

EXAMINATION BRIEFING NOTES

9 APRIL 2013

Introduction

1. The Hearings into the Eastbourne Town Centre Local Plan (TCLP) will open on Thursday 16 May 2013 at 10.00 in the Court Room at the Town Hall, Grove Road, Eastbourne, BN21 4UG. It is expected that the Hearings will last for up to two days.

The Inspector

2. The Inspector for this examination is Mrs S J Turner RIBA MRTPI IHBC. Her task is to consider whether the TCLP is legally compliant and is sound. The Council has requested, under section 20 (7c) of the Planning and Compulsory Purchase Act (as amended) 2004, that the Inspector recommend such main modifications that she considers are required to make the Plan sound.
3. Following the close of the Hearings the Inspector will prepare a report for the Council setting out any main modifications that are required to the Plan to make it sound. The Inspector will announce at the last Hearing session the expected date the reports will be sent to the Council. After receipt of the reports, the Council is given a 2 week period for a fact check - to highlight any factual errors or to seek further clarification of any reasoning - before the final report is issued. It will then be for the Council to make any arrangements for the publication of the report. The report will deal only with the broad issues and the focus will be on the Plan, not on individual representations.

The Programme Officer

4. Jean Radley is the Examination Programme Officer (PO) and is acting as an impartial officer of the Examinations under the direction of the Inspector. Her contact details are as follows;
Telephone (direct line): 01323 41521
Email: jeanradley@hotmail.co.uk
Postal Address: Jean Radley, Programme Officer,
Town Hall,
Grove Road,
Eastbourne, BN21 4UG

The Programme Office is located in the Town Hall and Jean Radley is available by appointment and during the Hearings.

There will be an Examination website located on the Borough Council's web site.

5. The Programme Officer's main task is to liaise with all parties to ensure the smooth running of the Examination, to organise the Hearing timetable, to ensure that all documents received are recorded and distributed, and to keep the Examination Library of Core Documents and Statements, which are available to all participants and members of the public. She does not work full time on this Examination and so will not always be able to respond to questions immediately.

The Programme for the Hearings and the Main Matters for Examination

6. Respondents should confirm as soon as possible whether they wish their views to be dealt with in a written form or whether they feel that they need to come and discuss them orally at a Hearing. **Both methods will carry the same weight** and attendance at a Hearing will only be useful and helpful to the Inspector if you wish and need to participate in a debate.
7. The matters for discussion at the Hearings will be set out in the Hearings Programme, a draft of which is attached to these notes (**Appendix C**). The draft Programme includes the Inspectors Matters and Issues. These issues/questions will provide the structure for any further Statements prior to the Hearings.
8. It is not necessary to attend the Hearings if you agree with the Council and support the Plan because the Council will be representing your views. However the Council may invite you to attend to support its case, effectively acting as an informal "witness" for the Council. It will be for individual participants to check the progress of the Hearings, either on the web site or with the PO, and to ensure that they are present at the right time.

Further Statements based on Inspector's Matters and Issues (Questions)

9. The Inspector invites the Council and Respondents to respond to her questions. Responses should be limited to those questions directly related to the scope of the original representation. A response to the questions is not necessary if the points have already been adequately covered in the representation. A separate statement for each matter and sub-matter should be submitted.
10. Those challenging the soundness of the Local Plan should explain:
 1. What particular part of the plan is unsound?
 2. Which soundness test of those set out in paragraph 182 of the National Planning Policy Framework does it fail to meet?
 3. Why does it fail?
 4. How can it be made sound? and
 5. What is the precise change/ wording that is sought?
11. All Statements should be sent to the PO by **midday on Friday 10 May 2013**. This deadline relates to the receipt of the paper and electronic copies. All further written statements should only address the Inspector's "Matters and Issues for Examination". Many questions will purely seek to clarify what are the Council's intentions, and so replies can be very short. The Council's Statements may also include any responses to the matters in original representations, and should include any Council suggestions for minor changes to the text or plans. Statements will be placed on the Examination web site.
12. The detailed format for further Statements is set out in **Appendix B** below.

