

THE EPSOM AND EWELL CORE STRATEGY EXAMINATION

Inspector's Briefing Note for All Parties**The Inspector's Role**

1. My task is **to consider the soundness of the Core Strategy**, based upon the tests of soundness set out at paragraphs 4.23 and 4.24 of Planning Policy Statement 12¹, *Local Development Frameworks* (PPS12). Further details of these tests, and the Examination process in general, are contained in The Planning Inspectorate's booklet *Development Plans Examination – A Guide to the Process of Assessing the Soundness of Development Plan Documents*² (particularly section 1.4). An overview of the new process, a 'frequently asked questions' (FAQs) page and a 'plain English guide' to the process may be viewed at the websites listed below³.
2. Following the close of the hearing sessions I shall prepare a report for the Council with conclusions and recommendations. My recommendations will be binding on the Council. If I consider that the Core Strategy is unsound, I may make recommendations for changes, but there is limited scope to recommend substantial changes since they should be the subject of sustainability appraisal and public consultation. If any unsoundness cannot be overcome without substantial changes, I may have to recommend that either part or the whole Core Strategy be withdrawn.
3. The Examination of Epsom and Ewell's Core Strategy is one of the first dozen or so in the country, following the procedure set out in the Planning and Compulsory Purchase Act 2004 and subsequent Regulations. The new Examination format is a significant departure from previous Local Inquiries into objections to a local plan. My Examination will concentrate on the soundness of the Core Strategy, having regard to the representations made. **The Core Strategy is assumed to be sound unless it is shown to be otherwise.** I am not required to comment on each individual representation.

The Programme Officer

4. As you know, John Billingham has been appointed as Programme Officer (PO). He can be contacted by telephone and e-mail at the address given on the accompanying letter, but he is not working full time. John is acting as an impartial officer of the Examination under my direction.
5. The main tasks of the PO are to liaise with all parties to ensure the smooth running of the Examination, to organise the Hearings Programme, to ensure that all documents received are recorded and distributed, and to keep the Examination Library. Copies of all the Examination documents, including

¹ Copies of the Government's PPSs are available to view in the Examination Library, or on the DCLG website at: <http://www.communities.gov.uk/index.asp?id=1143846>

² Available to view in the Examination Library or at:
http://www.planning-inspectorate.gov.uk/pins/appeals/local_dev/develop_plan_docs.pdf

³ http://www.planning-inspectorate.gov.uk/pins/appeals/local_dev/Soundness_of_DPD.htm; and
http://www.planning-inspectorate.gov.uk/pins/appeals/local_dev/FAQs-general%202.pdf

the representation forms and written submissions, are available in the Examination Library⁴. All contact between me, the Council and representors is via the PO. Any procedural questions or other matters that anyone wishes to raise with me prior to the hearings should be made through the PO.

Briefing Note

6. This note is intended to set out all the procedural matters that both the Council and representors need to know. Because of the limited number of representations and the indication that few wished to appear at an oral session I decided that the normal Pre-Examination (Procedural) Meeting was unnecessary.

The Examination Process

7. From the representations made and in the light of national advice, I have identified 8 main topics as the focus for my Examination, as well as some other matters. For each topic, I have set out a key question and some preliminary questions for clarification. These questions are primarily directed at the Council although I have also indicated some questions for some representors. The topics and my questions are set out in Appendix 2.
8. I have asked the Council (see Inspector's Note to the Council (1) Examination Library Ref EP1) to prepare short position papers on each main topic in response to my questions. These will now be produced by **Friday 3 November 2006**. The appropriate position paper will be sent to the representors who have made a representation on that topic, irrespective of whether that topic or their representation is the subject of a hearing session.
9. Any response to my questions or the Council's position papers should be submitted to the PO by **Friday 24 November 2006**.
10. The Council will then have a further 2 weeks for any final comments, with a deadline of **Friday 8 December 2006**. Again, the responses will be sent to the relevant representors. Note: The above (revised) dates are later than those set out in Inspector's Note to Council (1).
11. Most respondents have already indicated that they wish their views to be dealt with in written form only. Only 2 respondents have requested to come and discuss their representation orally at a hearing session. **Both methods carry the same weight and I shall have equal regard to views put orally and in writing.** Attendance at a hearing session will only be useful and helpful to me if you wish and need to participate in a debate. If, having read this Briefing Note and my identification of main topics and questions you have changed your mind as to how you wish to proceed with your representation please contact the PO as soon as possible so that the hearings programme can be finalised as soon as possible.
12. **If** you intend to make any further submissions in support of your representation please remember that you need to be clear about the following:

