

Oadby and Wigston Town Centres Area Action Plan Examination
Pre Hearing Meeting, 24 April 2012, 10.00am
Council Chamber, Council Offices, Station Road, Wigston, LE18 2DR.

Present:

Mike Fox (Planning Inspector)	Tony Parr (Oadby Civic Society)
Stephen Dukes (Programme Officer)	Peter Bliss (Oadby Civic Society)
	David Fletcher (Oadby Town Centre Association)
Adrian Thorpe (OWBC)	Robert Kemp
Rob Harbour (OWBC)	Mrs A Squires
Kirstie Rea (OWBC)	Mrs Margaret Rawson
Edward Morgan (OWBC)	Anne Coulstock (Age Concern Oadby and Wigston)
Jamie Carr (OWBC)	Eileen Holly (Age Concern Oadby and Wigston)
Duncan Elliott (OWBC)	Angela Bishop (Age Concern Oadby and Wigston)
Marc Watterton (Taylor Young, on behalf of OWBC)	Florence Drage (Age Concern Oadby and Wigston)
Frazer Robson (Oadby Trinity Methodist Church)	Michael Lambert (Leicestershire Police)
Don Candlin (Oadby Trinity Methodist Church)	Sarah McCartney (Leicestershire County Council)

1. Opening and introductions

- 1.1. Mike Fox (MF) opened the meeting at 10.00am and introduced himself as the Inspector appointed for the examination of the Oadby and Wigston Town Centres Area Action Plan. MF stated that from now on he would refer to the previously mentioned document as simply 'The Plan'.
- 1.2. MF announced that the hearing sessions will commence on Monday 11 June, at the Council Offices, and likely to take place in the committee room adjoining the Council Chamber.
- 1.3. MF encouraged all participants to view themselves as being on essentially the 'same side'. Although the Council and those who have made objections to the Council's Plan were present, MF pointed out that all participants have the same overall aim of wanting what is best for the town centres.
- 1.4. MF introduced Stephen Dukes (SD) as the Programme Officer. SD informed all of housekeeping arrangements.
- 1.5. MF announced that the meeting should finish before midday.
- 1.6. MF asked the Council to introduce who would be representing them at the meeting. Adrian Thorpe (AT), the Forward Plans Manager, announced that it would be mainly himself representing the Council.
- 1.7. MF asked if attendees who wished to speak at the PHM could raise their hands. Angela Bishop (AB), Robert Kemp (RK), Florence Drage (FD) and Michael Lambert (ML) raised their hands. MF announced that if anyone else wished to

Speak during the course of the PHM they should raise their hand at the appropriate time.

2. Purpose of the Pre Hearing Meeting

- 2.1.** MF explained the purpose of the PHM which was to consider the programme for the hearings, agree participation and explain procedures.
- 2.2.** MF stated that no evidence would be heard at the PHM, this would occur at the hearing sessions. A detailed agenda will be prepared for each session following the PHM.

3. Role of the Programme Officer

- 3.1.** MF explained that although the Programme Officer, Stephen Dukes was an employee of the Council, he had not been involved in the preparation of the AAP. MF explained that for the purposes of the examination, the Programme Officer works under his direction, independently of the Council.
- 3.2.** Any communication with the Inspector must be through the Programme Officer, who acts as a channel of communication between the Inspector and all parties.

4. Scope of the Examination and the role of the inspector

- 4.1.** MF explained that his task for the Examination was to consider the soundness of the Plan, based on the four tests of soundness outlined in Paragraph 182 of the new National Planning Policy Framework published by the government on 27 March 2012 (document S3 within the AAP document library). The four tests of soundness are whether the Plan is:
 - 4.1.1.** Positively prepared (the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development);
 - 4.1.2.** Justified (the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence);
 - 4.1.3.** Effective (the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities); and
 - 4.1.4.** Consistent with national policy (the plan should enable the delivery of sustainable development in accordance with the policies in the Framework).
- 4.2.** MF outlined that his starting point for the Examination was the assumption that the Council has submitted what it considers to be a sound plan. Those seeking changes to the Plan must aim to demonstrate why the Plan is unsound and in what way, by reference to one or more of the four soundness criteria.

