

**OXFORD CORE STRATEGY DPD  
PRE HEARINGS MEETING MINUTES  
Held on 2<sup>nd</sup> June 2009, at 10am  
Oxford Town Hall**

**1 Opening announcements**

The Inspector introduced himself and formally announced that the oral examination into the soundness of the Core Strategy will open at 10.00am on Tuesday 14<sup>th</sup> July in the Long Room, Oxford Town Hall.

**2 Introductions**

He introduced Mrs Helen Wilson, the Programme Officer, to the meeting, along with Carmel Edwards, who will be standing in for her for a few days during the hearings.

**3 The purpose of the Pre Hearings Meeting**

The Inspector explained the purpose of the meeting was firstly, to provide an opportunity for procedural and administrative matters relating to the Core Strategy Examination to be explained and discussed, and secondly, for the form and content of the programme of hearings to be considered. He explained that a minute of the meeting would be sent to all those who have submitted representations on the DPD. This will replace the Briefing Note previously circulated. The detailed Agendas for each of the hearing sessions may need to be subject to minor revision following the receipt of any further submissions and statements.

**4 Scope of the Examination and the Inspector's role**

**4.1 The Inspector's role**

It was the Inspector's role to consider whether the Core Strategy meets the requirements of the 2004 Act and associated Regulations and its soundness against the tests of soundness set out in Planning Policy Statement 12, PPS12. The Examination would be focussed on these tests of soundness. Those seeking changes to the Core Strategy should seek to demonstrate why that is not the case.

He indicated that the process of examining plans under the new Local Development Framework system was different from the previous local plan system:

- The focus is on the plan rather than the objections. Under the new system the Inspector's role is to examine the soundness of the plan having regard to the representations made, rather than simply considering the objections themselves that have been made.
- Furthermore, the process of examination is more akin to an Examination in Public into a Structure Plan, with hearing sessions addressing particular topics, rather than the traditional form of public inquiry considering individual objections.

Following the completion of the hearing sessions the Inspector will prepare a Report to the Council with his conclusions and recommendations, as to the action it needs to take with regard to the soundness of the Core Strategy. His report is binding on the Council and, upon its receipt, it should amend the Core Strategy in the light of the recommendations and move swiftly to its formal adoption.

## **4.2 Representations on the Core Strategy**

362 representations from a total of 75 organisations and individuals were received regarding the contents of the Proposed Submission Core Strategy. These representations run across the full range of the Plan. The Council published in November 2008 a set of minor Post-publication changes in response to these representations.

## **4.3 Exploratory meeting and subsequent changes to the Core Strategy**

Because of the Inspector's fundamental concerns about the ability of the submitted plan to satisfy him as to its soundness, he convened an Exploratory Meeting to determine the best way forward. This was held on 20<sup>th</sup> January 2009, where the Council indicated that it was in a position to make changes to the plan to reflect the concerns the Inspector had raised, without fundamentally changing the strategy of the plan.

As a result of that meeting the Council has made a considerable number of changes to the plan, set out in its March 2009 Revised Submission Document. This, in turn, has led to the Plan being subject to a further 6 week period of public consultation, from Friday 3<sup>rd</sup> April to Friday 15<sup>th</sup> May. This consultation has resulted in the receipt of a further 156 representations from 56 organisations and individuals. As part of the Examination of the Core Strategy the Inspector explained that he will treat the Revised Submission Core Strategy as representing the Council's preferred document. Accordingly, it will represent the starting point for his examination of the soundness of the Core Strategy. References to policy numbering should reflect the numbering used in the Revised Submission document. Nevertheless, throughout the Examination the Inspector will have regard to all the representations made, both at Publication stage and at the Revised Submission stage.

In line with the advice in PPS12, the Inspector does not expect the Council to put forward further substantive changes. If, exceptionally, changes are proposed, the Council must explain the reasons for the changes, with supporting evidence.

## **5 The Programme Officer and her role**

Mrs Helen Wilson has been appointed as Programme Officer. For the purposes of this Examination the Inspector stressed that she is acting as an impartial officer, under his direction, rather than as an employee of the Council.

Details of how to contact her up to and during the running of the examination are as set out below:

She can be contacted at  
32 Pennyford Close, Brockhill, Redditch, Worcestershire B97 6TW  
e-mail: [progofficer@aol.com](mailto:progofficer@aol.com)  
Telephone: prior to the Hearings: 01527 65741  
Mobile 07879 443035

Or leave a message with the Council officers

The Examination will have its own web page on the Council's web site.

Her principal functions, under the Inspector's direction are:

- i) to liaise with all parties to ensure the smooth running of the examination hearings;
- ii) to ensure that the documents received both before and during the examination are recorded and distributed;
- iii) to maintain the examination library and;

- iv) to assist the Inspector with any procedural and administrative matters.

