

# Vale of White Horse Local Plan Part 2 Examination

## Examination Guidance Note

### 1.0 INTRODUCTION

1.1 This note has been prepared by David Reed BSc DipTP DMS MRTPI who has been appointed by the Secretary of State for Housing, Communities and Local Government to carry out an independent examination of the Vale of White Horse Local Plan Part 2 (LPP2). The note provides guidance to participants who wish to be involved in the examination process.

### 2.0 PROGRAMME OFFICER

2.1 The Programme Officer for the examination is Ian Kemp, who works independently of the Council under my direction. Ian is responsible for organising the administration of the examination and acting as a channel of communication between myself, the Council and interested parties to ensure its smooth running. Ian is also responsible for ensuring that documents are circulated to the parties as required, maintaining the document library and keeping the examination section of the Council's website up to date.

2.2 Any procedural or other matters that you wish to raise during the examination should be raised through Ian whose contact details are as follows:

Ian Kemp  
Programme Officer  
Vale of White Horse Local Plan Part 2  
16 Cross Furlong  
Wychbold  
Droitwich Spa  
Worcestershire  
WR9 7TA

Email: [jdkemp@icloud.com](mailto:jdkemp@icloud.com)

Tel: 01527 861711

Mobile: 07723 009166

### 3.0 THE SCOPE AND PURPOSE OF THE EXAMINATION

3.1 The purpose of the examination of the LPP2 is to determine whether it satisfies the legal requirements under the 2004 Act and associated regulations, whether the Council has complied with the duty to co-operate and whether the plan is sound. To be sound the LPP2 must be positively prepared, justified, effective and consistent with national policy. The starting point is the assumption that the Council has submitted a plan it believes to be sound.

3.2 The LPP2 follows the adoption of the Local Plan Part 1 (LPP1) in December 2016 which sets the overall planning strategy for the district over the period to 2031 including the objectively assessed housing needs of the Vale and the spatial strategy for meeting them, albeit leaving some further allocations to be made in the LPP2. The examination of the LPP2 is not an opportunity to revisit these matters and in these respects the LPP2 is required to be consistent with the LPP1. However, it was not possible for the LPP1 to determine the housing needs of Oxford City which need to be met within the Vale, nor the most appropriate strategy for meeting them, nor to make the necessary allocations to meet those needs. These strategic matters therefore fall within the remit of the LPP2.

3.3 The Council has prepared a schedule of 'proposed additional modifications' to the publication version of the LPP2 in response to representations but these do not form part of the plan being

examined. These potential changes will be considered during the examination and may be taken forward in due course. One change (AM27) is suggested to the policies map - an amendment to the area of land safeguarded for improved access at the A34 near Milton Park. This would need to be published for public consultation alongside any main modifications in due course (see below).

- 3.4 All written representations made on the publication version of the plan will be taken into account, but my report will not deal with every point that has been made. The examination relates solely to legal requirements and the soundness of the plan and as such only these matters will be covered in my report. The Council and other parties who are seeking changes to the plan (i.e. those who have made an objection) will have the opportunity to put forward suggested changes to the submitted plan during the examination, and these will also be taken into account. It is important to stress however that that the written evidence already submitted carries as much weight as verbal evidence given at the hearing sessions.
- 3.5 Those who have made representations supporting the LPP2 do not have a right to attend the hearing sessions. The Council has submitted the plan for examination and can be expected to be able to explain and support its provisions. It is not therefore necessary for those who support the plan to attend the examination hearing.
- 3.6 The examination will end when my report is submitted to the Council. The potential outcomes for the examination are:  
(a) The Council has complied with the duty to co-operate, the plan satisfies the legal requirements and is sound. In this case I would recommend that the plan be adopted without modification.  
(b) These requirements have not been met and it would not be possible to further modify the plan to make it legally compliant/sound. In this case I would recommend that the plan be withdrawn. It would not be possible to correct a failure of the duty to co-operate.  
(c) The submitted plan does not satisfy the legal requirements or is unsound in some way, but with further modifications these matters could be addressed. In these circumstances the Council has asked me to recommend modifications to make the plan legally compliant/sound so it can be adopted.
- 3.7 Any modifications I recommend would be limited to those required to address matters of legal compliance or soundness. These would be known as 'main modifications' and would be published for public consultation prior to being finalised.
- 3.8 The Council may make further minor modifications prior to adoption provided these do not materially alter the policies of the plan. This would be a matter for the Council with such minor changes not being considered during the examination or forming a part of my report. A number of typographical and grammatical modifications have already been identified.

#### 4.0 THE HEARING SESSIONS

- 4.1 From my reading of the LPP2, its supporting documentation and the representations received, a series of matters and questions have been identified that require discussion during the examination hearings. These are set out in the accompanying document together with a preliminary timetable for the hearing sessions. The hearing sessions will take the form of a round table discussion, led by me, during which the Council and other participants will be invited to put forward their views and to elaborate upon their written submissions. Whilst the hearing sessions will be open to the public, only participants who have been invited – those who have made representations on the matter under discussion – will be allowed to speak. A full opportunity to contribute on relevant matters will be given to participants but there will also be a need to use time hearing time efficiently.
- 4.2 The hearing sessions will commence at 10.00 am on Tuesday 3 July 2018 and then in accordance with the subsequent timetable. They will be held at two venues.

