GUIDANCE NOTES

1. These Guidance Notes have been prepared to assist participants in the examination into the soundness of the Shepway Core Strategy Development Plan Document (DPD). As part of the examination, hearing sessions will commence on Wednesday 2 May 2012. A schedule of hearings is being issued separately. A Pre-Hearings Meeting is not being held. More detail about how the hearings will operate is set out below, together with general information about the examination. Participants are encouraged to make use of the examination website, where most documents can be located: http://www.shepway.gov.uk/content/view/201374/206/. Additional guidance can be found at: http://www.planningportal.gov.uk/planning/planningsystem/localplans.

The role of the Inspector

2. Michael J Hetherington BSc(Hons) MA MRTPI has been appointed to examine the Core Strategy. His role is to consider whether the Plan is sound and whether the requirements of the Planning and Compulsory Purchase Act 2004 (as amended) and associated Regulations have been met. The Council should rely on evidence collected while preparing the Core Strategy to demonstrate its soundness. Those seeking changes have to demonstrate why the Plan is not sound and why their suggested changes would make it sound.

The role of the Programme Officer

3. Alexandra Sansom has been appointed as the Programme Officer (PO), acting as an impartial officer for the purposes of the examination. Her contact details are circulated with this guidance note. Her principal functions are to ensure the smooth running of the examination; to ensure that documents are recorded and distributed; to maintain the examination library (mainly in electronic form); and to assist the Inspector with procedural matters. She is your first point of contact.

The Examination Process

4. The Inspector will run the examination hearings as efficiently as possible, keeping a tight rein on the discussions and time taken. Repetition will be discouraged. The aim is to conduct a short, but focussed, series of hearings – resulting in the preparation of a short, focussed report.

5. Those who have made representations should have already decided whether their views can be dealt with in written form or whether they need to come and present them orally at a hearing session. Both methods will carry the same weight and the Inspector will have equal regard to views put orally or in writing.

6. Anyone wishing to take part in a hearing session should confirm their participation with the PO. The Inspector will only be hearing those parties who have made such arrangements. Any respondents who intend to speak and have not contacted the
PO should do so as soon as possible. It is open for any representor to submit an additional statement in advance of the hearings. However this is not a requirement and respondents may rest on their main submissions.

7. If a further statement is submitted, it should be **focussed upon the matters, issues & questions** that the Inspector has identified and should be sent to the PO for receipt by 5pm on **Thursday 12 April 2012**. The requirements for such statements are as follows:
   - Statements should be limited to not more than 3,000 words on any one of the main matters. If more detailed material needs to be submitted it should be in the form of appendices (see below) but any such material should not duplicate the content of documents already included in the Core Documents list.
   - Electronic submission of documents is encouraged: this should be in MS Word or PDF format.
   - A4 size is required, with any plans folded so as not to exceed that size.
   - Paragraph and page numbers should be included.
   - Any measurements should be in metric units.
   - Appendices should have a contents page and pages should be numbered.
   - A separate statement should be submitted for each matter addressed.

8. The need for succinct submissions is emphasised. Unnecessary detail and repetition should be avoided. It is the quality of the reasoning that carries weight, not the bulk of the documents. Nonetheless, it is vital that the fundamental elements of cases are set out clearly and succinctly – the hearings are not the place for rabbits to be drawn out of hats.

9. From the Council, a statement is required setting out its responses to the Inspector’s questions, explaining why it considers the Core Strategy to be sound in these respects. This should be submitted within the same timescale. While it is not necessary to prepare detailed responses to all of the representations, the Council may wish to respond to representations that it feels are of particular significance or concern. Further discussion between the Council and representors is strongly encouraged – ideally leading to statements of common ground.

10. Those representors who wish to proceed by written means only need take no further action; they can rely on what they have already submitted in writing. However, if any party wishes to submit further written evidence in support of their position, this should be focussed on the matters, issues and questions that have been identified – and submitted within the same timescale.

11. The Inspector has already had an exchange of correspondence with the Council in respect of various matters. This can be seen on the examination website. As a result of this exchange, it has been confirmed that **the examination will be based upon the July 2011 Core Strategy document** – which was the subject of the Council’s consultation exercise. A significant number of further changes have been proposed by the Council (and incorporated within a January 2012 version of the Core Strategy). These changes will be considered during the examination – along with changes sought by other parties seeking to amend the plan.

**Hearing Arrangements and Procedure**

12. The hearing sessions will commence at **10.00 am** on **Wednesday 2 May 2012** in the **Boulogne Room, Civic Centre, Castle Hill Avenue, Folkestone, Kent, CT20 2QY**. The hearings programme will be circulated separately. Subsequent sessions will also start at 10.00am. A short break may be taken mid-morning.
and mid-afternoon, with a lunch break at about 1.00 pm. Where an afternoon session is shown, this will begin at 2.00pm. The hearings will focus on the matters, issues and questions outlined by the Inspector. They are public hearings and interested persons are welcome to sit in, even if not taking part. Any participant who has a disability that could affect their contribution to the Examination should contact the Programme Officer as soon as possible so that any necessary assistance can be provided.

13. The sessions will generally take the form of round table sessions, providing an informal setting for dealing with issues by way of a discussion led by the Inspector. Those attending may bring with them professional advocates and witnesses, although there will be no formal presentation of evidence or cross-examination. The PO will ask hearing participants who will be speaking at the sessions. More detailed agendas will be circulated before the hearings. Comments should focus on those aspects of the Core Strategy that parties are seeking to change: it is for the Council to explain why it considers the Plan to be sound as submitted.

Site Visit Arrangements

14. The Inspector will view relevant locations from public roads and footpaths before or after the hearing sessions. This will be done unaccompanied by the parties, unless it is considered that an accompanied visit is necessary – for example where the land concerned cannot be seen from the public road. In such cases, the PO will liaise with the parties to make arrangements. Accompanied site visits will not be the opportunity for discussion of the merits of the cases concerned.

Close of the Examination & the Inspector’s Report

15. Once the Inspector has gathered all the information necessary to come to reasoned conclusions on the main issues, he will write his report. The examination itself remains open until the report is submitted to the Council. However, once the hearing sessions are completed the Inspector can receive no further information from any party, unless it is a matter on which further comments have been requested. Any unsolicited items will be returned to the sender. The Inspector will announce the likely date of report’s submission at the end of the final hearing session.

16. The Council has requested, in line with section 20(7C) of the Planning and Compulsory Purchase Act 2004 (as amended), that in the event of any soundness/legal compliance failures being identified during the examination, it wishes the Inspector to recommend modifications to the Plan. These would be set out in the Inspector’s report: in such an event, the Council should amend the Plan in the light of the report’s recommendations and move swiftly to its formal adoption. The Council is publishing a schedule of suggested changes on the examination website: this will be updated as a live document as the examination progresses. The Inspector will consider suggested changes from the Council in the same way as he will consider changes put forward by other parties.

17. Any queries regarding the examination programme should be addressed in the first instance to the Programme Officer.

Michael J Hetherington
Inspector for the Shepway Core Strategy DPD Examination
14 March 2012