



The Planning  
Inspectorate

## **Shropshire Site Allocations & Management of Development Plan Examination**

### Inspector's Initial Questions

I am currently carrying out preparatory work as part of my examination of the above Local Plan. At this stage, and as I have already advised the Programme Officer (PO), I see no reason to hold a Pre-Hearings Meeting or Exploratory Meeting in respect of this Examination.

The examination will centre on the main issues that go to the heart of the Local Plan, having regard to the requirements of legal compliance, the four soundness requirements (that the Plan is positively prepared, justified, effective and consistent with national policy) and whether the duty to co-operate has been met.

### Hearing sessions

The date for the opening hearing has been agreed as Tuesday 11 November 2014. **Please note that the hearing start date will need to be advertised at least 6 weeks in advance of it commencing.**

I will define the matters and issues relevant to the soundness of the document which will provide the focus for the hearings. Hearing sessions are based on the matters and issues and are not driven by representations. I will be circulating a Matters and Issues paper and a Hearings Programme in due course.

I will produce an initial Guidance Note for participants to outline the procedures to be used at the examination, and what is expected at the hearing sessions. Please note that only those representors who seek some change to the plan can request an oral hearing. 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 and Issues identified for Examination. The Council and representors will have the opportunity to provide responses to the Inspector's Matters and Issues, to be submitted approximately 2-3 weeks before the hearings commence. There is no need for any legal representation, but lawyers are welcome as a member of a team.

### Representations

Copies of the representations should be displayed on the Council's web site in an electronic form. The Council has to decide whether the representations are "duly-made", and also has to accept whether to accept late representations. Late representations which are not formally accepted by the Council are not forwarded to the Secretary of State and the Inspector does not consider them.

### Database

I understand that the Programme Officer has access to the Council's database of representations, with all relevant details of the representations and representors. A key element is an indication of which representors have made comments on

each policy / paragraph of the Core documents, together with a list of those who request an oral hearing. The Programme Officer will need to produce a schedule of the representations, indicating who wishes an oral hearing or is content with written representations on a policy-by-policy basis. It would be helpful if the database is self contained; i.e. only includes those who have made representations at submission stage, rather than earlier in the plan process.

The PO has already provided me with a list of those who have indicated a wish to be heard at this stage.

### Initial Questions to the Council

#### Meeting with representors / Statements of Common Ground

**Q1.** *The Council refers to the submission of Statements of Common Ground between Shropshire Council and various other parties. Could the Council please confirm when any statements are likely to be completed?*

#### Core Evidence base

The Inspector has received the Core Submission and Evidence- based Documents.

**Q2.** *Is any other substantial work / reports likely to be undertaken for the examination, and if so, what is the timetable for such work?*

A link to all the Submission and Evidence-based Documents should also be provided on the Council's web-site.

#### Dealing with Changes to the Local Plan

The starting point for the Examination will be the Pre-submission Draft (Final Plan) (Core Document 1 (CD1)) that was the subject of public consultation for a period of 6 weeks between 17 March and 28 April 2014.

In considering any proposed changes, I will need to take a view whether any are required for soundness/legal compliance reasons. As you will be aware, in order for me to make such 'main modifications', the requirements of section 20 (7B) and 7(C) must be met. You would need to formally notify me as to whether you wish to request modifications under section 20(7C) of the Planning and Compulsory Purchase Act 2004 (as amended). Such proposed main modifications should, where appropriate, be subject to the same process of publicity and opportunity to make representations as the Plan.

In the absence of a formal request under section 20(7C), my report would be confined to identifying any soundness or legal compliance failures in the Plan and, if there are such failures, recommending non-adoption of the Plan.

**Q3.** *Please give an indication of the Council's position on main modifications?*

This would be advantageous to the efficiency of the examination process and the expectation of participants. Deferring a decision to request modifications until a late stage of the examination may risk both time delay and incur additional examination costs.

Minor modifications that do not go to the question of soundness or legal compliance can be made by the Council on adoption. If the Council consider that changes are minor then it does not need to subject them to the formal

examination process. Minor "additional modifications" cover things such as typographical errors, minor editing, and factual or name changes. The local planning authority will be accountable on adoption for the scope of these minor changes.

**Q4.** *I note that the Council have provided a Schedule of Proposed Minor Modifications (CD29) many of which are proposed in response to representations made at pre-submission stage as explained in the Summary of Key Issues from Pre-Submission Representations and Response (CD27). In light of the above description of 'additional modifications', could the Council please confirm the status of these amendments and whether any are necessary to make the Local Plan sound?*

#### Duration of Hearings

10 days have been provisionally reserved for the hearings at this stage. Provisional dates are therefore to be set aside on 11-13 November, 18-20 November and 15 - 19 December 2014 inclusive. This can be reviewed once the Matters and Issues are available.

A response to these initial questions by 19 September 2014 would be appreciated.

Claire Sherratt  
Examining Inspector

10 September 2014