

## TENDRING DISTRICT REPLACEMENT LOCAL PLAN INQUIRY.

PRE-INQUIRY MEETING: 6 June 2006 at The Town Hall, Clacton on Sea.

### **Inspector's Opening Statement.**

Mr. Dobsen said:

- 1 Good Morning, it's 10 o'clock, and this pre-inquiry meeting is now open.
- 2 My name is Paul Dobsen. I am a Senior Housing and Planning Inspector in the Planning Inspectorate, which I joined in 1988. I have been appointed by the Secretary of State for Communities and Local Government to hold a public local inquiry into objections to the Tendring District Replacement Local Plan.
- 3 The inquiry will open at 10 am on 12 September - 14 weeks from now - in the Council's offices at Weeley, and will continue there throughout.
- 4 The purpose of this PIM is to provide, firstly, an opportunity for some procedural and administrative matters to be explained; and secondly, an outline of the principles for the programme for the inquiry.
- 5 I have a number of general points to make which I hope will answer various questions you may have. I will speak for about 15 minutes. There will be an opportunity to ask questions afterwards, and I will do my best to answer them, or ask the Council to answer them.
- 6 One thing I will not be dealing with at this PIM is anything relating to individual objections to the Local Plan. Those are matters for the inquiry itself.
- 7 There is an attendance list. If you haven't already signed it, please do so before you leave, with a note of whom you represent.
- 8 Is the press present? If so, please sign the attendance list and make a note of which newspaper or other media organisation you represent.
- 9 A brief note will be taken of today's proceedings, and will be circulated within a few days.
- 10 THE INSPECTOR'S TASK. My main task during and after the inquiry is to consider all unresolved objections to the plan. That is to say, to the re-deposit version of the plan, which the Council published in November 2005. But this will include the objections to the initial deposit version, which have not subsequently been resolved by the re-deposit version, and which have not been formally withdrawn.
- 11 After the close of the inquiry, I will write a report to Tendring District Council as the local planning authority. This will be a public document. It will be as brief and concise as possible, consistent with the need to deal properly with each objection. It will contain my conclusions on each outstanding objection, and a list of my required changes to the Plan.
- 12 I am of course completely independent of the Council. Under the current so-called, transitional arrangements which we are working to, my report will be binding upon the Council. I will be assisted by an Assistant Inspector, Mr. Bryan Stead, who will take parts of the inquiry, and will draft parts of the report.
- 13 PROGRAMME OFFICER. As most of you will be aware, Mrs Annette Feeney has been appointed as PO. The PO is an officer of this inquiry. She too is independent of the Council. Her main functions, under my direction, are to liaise with inquiry participants, organise the inquiry programme and to make sure that all documents received both before and during the inquiry are recorded and distributed. My communications with objectors and the Council's officers will generally be through her. She will also maintain the inquiry library.
- 14 Her office is located at The Council Offices in Weeley. Telephone and fax numbers etc. are on correspondence which most of you already have.
- 15 Any procedural matters which the Council, objectors, or other interested persons wish to raise before the opening of the inquiry should be addressed, in the first instance, to the PO.

- 16 STATUTORY FORMALITIES. I now remind the Council that it needs to have complied with all statutory formalities, and in particular that notification dates have been observed. I shall ask for that assurance at the inquiry opening on 12 September.
- 17 OBJECTIONS. As I have already mentioned, there were objections to both the first deposit versions of the plan, and to the re-deposit version. It has been the Council's responsibility to determine what is, or is not, a duly made objection. I will consider all duly made objections which have not been unconditionally withdrawn. I am told that there are over eleven thousand outstanding objections in all, which makes this a relatively large inquiry.
- 18 The Council has published further, pre-inquiry changes to the re-deposit version of the Plan. I have assumed that the Council also wishes me to consider both these changes and any duly made objections to them.
- 19 Next, APPEARANCES. I now invite the Council to indicate who will be representing them as advocate, and who will be appearing as witnesses to give the Council's evidence on individual objections. Who will appear for the Council? Are the Council's witnesses present here today? If so, please introduce them to the PIM.
- 20 A list of the Council's witnesses and their positions within the Council will be placed on the inquiry notice board. The appearances of other participants will be taken when they present their cases. These should also be given in writing to the PO by way of confirming or altering the information already sent to her.
- 21 PROCEDURE. I now turn to various matters of procedure. May I first draw your attention to the Programme Officer's notes, called "A Layman's Guide", which are available today if you require a copy.
- 22 The inquiry will sit from 10 am to around 5 pm for 3 days a week, from Tuesdays to Thursdays, during the inquiry sessions. There will be no sittings on Mondays, when I will be travelling to Weeley each week, doing site visits and reading inquiry proofs, nor on Fridays, when I will be reading proofs, doing site visits and travelling back again. We will take an hour's lunch adjournment, and other short adjournments as necessary.
- 23 I am not expecting to take any evening sessions, or any sessions outside the normal venue at Weeley, as both tend to disrupt the programme, requiring later sessions to be delayed.
- 24 After my formal opening of the inquiry on 12 September, I will invite the Council to make an opening statement (no more than, say, 20 minutes), outlining the context and strategy of the local plan. This should also indicate the up to date, corrected number of outstanding objections. The Council should also mention any core documents, and topic papers, they will be referring to.
- 25 Objections will then be heard in the order set out in the programme. This should have been fixed some weeks in advance. I have asked that, as far as possible, the programme should be devised for us to hear objections in the order of the various chapters in the re-deposit plan.
- 26 Within that broad chapter topic framework, as far as possible we will hear general policy objections first, and then site specific ones. This may mean that some objectors who have made multiple objections may be appearing on several occasions. Alternatively, they may prefer to make written reps.
- 27 I will now say something about the formal inquiry sessions. In general, statements of evidence will be taken as read, and will not need to be read out at the inquiry. I am very much in favour of short statements. Any unavoidably longer statements will require summaries, as in inquiries into planning appeals, but even these may be taken as read. [As a general guide, any statement of over 10 pages should be summarised on a 10 per cent basis. Summaries should not include any material not in the main statement]. Questions from the other party, or from the Inspector, may refer to the whole statement, and to any appendices or other supporting material, and not just to the summary. Any interested persons, or observers present will not be allowed to put questions.

