

INITIAL QUESTIONS TO THE COUNCIL ON THE PENDLE CORE STRATEGY (CS)

1. Introduction

The following notes and questions arise from an initial appraisal of the CS submission and consideration of a likely timeline. Some of the answers may well be within the documentation submitted. In such cases it will be a matter of directing the Inspector to the relevant document. Further questions relating to the substance of the CS and its soundness will arise before the Hearings.

2. Pre-Hearing Meeting

Taking into account the number making representations a Pre-Hearing Meeting is not considered necessary.

3. Hearing sessions

Six weeks' notice is required, including press advertisement. In order to fit in with the Inspector's other commitments and the availability of Council Officers it is suggested that the hearings should commence the week of 13 April and conclude the week of 27 April assuming 6 days of hearings are required (the Inspector is away between 20 and 24 April).

Is this timetable acceptable for the Council?

Are the Council still of the view that the hearing sessions are likely to take about 6 days having regard to the issues to be considered and the likely number of representors who wish to appear?

Is a list of those representors who wish to appear at the hearings available?

The Programme Officer will write to representors shortly to confirm whether they wish to participate in the hearing sessions. The Programme Officer will secure a suitable room for the hearings – the Wilson Room, Nelson Town Hall, assuming it is available. Separate rooms for the Programme Officer and Inspector will also be needed.

4. Submission of documents and information

Could the Council confirm that all the documents and information included in Regulation 22 have been submitted and that there are no outstanding documents to be completed or submitted?

5. Representations

The Inspector confirms that copies of representations have been received comprising some 216 individual representations from 63 respondents. The Regulation 22 (c) Consultation Statement includes a summary of feedback (pages 32-33).

Has a more detailed summary been produced by the Council with a response to the main issues raised?

6. Council responses to representations

The Council does not have to formally respond to the representations. However, discussions may have taken place or be ongoing with some of those making representations.

Are there any such discussions or responses?

The responses should be publicised, included on the web site and regularly updated.

Do the Council intend to have further meetings with any representors with a view to resolving key areas of dispute and disagreement, and if so, what is the timetable for such meetings?

7. The submitted CS

Can the Council confirm that the Plan to be examined comprises the Core Strategy Pre-Submission Report September 2014?

Has any focused changes/addendum been produced following the consultation?

Do the Council envisage wishing to make any further changes to the submitted document at this stage of the examination e.g in response to representations on the September 2014 document?

Any further changes to the submitted CS which arise during the examination and are required to make the CS 'sound' will comprise Main Modifications (MMs). A Schedule of MMs should be produced during the examination which should be a living document to be continually updated and included on the website. After the hearing sessions it will be necessary to consult on MMs and consider any implications for the Sustainability Appraisal.

Please confirm that the Council would wish the Inspector to recommend any MMs that he considers are necessary to resolve any issues of legal compliance or 'unsoundness'?

Other changes to be made to the CS which improve the CS or its clarity but do not go to soundness may arise during the examination process. It would be helpful to know about any such 'Additional Modifications'. These do not need to be subject to the formal examination process but the Council, should publicise these in a separate 'living document' schedule on the web site.

8. Soundness

The Inspector notes that the Council has submitted a Statement of Compliance with the Duty to Cooperate, a Soundness Self-Assessment Checklist and a Legal Compliance Checklist.

Is the Council content that the submitted CS is both legally compliant and sound?

9. Core Evidence base

The Inspector has received the Submission Documents including evidence-base documents. These correspond to those on the web site entitled *Core Document List*. It is assumed that these documents comprise the totality of the evidence base.

Is any other evidence likely to be submitted for the examination, and if so, what is the timetable for such submission?

The web based documents and library will need to be constantly updated with any new material.

10. **Web site and Library**

There is a dedicated web-page on the Council's website for the examination. All submission documents will be included on this page in addition to hard copies being kept in the Examination Library. It is important that all correspondence, statements and other documents are added to this page in addition to the library to allow people to track progress on the examination. A clear referencing system should be used.

11. **Hearings**

The Inspector will produce guidance notes and Matters and Issues outlining the nature and content of the hearing sessions well in advance of the hearings, including the timetable for the submission of any statements. Please note that only those representors who seek some change to the plan can request an oral hearing. At the hearings there is no formal presentation of evidence or cross-examination; the procedure is an inquisitorial process, with the Inspector asking questions based on the Matters & Issues identified for Examination. There is no need for any legal representation, but lawyers are welcome as a member of the team.

Has the Council decided whether they will be legally represented at the hearings?

The Council will need to nominate lead officers to address each topic.

12. **Future programme**

The basic procedure is to set a date for hearings and notify representors before those dates (6 weeks' notice). Brief guidance notes on the LDP examination process will be circulated in the next few days. The Inspector will determine the Matters & Issues for examination, to be discussed at the hearings, and drawn up a draft programme for the hearings. The Council and representors will have the opportunity to provide statements in response to the Inspector's Matters & Issues, to be submitted 3 weeks before the hearings commence.

Will the Council be able to meet these programme requirements?

13. **Familiarisation with the area**

The Inspector intends to visit Pendle in the next week or so. He will meet the Programme Officer and familiarise himself with the main settlements and the two proposed strategic sites.

Are there any other particular sites or areas that the Inspector should see at this stage to give him a flavour of the Borough?

14. The Inspector would like an initial response to these questions by **26 January 2015**.

Mark Dakeyne

21 January 2014