4.3 The hearings on July 3-6 and July 24-27 will be held at:

Advanced Skills Centre  
Abingdon & Witney College  
Abingdon Campus  
Wootton Road  
Abingdon  
OX14 1GG

4.4 The hearings on September 4-7 will be held at:

The Beacon  
Portway  
Wantage  
OX12 9BX

4.5 Morning sessions will last from 10.00 am to about 1.00 pm, and afternoon sessions from 2.00 pm to about 5.00 pm. There will be short breaks mid-morning and mid-afternoon.

4.6 The preliminary timetable for the hearing sessions has been circulated with this note, but it may well be necessary to amend this in the light of the number of participants who wish to take part or for other reasons. Whilst the Programme Officer will endeavour to keep people informed of any changes, it is the responsibility of participants to keep in contact and ensure they attend the appropriate sessions. The participants for each session will be those who made relevant representations on the LPP2 and who have confirmed to the Programme Officer that they wish to speak.

4.7 **All those who wish to speak at the hearing sessions should confirm this in writing to the Programme Officer by 5.00 pm on Tuesday 12 June, stating clearly which session or sessions they wish to attend.** This includes confirmation from those who indicated in their initial representations that they wish to participate. Please refer to the matter number and your respondent reference number. Matter 4 has been divided into four sections for the convenience of those who are concerned with individual sites.

4.8 If you do not contact the Programme Officer by 5.00 pm on Tuesday 12 June it will be assumed you do not wish to speak at the hearings and will rely on your written submissions. A finalised timetable and list of participants will be circulated prior to the hearing sessions and only those on the list will be allowed to speak.

4.9 Where several individuals or groups have made similar representations on a topic they are encouraged to appoint a common representative to avoid unnecessary repetition or duplication.

#### 5.0 THE EXAMINATION LIBRARY AND AVAILABILITY OF DOCUMENTS

5.1 All documents associated with the examination are available on the Council's website and this will be kept up to date. The Council has produced a range of background papers and supporting documentation and these are available together with the representations made on the publication version of the plan and the consultation statement incorporating the Council's response to those representations. The latest hearing timetable and list of participants will be on the website, together with any further documents prepared to assist the examination, the hearing statements submitted by participants and any correspondence between the Inspector and the Council. An initial letter from the Inspector dated 27 March (PC1) seeking clarification of the housing provisions of the LPP2 and the Council's reply (PC1A) are already on the website.

5.2 If you have difficulties accessing the website please contact the Programme Officer or the Council. A set of paper copies of the examination documents is available for inspection at the Council offices prior to the hearings and then at the venue during the hearing sessions.

## 6.0 THE SUBMISSION OF HEARING STATEMENTS AND FURTHER MATERIAL

- 6.1 The Council is asked to provide a full written response to all the matters and questions, addressing all the key points raised by representations. These should include specific references to supporting evidence or existing documents as necessary.
- 6.2 Other participants may, if they wish, submit written statements addressing the matters and questions for the sessions they are attending to reinforce their existing representations. However, there is no requirement to do this and participants may rely on the submissions already made. There is no need to repeat points already made. Any statements should be succinct and there is no need to include extracts from the plan or examination documents as references will suffice. Appendices should be kept to a minimum. Those not participating in the hearings may also submit statements addressing the matters and questions.
- 6.3 The written statements should be submitted to the Programme Officer. For both the Council and other participants, **the deadline for the receipt of written statements is 5.00 pm on Tuesday 12 June.** The person or body submitting the representation should make it clear which specific matter and question is being addressed, **with a separate statement for each matter.** Those commenting on several matters should not combine them into a single statement. Three paper copies and an electronic copy should be provided. In order for the hearing sessions to proceed as planned, late statements will not be accepted. Statements will be posted on the examination website and thus made available to other participants and other interested persons.
- 6.4 No further opportunity will be provided for additional statements or further documentation unless this is specifically requested. In particular, there is no scope to produce rebuttal statements responding to the views of other participants and no opportunity for further statements or written information to be submitted at the hearing sessions.

## 7.0 SITE VISITS

- 7.1 I will familiarise myself with the area and visit key sites before, during and after the examination. These will generally be on an unaccompanied basis, but if there is a need to visit private land or be accompanied by the Council and other interested parties the necessary arrangements will be made through the Programme Officer.

## 8.0 SUMMARY/KEY POINTS

- The matters and questions paper sets out the key questions for consideration during the examination
- The hearing sessions will begin at 10.00 am on Tuesday 3 July 2018
- A preliminary timetable has been published for the hearing sessions
- All those who wish to speak at the hearing sessions must confirm this in writing to the Programme Officer by 5.00 pm on Tuesday 12 June 2018
- A finalised timetable and list of participants for the hearings will be confirmed in due course
- Participants who wish to submit further written statements to address the matters and questions should do so by 5.00 pm on Tuesday 12 June 2018
- All documentation relevant to the examination is available on the Council's website
- Any queries should be directed to the Programme Officer – Ian Kemp

*David Reed*

INSPECTOR

14 May 2018