She will be able to advise you on any programming queries and any procedural queries should be addressed to her in the first place. Any matters which any of the parties wish to raise with the Inspector should be addressed to her. She will then pass them on to him for a reply.

## **6 Procedural questions for the Council**

In response to questions from the Inspector the Council confirmed that the Core Strategy has been: -

- prepared in accordance with the statutory procedures.
- prepared in accordance with the Council's Local Development Scheme.
- prepared in accordance with your Statement of Community Involvement.
- supported by a sustainability appraisal.
- there were no fundamental procedural shortcomings.

The Council also confirmed the opinion of the Regional Planning Body that the Core Strategy was in general conformity with the Regional Spatial Strategy.

## **7 Procedure prior to the opening of the hearings**

### **7.1 Methods of pursuing representations**

The Inspector explained that he would endeavour to progress the Examination Hearings in an effective and efficient manner, keeping a firm hand on the discussions and time taken. As part of that process it was his aim to minimise the amount of material, to that necessary to come to informed conclusions on the issues. In that way he hoped to conduct a short, but focussed, series of hearings and, in turn, produce a short, focussed report.

Those who have made representations on the DPD need to decide whether their views can be dealt with in a written form or whether they feel that they need to come and present them orally at a hearing session. Both methods will carry the same weight and the Inspector shall have equal regard to views put orally or in writing. Attendance at a hearing session will only be useful and helpful to him if you wish to participate in a debate. Anyone participating in a hearing session must, in advance of attendance at the hearing session, prepare a statement of their position, focussed upon the issues the Inspector has identified and circulated in the Agenda for that session.

Those people who wish to proceed by written means need take no further action; they should rely simply on what they have already submitted in writing. However, if anyone does want to submit further written evidence in support of their position, these submissions should be focussed upon the issues identified by the Inspector in the hearing session Agendas. The Council will also prepare its own statements on the issues identified.

### **7.2 Preparation of further representations**

#### **7.2.1 Core documents**

The Council has been preparing a list of Core Documents (CDs) that will be available in the Examination Library. These will include the Regional Spatial Strategy and supporting papers, Planning Policy Guidance Notes (PPGs) and Planning Policy Statements (PPSs), Background Papers and any other documents that the parties are likely to need to refer to. Accordingly, parties need not attach extracts of these documents to their statements as they are already Examination documents.

### 7.2.2 Statements of common ground

These statements can provide considerable opportunities to save time, cost, remove duplication and reduce the bulk of paper. Consequently, statements can be shorter, concentrating on the key issues which separate the parties. The Inspector looked to all parties attending to take the initiative, prepare first drafts and arrange discussions with the Council's officers. This work should have commenced by now, with the aim of completing any statement by Tuesday 9<sup>th</sup> June.

### 7.2.3 Content of written submissions

The Inspector emphasised the need for succinct submissions, with the avoidance of unnecessary detail and repetition. There was no need for verbatim quotations from the Core Strategy or other sources of policy guidance. Nonetheless, it was vital that the fundamental elements of cases were set out clearly and succinctly – the hearing sessions were not the place for rabbits to be drawn out of hats! It is the quality of the reasoning that carries weight, not the bulk of the documents. These statements must be directed to the matters, issues and questions that have been identified on the session relevant Agendas.

Essentially, the Inspector needs to know the following from those people submitting statements:

- What particular part of the Core Strategy is unsound?
- Why does it fail?
- How can the Core Strategy be made sound?
- What is the precise change/wording that you are seeking?

From the Council a statement on each identified matter is required, setting out why it considers the Core Strategy to be sound and why any changes sought by other parties would make it unsound.

### 7.3 Submission of statements

Statements for the hearings or further written representations from both the Council and the representors should be sent to the Programme Officer at **her home address** no later than **Tuesday 23<sup>rd</sup> June 2009**.

The PO will require 4 **paper copies** of all submitted statements. If possible statements should also be sent in by email. All statements submitted should be concise and focussed on the issues identified by the Inspector. As a general rule these should be no longer than 3,000 words, be they for a hearing session or further written representations. Any submissions that are felt to be of excessive length, containing irrelevant or repetitious material will be returned by the Programme Officer. Technical evidence should be limited to Appendices. Statements will be copied, by the Programme Officer to those parties attending the relevant session.

Statements should be prepared on A4 paper, not spiral bound, but punched with two holes for inclusion in the Inspector's files. Any photographs should be submitted in A4 format and should be annotated on the back. Any plans or diagrams should be folded to A4 size.

All statements/pieces of paper submitted in advance of or at the hearing sessions should be clearly marked with the relevant section/policy, and personal reference, using the following system:

Eg. 3.4/CS5/012

If you have any queries about the numbering system, please contact Mrs Wilson, who will assist you.

