

Newport LDP examination

**Pre-Hearing Meeting, 18 February 2014, 10:00
Civic Centre, Newport**

Note of Meeting (to be read in conjunction with [Guidance Notes for Participants](#))

- **Opening and introductions**

The Inspector made introductions and explained the purpose of the PHM, which is to discuss procedural arrangements for the examination.

The Newport City Council team introduced themselves:

Mark Hand: Development Services Manager (lead on strategic matters, including Gypsy and Traveller sites)

Matthew Sharp: Planning Policy Manager (lead on all other matters)

Sue Hall: Senior Planning Officer (housing, alternative sites, retail)

Lindsay Christian: Senior Planning Officer (housing, minerals)

Alun Lowe: Planning Obligations Manager (S106)

Daniel Davies: Planning Policy Officer (employment, renewable energy)

Mark Stringer: Planning Policy Officer (general assistance)

Liam Richards: Planning Policy Admin Assistant (general assistance)

- **Scope of examination and role of the Inspector**

The Inspector explained that the examination will focus on whether or not the Plan is sound, having regard to the evidence on which it is based, and referred to the tests of soundness. These tests concern whether procedural requirements have been met; whether the Plan is consistent with other relevant documents, both within the local authority and externally; and whether the Plan is coherent and effective. The Inspector will have regard to representations only insofar as they relate to the soundness of the Plan. The final report will not therefore reference each and every representation; rather, the representations are the starting point for examining the Plan.

- **Role of the Programme Officer**

Inspector explained that the Programme Officer, Sue Hennah, is employed by the LPA but is independent and acts as a liaison between the Council and Inspector. All queries should be directed through the PO, including any matters concerning representors' attendance, participation and assistance at the hearing sessions.

- **Compliance with Procedural Requirements**

Compliance with procedural requirements will be the first matter for discussion at the opening hearing session. This is to ensure that procedural requirements have been met following the Council's decision to undertake a fresh deposit stage.

- **Representations on the LDP**

The Inspector made clear that any reference to deposit and alternative sites representations relates to the Council's revised deposit and alternative sites stages, which superseded the original exercises. The Council confirmed that 990 duly made representations had been received in relation to the deposit plan (including 3 petitions containing 14,442 signatures in total), and 965 duly made representations received in relation to alternative sites put forward by others.

- **Hearing sessions programme and procedure**

The Inspector stated that the hearings programme is available on the website, including proposed participants in hearing sessions. If representors feel that they are in the 'wrong' session then they should contact the Programme Officer (PO). However, the Inspector has tried to ensure that people are required to attend as few sessions as possible. For example, Gwent Wildlife Trust, NRW and RSPB are invited only to the 'environment' session, and not to the 'employment sites' session, in order to support a focused debate. But if people have issues with this, they should contact the PO.

Only NCC, WG and NRW are currently scheduled to attend hearing session 1, dealing with the main strategy principles. If other representors particularly feel that they need to participate in this session they should contact the PO.

All sessions are anticipated to take place as round table, topic-based discussions. Professional representation can occur if participants wish. On Gypsy and Traveller sites, where many representors wishing to appear have broadly similar views, it would be helpful to have the main points made in an organised form on behalf of all by a principal spokesperson or small group of spokespersons, rather than in an uncoordinated manner.

The LPA should use the evidence underpinning the Plan in its responses to the issues raised. It is important to have representatives present who are able to speak authoritatively on specific issues. The LPA may therefore wish to consider co-opting individuals with the necessary expertise to address the matters being discussed at particular sessions. The LPA should argue its case firmly where it considers the evidence is robust, but if additional evidence is required or amendments need to be made then it should be willing to recognise this.

Matters Arising Changes needed in the interests of Plan soundness will be developed as the hearing sessions progress; these will be publicised on the examination website and feed into the Inspector's report. The Council team confirmed that appropriate delegated decision arrangements are in place.

- **Submission of further material**

For each hearing session a main matters agenda is being produced, setting out the main questions needing to be addressed. The main matters for hearing sessions 1-4 are now on the website – others will follow shortly.

For each hearing session the LPA should provide a concise written statement (a minimum of 2 weeks in advance of the session) dealing with each of the main matters identified. These statements should set out as concisely and clearly as possible the evidence that supports the Plan, in relation to each matter on the list. Where appropriate, use should be made of site-by-site information schedules and statements of agreement with other parties (for example to support allocations made and verify development capacities, rates and trajectories).

For other participants, the Inspector does not wish to have submissions repeating original representations. Any further submissions should be restricted to those needed to provide new information available since the original representation, and should be directed to the main matters for discussion identified on the hearing agenda. It would be useful to have summary position statements from bodies such as WG and NRW in relation to main matters of particular concern to them.

Again, any additional submissions must be received not less than two weeks before the relevant hearing session.