- 4.3. Angela Bishop (AB) asked where the needs of people in the Borough came into those tests of soundness. MF explained that the needs of people would come under the umbrella of whether the Plan was justified.
- 4.4. MF announced that within the Examination he would be focusing on the Plan and the matters and issues associated with it, rather than focusing separately on individual representations. The Hearing sessions will take the form of 'round table' discussions – with the discussion channelled through and guided by the Inspector, rather than the form of a public inquiry, and the Inspector will not allow cross examination to take place.
- 4.5. MF stated that following the Hearing sessions he will provide a report to the Council with his conclusions and any changes which the Council need to make to ensure that the Plan is sound.
- 4.6. MF outlined that links to Guidance documents are available on the Council's website as part of the Inspector's Guidance Note (Document Library document S1- Appendix B).
- 4.7. MF stated that the number of representations made was 1,385 duly made representations from 294 respondents, with a further 118 late representations received from 28 respondents).
- 4.8. MF stated that he is examining the submitted plan, which is the Publication Draft Submission Document which was published for consultation October 2011.
- 4.9. MF recommended that as part of the Examination the Council should recommend any main changes which should be made to the Plan as a result of the representations received. MF commented that he has already received an outline of the minor changes, and stated that this would not be something for him to consider as part of the examination if the changes were just minor, but he would look at these minor changes to simply check that anything included within them was not classed as 'major'.

5. Procedural Questions for the Council

- 5.1. MF explained that he had to ask the Council a series of procedural questions outlined below:
 - 5.1.1. MF asked the Council whether the AAP been prepared in accordance with the Local Development Scheme. AT – Agreed that yes it had.
 - 5.1.2. MF asked the Council whether the AAP was in general accordance with the Statement of Community Involvement and public consultation requirements. AT replied that yes the AAP was.
 - 5.1.3. MF asked the Council whether the AAP had been subjected to a Sustainability Appraisal. AT replied that yes the AAP had been subject to sustainability appraisal at all stages during its production.
 - 5.1.4. MF asked the Council whether the AAP had regard to national policy. AT replied that at the time of preparing the Plan, it was indeed in line with

national policy, and that the Council would include any implications of the new national policy on the Plan within its statements to the Inspector.

5.1.5. MF asked the Council whether a Habitats Regulations Assessment had been prepared, and its conclusions taken into account in the AAP. AT replied that Natural England had advised that a further appropriate assessment was not required, as the AAP was in general conformity with the Council's Core Strategy, and a Habitat Regulation Assessment had been prepared for the Core Strategy (see documents O2 and O3 in document library).

5.1.6. MF asked the Council whether the AAP had been prepared in accordance with the Duty to Cooperate. AT replied that the Duty to Cooperate had not been a formal requirement during the preparation of the Plan but had been consulted upon since.

5.1.7. MF asked the Council whether the AAP was in general conformity with the Oadby and Wigston Core Strategy. AT replied that yes it was in conformity with the Core Strategy.

6. Procedure prior to the opening of the Hearing sessions of the Examination

6.1. MF stated that he would ensure that the Examination would be carried out as efficiently as possible and therefore representations should be short and focused.

6.2. MF emphasised the point that he would give equal regard to views made in writing or at a hearing session. If participants request an appearance at the table then they would be expected to contribute to the discussions.

6.3. MF informed that anyone wishing to participate at a Hearing session should let Stephen Dukes (SD), the Programme Officer know by Friday 27 April.

6.4. MF stated that it was not essential for participants to make any further statements if they did not wish and that previous representations would be taken into account, but that they may wish to in light of the matters and issues outlined in the Inspector's Guidance Note.

6.5. MF advised that any statements made should focus on the issues and outline which parts of the AAP are considered unsound. They should state how the Plan could be made sound and can include a suggestion of the wording to change a policy.

6.6. MF thanked the Council for the Situation Updates which they have already produced (these will be uploaded onto the Council's website following the Pre Hearing Meeting).

6.7. MF highlighted that Appendix D of his note (document S1) provides guidance on the format for statements, and emphasised the 3,000 word limit.

6.8. MF extended the time limit for making statements, moving the deadline from Friday 27 April 2011 to Friday 4 May 2011. The government have also asked

for any comments on the National Planning Policy Framework (document S3), and therefore the extra time will allow for comments on this to be made. MF stated that the Council have an extra week, until Friday 11 May in which to make statements, as they will also have the job of responding to statements made by other participants.

6.9. MF stated that he would encourage participants to prepare statements of common/ uncommon ground, giving the example that a participant may be able to come to an agreement with the Council that the amount of car parking should be increased, but with a disagreement on where this car parking should be.

6.10. AT asked how strict the 3,000 word limit on statements was for the Council, as the Council intended to respond to each question raised by the Inspector under each of the Matters. MF replied that common sense should be used in this, and that there could be a degree of leeway in the 3,000 word limit for the Council, but that the limit was there to discourage people from making the same point many times.

6.11. Robert Kemp (RK) raised concerns about whether the Plan had been subject to sustainability appraisal. MF replied that the PHM was not an opportunity to discuss such issues which would be discussed at the hearing sessions. RK raised a concern about whether a sustainability appraisal had been carried out at all. MF confirmed that he had seen the Sustainability Appraisal which he had read through, but that the Hearing was the place to debate whether the Sustainability Appraisal produced was acceptable. RK referred to government guidance on the definition of sustainable development released the previous week and questioned whether the Sustainability Appraisal would meet the modern criteria and definition of sustainable development. MF stated that the definition of sustainable development was not a recent one but one which went back to the Brundtland Report 1987 and therefore the Council would have been aware of the earlier definition. RK thanked MF for explaining this and agreed that it would be the job of the Inspector to decide whether the Sustainability Appraisal meets the criteria.