For the Council

Prefaced by a C/ with issue number

Core Documents

CD01, CD02 etc

Supporting material – Appendices to Statements – should be limited to those which are essential and not contain extracts from any publication that is already before the Examination, such as the Core Documents and nationally available Government guidance in Circulars. Appendices should have a contents page and be paginated throughout. Whilst the word limit does not apply to Appendices, anyone submitting copious Appendices should indicate which parts are particularly pertinent and on which they are particularly relying.

#### **7.4 Availability of information**

Prior to the Hearings commencing the Examination Library will be maintained at Ramsay House. During the Hearings it will be held at the Town Hall. The Library will contain copies of the Core Strategy and associated documents, all representations, the Core Documents, and each further submission as it is received. The Library will be under the supervision of Council officers prior to the commencement of the Hearings and under the Programme Officer during the Hearing sessions. They will assist anyone wishing to see and copy any document.

Copying facilities will be available. A charge will normally be levied.

Mrs Wilson will maintain lists of all documents submitted. These together with the up-to-date Programme, lists of appearances and other relevant material will be on display on the Examination notice board which will be located outside the hearing room.

As far as practical, copies of all relevant documents will be placed on the Examination website.

## **8 The Examination arrangements and procedure**

### **8.1 The Examination arrangements**

The hearing sessions will commence on Tuesday 14<sup>th</sup> July, in the Long Room, Oxford Town Hall and will be spread over 8 days.

The hearings sessions will normally start at 10.00am and 2.00pm each day. A short break will be taken mid morning and mid afternoon. Lunch will be taken about 1.00pm.

### **8.2 Procedure at the hearing sessions**

A separate hearing session will be held on each of the main topic areas identified in the draft programme.

The sessions will take the form of hearings. This approach will provide a relaxed and informal setting for dealing with issues, by way of a discussion that the Inspector will lead. Those attending may bring with them professional advocates and witnesses, though there will be no formal presentation of evidence or cross-examination. Whilst there is no need for

parties to bring advocates/legal representation with them, if they do, they may take part as a member of the team, rather than as traditional advocate.

The discussion will focus on the issues identified in the individual Agendas and the questions posed by the Inspector, together with any additional points raised by the written submissions. He will begin by asking those present to introduce themselves and will then make a brief statement as to his understanding of the issues under discussion and the issues he wants covered. Then he will invite individuals to make their contribution in response to the points he has raised. The hearing will then progress under his guidance, drawing those present into the discussion in such a way as to enable him to gain the information necessary to come to a firm conclusion and decision on the matters before him. There will be an opportunity within the discussion to ask questions of the other side. Advocates and witnesses may join in any discussion, when invited to do so by the Inspector.

Supporters of the Core Strategy would not normally be expected to participate in the hearing sessions – they may choose to inform the Inspector in writing of their reasons for supporting the Council's position. Exceptionally, where they do have substantive points not covered by the Council they may attend the hearing session and will be permitted to contribute.

## **9 Site visit arrangements**

The Inspector indicated that he had carried out a tour of the City to familiarise himself with the area. He will also visit any site referred to in the representations, either before, during or after the hearing part of the Examination. This will be done unaccompanied by the parties. Only where it is necessary to gain access to private land, should the parties contact the Programme Officer so that a mutually convenient date and time can be arranged for an accompanied visit.

## **10 Close of the Examination**

Once the inspector has gathered all the information necessary for him to come to reasoned conclusions and decisions on the main issues he will write his Report. The Examination itself will remain open until the Report is submitted to the Council. Once the hearing sessions part of the Examination are completed the Inspector indicated that he could receive no further information from any party, unless it is a matter on which he has requested further information. Any unsolicited items sent in will be returned to the sender.

## **11 Submission of the Inspector's Report to the Council**

The current expectation is that the Inspector will submit his Report to the Council during October 2009.

## **12 Examination Programme**

A draft programme for the hearings, its topics, issues, participants and timetable was then discussed. Attached to these minutes is an updated version of the Programme, together with an Agenda for each session. The Inspector reminded everyone that the purpose of the Agendas for each session was to focus attention on those matters which he has identified as areas where he is seeking a fuller understanding of the issues and respective positions. If, on receiving a copy of those Agendas, anyone feels that some changes should be made to them, then please inform the Programme Officer without delay. Where it is necessary to revise the Agendas, on account of the statements and any further comments received, a further revised version of the Agenda will be sent out prior to the hearing sessions.

### **13 Closing remarks**

All those making representations would, in the next week, be sent a copy of the minutes of this meeting, together with a copy of the Programme and individual Agendas for each session. The Inspector emphasised that it will be for individual participants to keep in touch with the Programme Officer to check the progress of the Hearing sessions and to ensure that they are present at the appropriate time.

Finally, he urged everyone to

- Make the best use of the remaining time before the start of the hearing sessions.
- Ensure that the timescales and deadlines are adhered to.
- Be aware of any core documents, statements and general material produced by the Council.
- Keep in regular contact with the Programme Officer.

The Inspector thanked everyone for their attendance and closed the meeting at 10.55.