- **Major issues**

The Inspector provided an overview of the major issues for the examination as currently identified and set out in broad terms what the LPA should do to respond in advance of the related hearings. The major issues are:

- Housing deliverability: Is there evidence demonstrating deliverability of the identified housing requirement through the Plan period on the allocated sites? Also, robustness of affordable housing viability assessment evidence.
- Gypsy and traveller sites provision: Are the allocated sites the product of a rational site selection process based on soundly-based and consistently-applied site selection criteria?
- Employment land provision: Do the allocations align with a coherent economic strategy and the identified employment land requirement?
- SSSIs and flood risk: Are all land use allocations sound in relation to these matters?
- Major infrastructure delivery: Is it sufficiently clear how the various elements of new infrastructure required in the Plan will be delivered?

In all of these areas there is a lack of clarity and detail in the examination submission documentation concerning as to the evidence which demonstrates that

the Plan is sound. The Inspector looks to Council to respond with the additional information to answer these questions.

- **Availability of information**

The Inspector clarified that all subsequent material / information relating to the examination (other than minor incidental individual exchanges concerning procedural matters such as attendance at hearings) will be placed on the examination website. All should keep in touch with the progress of the examination via the website, or by contacting the PO.

- **Close of examination and Inspector's report**

The Inspector stated that the examination will remain open until the final report is submitted. It is difficult to determine an accurate timescale at this point, but if matters progress smoothly hearing sessions should be over during May. If there is no need to pause the examination process, the report could be ready during the Autumn.

- **Further questions:**

Frank Weston (FW) (Chairman of Ringland Matters Group, plus personal interest in Gypsy and Traveller site allocation): Stresses that the Ringland Matters Group is not a professional group. The Group may not have followed the full process of plan production as a result of either ignorance and error. The Group has new information on a Gypsy and Traveller site allocation, which it has obtained since the last Full Council meeting (i.e. when the revised deposit plan was agreed for submission). The Group wishes to table this new information but is concerned that it will not be allowed due to consultations being over.

Inspector: Not the intention to exclude any new matters that have emerged subsequent to consultation processes etc. If it is clearly relevant to the matters for discussion at a hearing, then it can be tabled. But the Group should let the PO know what are the matters being raised. If it is relevant and can be submitted 2 weeks in advance of the hearing then it can be considered.

FW: More people who made representations about the Gypsy and Traveller site allocation now wish to speak. Can they do so?

Inspector: There is a logistical difficulty to this, due to high number of people wishing to attend that particular hearing. Need to find a sensible way to have a structured discussion given that more 30 people are already invited to participate. It would not be productive to have repetition of the same points by those appearing. Queried whether the Musker Sumner Partnership is representing the Group?

FW: At present, not sure whether the Group can afford professional representation. Communities are constrained by cost, whereas NCC has no such constraints.

Inspector: Suggested that the Group discuss amongst themselves how they want to articulate their case. They should then approach the PO to clarify how they wish to represent themselves. Suggested that the Group wait to see the list of main matters for discussion and make a decision once they have seen the agenda.

Terry French (TF) (Ringland Matters Group): What if the matters people want to raise are the same in principle but raise subtly different matters?

Inspector: Advised the Group to have a look at the matters to be discussed, following issue of the hearing agenda, and to agree as a group how people should present their evidence during the hearing.

TF: Not sure if the Group will adequately be able to challenge the 'site selection process' that the Inspector has indicated will form the basis for discussion.

Inspector: There is no requirement on the Group to try to produce its own expert evidence on the selection process. The discussion will also focus on the criteria against which the sites have been considered – the Group has already highlighted why it thinks the allocations are unsound. These are the issues which the Inspector is interested in scrutinising. The Inspector will use the representations already made to put questions to the Council and consider the robustness of the evidence provided in response.

FW: Will the Group have an opportunity to respond to the Council's submission?

Inspector: Areas of dispute/contention in relation to the submissions can be raised and discussed at the hearing sessions. If this leads to a need to produce additional evidence, the arrangements for circulation and comment amongst participants will be determined at that time.

Paul Cromwell (Redwick): Is there a time limit in terms of speaking time?

Inspector: No, because the hearing is a discussion. At sessions concerning alternative site representations the Inspector will be seeking to hear on what basis the Plan is considered to be unsound and why the change to the Plan being sought is necessary to address this.

Newport City Council: NCC has recently been made aware that the constraints map designation for the safeguarded corridor for the proposed M4 relief road is incorrect - how should this matter be addressed?

Mark Newey (Welsh Government): Points out that the safeguarded route is on the constraints map; it is not part of the Plan itself. However, the LDP examination will need to consider the implications for matters identified in the Plan such as employment land allocations.

Inspector: This issue has only just emerged, but can be dealt with at the relevant hearing sessions. It is essentially a correction to the Plan, but it does impact on allocations and the Proposals Map, and the implications of this for the soundness of the Plan will need to be examined. In the intervening period, the Council will need to publicise the proposed changes to the Plan and consult with interested parties. The Inspector will confirm the appropriate steps with the Council following the meeting.

There were no further questions.

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

Meeting closed 11:10