- 28 The normal order of events will be: the objector will be invited to present their case/the Council may wish to ask questions/the Inspector may wish to ask questions/the Council will then respond to the objector's case/there may be questions to the Council's witnesses
- 29 I would reiterate that this does not allow for objectors to question each other, or for supporters of the Plan to question objectors.
- 30 Finally, the Council, followed by the objector, may make closing submissions. We would then move on to the next programmed objection, normally after a short adjournment.
- 31 I now want to emphasise that all participants should bear in mind that a LPI is concerned with matters of land use principle, not with detail. Matters of detail are for any subsequent planning application. In general, I will be looking for straightforward, simple yet persuasive evidence and opinion on any given topic. There is no merit in supplying material for its own sake, or anything which is not obviously relevant.
- 32 DRAFT PROGRAMME. The Council has indicated that it expects the LPI to last for about 9 sitting weeks, but at this stage that is only a rough guess. We will programme these on the basis of 3 weeks on, two weeks off. The first block, then, will last from September 12th to September 28<sup>th</sup>. The second will begin on 17<sup>th</sup> October, and end on 2 November. We will then resume on 21 November. And so on, until the inquiry finishes. I don't yet know when that will be. I hope that a draft programme can be sent out in the next few weeks.
- 33 SUBMISSION OF STATEMENTS AND DOCUMENTS. Objectors' statements and any supporting documents should be submitted to the PO at least 6 weeks before the start of the particular 3 week inquiry block in which it will be heard. The Council's response should be submitted to her within a further 3 weeks. Thus there will be a rolling programme for the submission of statements. It is most important that this programme is adhered to. This will allow all parties to prepare properly in advance. As with planning appeals, there is no merit in attempting to surprise the other party with new information at the inquiry itself. Any party who fails to adhere to these deadlines will risk losing their slot in the inquiry programme, and being re-programmed for a later date which may suit them less well.
- 34 Following the close of the inquiry, unless I have specifically called for it, no further information can be considered.
- 35 Do please try to be as brief and concise as possible when writing statements. Avoid repetition, and all irrelevant material. Give clear indications as to what part of the plan you think should be changed, and how it should be changed.
- 36 All statements should be clearly labelled. The PO will be responsible for numbering them. They should be A4 size, typed, with numbered paragraphs. I do not want computer disks, as they introduce unnecessary complications such as virus checks, and tie me to a screen.
- 37 All measurements should be metric. Good quality photos of sites etc. will be welcome; fuzzy or misleading ones will not. Video evidence should not be necessary, but I will consider any requests to include it made via the PO.
- 38 RTS, AND HEARINGS. Some of you will know that LPIs usually include round table sessions, and informal hearings. Round Table Sessions are structured discussions, usually lasting a whole day, and usually with at least a dozen selected objectors, about general strategic matters - such as housing or employment land supply. Their main purpose is to save inquiry time later on, mainly by avoiding the repetition of these matters. But they involve a great deal of preparation, with much prior circulation of written material, and are not undertaken lightly. I will be discussing with the Council what round table sessions, if any, might be helpful. They have already indicated that they would like 2, one on housing matters and one on employment matters, but as yet no detailed agendas have been drafted. I would expect that any RTS will occur quite early in the Inquiry, but not necessarily at the very beginning, nor on consecutive days.
- 39 By contrast, with informal hearings the emphasis is on the informality. The Planning Inspectorate is very much in favour of hearings, rather than formal inquiry sessions. Such sessions usually take place with few persons present, often only 2 or 3. Many objectors who

are not familiar with planning inquiries prefer them. I would urge all unrepresented objectors to use this procedure, as it will certainly save inquiry time.

- 40 WRITTEN REPS. I now come to the important matter of written reps. These have the same status as oral objections heard at the inquiry. They will be treated equally, both by the Council and by me. Thus an objector will not weaken his or her case by relying on a written statement, to supplement the original duly made objection.
- 41 All written objections, including any supporting material, should be sent to the PO before the inquiry opens. Ideally, they should be sent not later than the deadlines for statements dealing with the same policies or topics. In general, the PO will be able to advise on deadlines for the submission of inquiry statements.
- 42 INFORMATION. The LPI library will be maintained by the PO. This will contain copies of the deposit documents, the original representations of objection of support, any core docs, and as the LPI proceeds, copies of inquiry statements. The PO will assist anyone wishing to see or copy documents. Copying facilities will be available at a charge. The PO will maintain lists of all documents submitted. These, together with the up to date programme etc, will be on display on the LPI notice board.
- 43 Lastly, SITE VISITS. I will of course be visiting all the objection sites, mostly unaccompanied, and without going on to private land (except on public footpaths). I will normally do this before hearing them discussed at the inquiry. Some sites I will probably visit more than once. Those that are subject to written reps, I will visit when opportunity allows either during the inquiry or after it closes.
- 44 Well... that is all I wish to say by way of introduction. (To the Council) Is there anything the Council wishes to say about the procedural aspects of the inquiry? Or, for example, about its forthcoming Topic Papers?
- 45 (To the PO) Annette, do you want to say anything about housekeeping matters?
- 46 I will now try to answer any questions you may have on the procedural aspects. Remember that I can't take any questions relating to individual objections.
- 47 So, are there any questions?