⁴ Representations can be viewed at: <http://www.epsom-ewell.gov.uk/EEBC/Planning/Planning+Policies/LDF/Representations+on+the+Core+Strategy+Submission+Document.htm>

- What part of the DPD is unsound?
 - Which test(s), set out in paragraphs 4.23 and 4.24 of PPS12, does it fail?
 - Why does it fail?
 - How can the DPD be made sound?
 - What is the precise change/wording that you are seeking?
13. The Council should supply **4 paper** copies of their position papers **plus** as many copies as there are parties listed under that topic in Appendix 4. They should also be provided to the Programme Officer electronically. The Council should also place the position papers on the website by the deadline date.
 14. Representors should submit **4 paper** copies of any further statements. Any such submissions will **not** be circulated to other representors, but will be available for inspection at the Examination Library. Where possible they should also be submitted electronically so that they can be made available to view on the Council's website.
 15. Further statements should be prepared on A4 paper, printed one side, not spiral bound, but punched with two holes for inclusion in our files. One copy should be unbound for further copying. Any further statements should be short and succinct. **Given the nature of the representations already made, I am not anticipating that further submissions will be either lengthy or complex.** If this is not the case, please inform the PO so that further advice can be given on format.
 16. No statement/piece of paper submitted will be accepted by the PO if it fails to be clearly marked, **at the top, right hand corner**, with the appropriate topic number and respondent's reference number eg Topic 2/23. Each respondent's unique 2 digit reference number can be found following "Our Ref" in the accompanying letter from the PO. The Council's documents should be referenced EEBC, followed by the topic e.g. EEBC/Topic 1.
 17. **If** representors intend to present any further factual evidence or to dispute any facts put forward by the Council please take the initiative to discuss the matter with the Council's officers. In this way, it may be possible for misunderstandings to be resolved and facts agreed. Even if there remains disagreement, it is helpful to me for the reasons for any differences to be explored and set out in an agreed note. I expect representors to take the initiative on this issue.

The Hearing Sessions

18. The oral part of the Examination will be short. The programme is attached as Appendix 3. The hearings are scheduled for the **23/24 January 2007**. These hearings will proceed by way of an inquisitorial, rather than adversarial, approach, focussing on the main question I have already identified and any supplementary questions I pose in agendas to be issued to participants about a week before the hearing sessions. I will lead the discussion. I shall progress the hearings in an effective and efficient manner, keeping a tight hand on the discussion and time taken. Those attending may bring with them professional experts, but the hearings will be conducted in a relatively relaxed and informal setting. There will be no formal presentation of evidence or cross-examination, but there will be an opportunity within the discussion to ask questions of the other side. Anyone may attend the hearings to observe, but only the Council and those representors timetabled to appear will be able to participate in the

discussion.

19. If you have any queries on this programme, please raise them with the PO as soon as possible. The programme may be subject to amendment. Participants will be notified of any changes by the PO, but other interested representors will need to check with the PO whether the programme has changed.
20. The hearings sessions will take place in the **Council Chamber in the Town Hall, Epsom**. If you need advice on the location, or other practical arrangements, please contact the PO. The hearing sessions will start at 10.00am and 2.00pm. A short break will be taken, if necessary, mid morning and mid afternoon. Lunch will be taken about 1.00pm.

Examination Library

21. The Council has prepared a list of documents that are now available in the Examination Library. These documents include the Regional Spatial Strategy, Planning Policy Guidance (PPGs) and Planning Policy Statements (PPSs) and various other background documents relating to national, regional and local matters. The list will be regularly updated and will include the Council's position papers. The latest version will be available to view on the Council's website. Accordingly, neither the Council nor representors should attach extracts of these documents to any further submissions they make, but should refer simply to the relevant page/paragraph of the document concerned together with its abbreviated title or Library reference number.
22. The Library is held in the PO's office in the Town Hall at Epsom. If you wish to look at documents please contact the PO first to make sure that he will be available to assist you.

Site Visits

23. I shall be familiarising myself with the Borough during the course of the Examination. I shall visit areas referred to in the representations. This will be done unaccompanied by the parties.

List of relevant legislation and guidance

- Planning and Compulsory Purchase Act 2004
- The Town and Country Planning (Local Development) (England) Regulations 2004
- European Directive on Strategic Environmental Assessment (2001/42/EC)
- The Environmental Assessment of Plans and Programmes Regulations 2004
- Planning Policy Statement 12: Local Development Frameworks
- Creating Local development Frameworks: A Companion Guide to PPS12
- Sustainability Appraisal of Regional Spatial Strategies and Local Development Documents
- Development Plans Examination – a Guide to the Process of Assessing the Soundness of Development plan Documents: published by The Planning Inspectorate