join forces and appoint a spokesperson. This can save time at the Hearings, avoiding repetition of arguments, and often results in a more forceful presentation of evidence.
- 5.8 The Programme Officer will provide name boards for each participant which should be stood on end to indicate a wish to speak. In that way the Inspector can invite contributions as the discussion unfolds without overlooking anyone with a point to make.

## **6 Examination Programme**

- 6.1 The hearing session of the Examination into the Council's Core Strategy Fundamental Changes Document (core document CSSD-03) and the Sustainability Appraisal is currently planned to commence at 10.00 on **22 February 2012** in the Civic Centre, Wood Green. If this date alters you will be notified. There will be a break for lunch at about 1.00pm, with the intention of finishing at approximately 5.30pm if not earlier. There will normally be a short break during the morning and afternoon sessions.
- 6.2 An agenda is attached. The hearing will be conducted on the basis that everyone taking part has read the relevant documents.
- 6.3 Every effort will be made to keep to the programme, but changes may be unavoidable. The Programme Officer will inform the participants of any late changes to the timetable but it is the responsibility of the participants to keep themselves up to date with the arrangements and programme which will be posted on the Council's web site.

## **7 Submission of further written information**

- 7.1 The representations already made should include all the points, documents and evidence to substantiate representors' cases. It should not therefore be necessary to submit any further material based on the original representations. Please note that, although representations may have been made at earlier stages of the plan process, the Inspector only has copies of representations made at the CS submission stage.
- 7.2 From this point, any necessary written information should address the 'Matters and Issues' identified by the Inspector. The Inspector will ask the Council and those who have made representations to provide their statements of response, as necessary, by 8<sup>th</sup> February 2012.
- 7.3 Any further statements from participants need to explain:
  - Which Matter/Issue does it relate to?
  - Which particular part of the CS is unsound?
  - Which soundness test(s) does it fail?

- Why does it fail?
  - How can the CS be made sound?
  - What is the precise change/wording that is being sought?
- 7.4 Submissions should be succinct, avoiding unnecessary detail and repetition of what has already been provided. There is no need for verbatim quotations from Core Documents (see below), cross references will suffice where necessary.
- 7.4.1 The Inspector will expect brief statements from the Council in relation to the hearing session stating why it considers the CS to be sound in respect of the Matter and Issues identified and explaining its response to any changes sought by other parties. This may shorten the length of subsequent discussion at the hearing.
- 7.5 The Programme Officer will require **4 copies of all statements and material and, unless impractical, an electronic copy should be supplied.** It is the quality of the reasoning that carries weight, not the bulk of the documents. Statements should be stapled and be no longer than 3,000 words for each matter or issue, either for a hearing session or written representations. Statements which are excessively long or contain irrelevant or repetitious material will be returned.
- 7.6 All statements should clearly reference the CS Matter Number (from the Inspector's 'Matters and Issues' paper), the representor's personal ID Number, the relevant policy/paragraph/ page of the CS to which it relates and the relevant soundness test(s).
- 7.7 Participants should attempt to reach agreement on factual matters and statistics before the hearings start. They are encouraged to maintain a dialogue with the Council and other participants in order to narrow down any areas of disagreement. The Inspector will seek to avoid any repetition of points because it is not helpful and wastes hearing time.
- 7.8 **Statements of Common Ground (or even 'uncommon' ground)** between the Council and participants can be useful in focusing on the issues in dispute and should be submitted before 8th February. There is no need to prepare a further statement on matters/issues if all the points are already covered in the original representation. Participants are asked to notify the Programme Officer if they do not intend to submit any further statements so it is clear their original representation represents their views.
- 7.9 Any technical evidence should be limited to appendices, and should be clearly related to the case. Supporting material should be restricted to that which is essential and need not contain extracts from any documents that are already in the Examination library. Submissions should be on A4 paper, unbound but punched with two holes for filing. Plans or diagrams should fold down to A4 size. It is essential that all statements are marked with the personal reference number and the representation number and they should also be submitted in electronic form, if possible. However, the latter does not remove the need for paper copies to reach the Programme Officer by the deadline.
- 7.10 **All participants should adhere to the timetable for submitting any further material.** Late material will disrupt the hearing timetables, be unfair to others and will be resisted. If material is not received by this date, the Programme Officer will assume that no further representations are to be made by that participant.
- 7.11 For the record, the Inspector has made necessary unaccompanied site visits throughout the area during the Examination process.

## **8 Core documents and Examination Library**

- 8.1 The Council has prepared a list of key documents (referred to as Core Documents). These are the documents expected to be referred to most frequently and include The London Plan, Planning Policy Guidance Notes (PPGs) and Planning Policy Statements (PPSs), Background Papers and any other documents to which participants are likely to need to refer. Extracts of these documents should not be attached to statements as they are already examination documents, a clear cross reference should suffice. An Examination Library has been created which can be accessed via the Programme Officer.
- 8.2 The list of Core Documents is up-dated from time to time and is available from the Programme Officer and will also be posted on the Council's website. Links to electronic versions of the reference documents are provided wherever possible. The Programme Officer will assist anyone wishing to see any document. The Council has submitted documentation which indicates that the following procedural matters have been complied with.

- *The CS has been prepared in accordance with the statutory procedures of the 2004 Act and the associated regulations, including in respect of publication and availability of documents, advertisements and notification.*
- *The CS is in general conformity with the Regional Spatial Strategy and this will be confirmed by the Regional Planning Body.*
- *The CS has been screened for likely significant effects on any European Wildlife (Natura 2000) sites within and near the plan area.*
- *The CS does, as relevant, contain a list of superseded saved policies.*
- *The CS has taken account of the plans of adjoining local authorities and the Mayor of London.*
- *The LDS is being met.*
- *The Council is unaware of any fundamental procedural shortcomings.*

## **9 Close of the Examination**

- 9.1 At the end of the hearing session the Inspector will give an indication as to when his final report will be issued. The Examination will remain open until the Inspector's report is submitted to the Council. However, the Inspector will not accept any further representations or evidence after the hearing sessions have finished unless he specifically requests further information. Any late or unsolicited material is likely to be returned.

Planning Inspector

January 2012