The Hearings

13. Hearings will start at 10 am each day and will continue through the day with breaks as appropriate. Please inform the PO if you have any time constraints. Each Hearing will follow a structured, focussed format with a discussion of each matter led by the Inspector. Most Hearings will have a number of participants and

all will follow a round table format.

14. Before each Hearing the Inspector will have read all Statements submitted (by the deadline) in response to her questions. She will assume that all other participants will have read the submissions in so far as they want to participate. There will be no formal presentation of evidence. No new evidence or documents should be submitted at the Hearings or afterwards unless specifically requested.
15. Only those who have made representations relevant to the discussion of an issue at a Hearing and have already indicated that they want to participate at a Hearing will be allowed to speak. However the Hearings will be open to all those who wish to observe.

The Evidence Base and Examination Library

16. The Council has prepared an evidence base list that will be available in the Examination Library (available to view on request from the PO). Most documents will be available on the Council's web site, which will be regularly updated and it will therefore not be necessary for parties to attach extracts of Examination documents to their Statements.

Statements of Common Ground

- 18 Preparation of Statements of Common Ground (SCGs) is strongly encouraged. SCGs identify points not in dispute and highlight areas that remain at issue. In this way they are extremely useful in enabling the hearings to focus only on the key issues that need to be discussed.

Site visits

- 24 The Inspector will visit any sites and areas referred to in the representations before, during, or after the Hearings. This will be done unaccompanied, unless it is necessary to go onto private land.

Communication

- 25 All information, such as updates to the Programme or the Inspector's questions will be placed on the Examinations' website. In the interests of speed and efficiency information sent out to participants will be sent by email if the PO has an email address for you. Please ensure that you inform the PO if you change your email address or, if you require hard copies to be posted, your full postal address.

Appendix B - Format for Statements

- A. Please send, where possible, emailed electronic versions of all Statements and Appendices to the PO (in Word or PDF format) for the Examination web site, as well as the paper copies as detailed below.
- B. Submissions should be succinct and avoid unnecessary detail and repetition of the original representation. Important: you should only answer my questions as they relate to the content of your original representation.
- C. It is the quality of the reasoning that carries weight, not the bulk of the documents. There is no need for verbatim quotations from the DPDs or other sources of policy guidance.
- D. None of the Statements should be longer than **3,000 words**. Any submissions longer than this will be returned by the PO for editing. Statements should be prepared on A4 paper, printed on both sides, and **not bound** but just stapled. Any photographs should be submitted in A4 format and should be annotated.
- E. Supporting material in the form of appendices should be limited to those which are essential and should not contain extracts from any publication already before the Examination, such as the evidence base and nationally available Government guidance – a paragraph or page reference will suffice. Any appendices should have a contents page and be paginated throughout. Whilst the word limit does not include text in appendices, they should respect the aim of succinctness.
- F. Those appearing at **Hearings** should send sufficient copies of all Statements to the PO for issuing to each participant, plus three (for the Inspector, Council, PO and Library), e.g. if 10 people are listed for a hearing, then the PO will require 13 copies (all unbound and just stapled and hole punched). For **written representations** the same format applies.
- G. No Statement/piece of paper submitted in advance of, or at the Hearings, will be accepted if it fails to be clearly marked, **at the top, right hand corner of the first page**, with the appropriate Matter number and Respondent reference, e.g. Matter 2/158. The respondent reference number is a unique number allocated to your comments submitted by letter, email or on line, please contact the Programme Officer who can provide you with your respondent numbers. Please identify the question number to which the response comment relates. The answers to a number of questions can be combined together in one Statement (with question no's referenced) if they are dealt with at one hearing.
- H. All participants should adhere to the timetable for submitting Statements. Late submissions and additional material **are unlikely to be accepted** on the day of the relevant hearing since this can cause disruption and result in unfairness, and can result in an adjournment of the hearing. If material is not received by the deadlines stated below, the PO will assume that you are relying only on the original representations:
- Deadline for Requesting an Appearance – Friday 19 April 2013
 - All Statements: by midday on Friday 10 May 2013.
 - It is stressed that this last deadline refers to the receipt of the paper and electronic copies of statements. It is not sufficient to send an electronic copy by this deadline, to be followed by paper copies at a later time.