6.12. Frazer Robson (FR) asked whether statements should be submitted in paper or electronic format. MF replied that he did not want to discourage people from using electronic communication and therefore representations could be made in a format that people are comfortable with- either posted or emailed to the Programme Officer.

7. Hearing arrangements and procedure

7.1. MF announced that the hearing sessions would begin on Monday 11 June 2012 at 10.00am, beginning on subsequent days at 9.30am. Separate sessions would be held for each of the topic areas. Anyone wishing to speak must inform the Programme Officer by Friday 27 April.

7.2. MF explained that at the first session he would open with a statement, and then the Council would make an informal statement on each of the issues. Other parties would be able to make an initial statement on the matter if they deemed this necessary.

7.3. MF advised that the key issues which would be addressed were outlined in Appendix C of the Guidance Note (document S1), although there may be other issues in addition to these which could come out of the hearings.

8. Site visits arrangements

8.1. MF said the he would undertake site visits on the final day of the hearing, currently scheduled for the Thursday. He would allow any participants to accompany him on these visits.

8.2. MF mentioned that he had already undertaken a tour of both town centres the previous day, accompanied by the Programme Officer.

9. Close of the Examination

9.1. MF explained that the Examination remains open until the Final Report is published. MF may still ask for further information to be provided during this time, but participants cannot ask any further questions to the Inspector.

10. Submission of the Inspector's Report to the Council

10.1. MF announced that his Final Report may be published at the end of July, but pointed out this was an early estimate and could change.

11. Hearings Programme

11.1. MF announced that he had produced a draft programme for the hearing sessions. This was circulated by SD. MF explained that there was some flexibility in the programme, but he would prefer to keep the Oadby discussion on one continuous day.

11.2. MF stated that one participant had made the SD aware that his statement centred on the definition or extent of the town centres, which was not on the agenda to be discussed until the session on the Wednesday. However, MF said that he would not curtail discussion if it strayed from the points outlined, but that if participants scheduled to attend at the next session were not present, the issue could be discussed again then.

11.3. Michael Lambert (ML) mentioned the question about the night time economy and what this would relate to and when it was likely to be discussed. MF mentioned the importance of the night time economy to the overall economy of places, but referred to its sometimes negative connections with crime and anti-social behaviour. MF mentioned that it would be helpful to have the views of the Police in terms of strategies for designing out crime.

11.4. MF stressed the importance of written representations and that participants were not in an inferior position if they just wished to make written representations.

12. AOB/ Questions

- 12.1.** AB asked how the hearings would be recorded – whether they would be taped or notes taken. MF replied that it was not necessary to take a recording but that he would listen and take notes and use these to inform his report to the Council. AB asked whether the notes would include reference to who said what. MF confirmed that notes from the PHM would be circulated, which would include reference to speakers, but in his final report to the Council following the Hearing sessions, MF would not be doing this to protect peoples' identities.
- 12.2.** Don Candlin commented on MF's previous comment that there would be no cross examination, and asked whether MF would take this approach if there were inconsistencies in the Council's statements. MF explained that it is his role to probe, and that if there were soundness concerns, he would ask questions to resolve that problem. Participants, however, were free to put questions to other parties, via the Inspector. MF explained that he would ensure a rigorous examination, but keep proceedings informal.
- 12.3.** MF thanked SD for his work in preparing for the PHM.
- 12.4.** Tony Parr (TP) queried when the programme for the hearings would be finalised. MF confirmed that the programme would be finalised shortly and sent out on Monday morning (30 April). Three people present stated that they did not have email and would like to receive correspondence by letter or phone. A fourth person also stated this after the close of the PHM.
- 12.5.** AB asked for these arrangements to be clarified. MF confirmed that people should let SD know by Friday 27 April if they wish to attend the hearings, and the programme will be sent out on Monday. AB asked if a name was currently on the draft agenda, if that person was able to speak. MF stated that it would be helpful if participants could still confirm with SD.
- 12.6.** FR queried which documents were the car parking strategy and delivery strategy and where these would be available, and also asked what the 'coloured document' was. SD referred FR to the document library, and stated that the delivery strategies were documents H6a and H6b and the 'coloured document' was the table of representations made, Key document (iii) in the document library. AT said he would confirm what the 'car parking strategy' referred to following the PHM, and SD would liaise with the Council on this and inform FR.

13. Closing Remarks

- 13.1.** MF encouraged parties to nominate spokespersons if more than one person from that party would be attending.
- 13.2.** MF encouraged those present to make the best use of the remaining time, including making any comments on the National Planning Policy Framework.
- 13.3.** MF announced that the meeting was closed.