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Cynllun Datblygu Lleol ar y Cyd Gwynedd a Môn	
Anglesey & Gwynedd Joint Local Development Plan	
EXAMINATION	

Note of the Pre-Hearing Meeting

Held at the
Dafydd Orwig Chamber, Gwynedd Council Offices,
Shirehall Street, Caernarfon

on Tuesday 14 June, 2016 at 10.30am

1. Opening and Introductions

- 1.1 Hywel Wyn Jones, the lead Inspector, welcomed everyone and introduced himself, the assistant Inspector, Mr Richard Duggan, and the examination's Programme Officer, Ms Sharon Ellis. He explained that the Inspectors would be assisted in their task by Planning Officers of The Planning Inspectorate.

2. Purpose of Pre-Hearing Meeting

- 2.1 The Pre-Hearing Meeting was held to explain and discuss procedural and administrative matters relating to the management of the Examination. It was explained that a draft timetable for the hearing sessions had already been placed on the website and circulated to all prospective participants.
- 2.2 The content and merits of the Plan and the representations were not discussed during the meeting.

3. Programme Officer's Role

- 3.1 The Programme Officer will act as an independent officer for the Examination, under the direction of the Inspectors. Her responsibilities are set out in the Guidance Note for Representors. In brief she will assist with procedural and administrative matters.
- 3.2 Any matters which the Councils or participants wish to raise with the Inspectors should be addressed to the Programme Officer. Her contact details are appended to this Note. The Programme Officer will also be responsible for making arrangements for the hearing sessions, for receiving, recording and distributing documents and for maintaining the examination Library.

4. Scope of the Examination and the Inspectors' Role

- 4.1 The Inspector explained that the purpose of the Examination was to examine the soundness of the Plan. The role of the Inspectors is to consider whether the Plan meets the requirements of Sections 63 & 64 of the Planning & Compulsory Purchase Act 2004 and associated regulations and whether it complies with Planning Policy Wales. These requirements fall into two broad groups: meeting legal requirements and meeting the tests of soundness. The tests are set out in paragraph 2.5.11 of Planning Policy Wales.
- 4.2 The starting point for the Examination is the assumption that the Councils have submitted a Plan they consider to be sound. The representations made will be the starting point in the Inspectors' examination into the soundness of the Plan. All representations made at deposit and focussed change stages will inform their consideration. However, there is no requirement to report individually on every point raised in objection.
- 4.3 The Inspectors' authority to recommend changes to the Plan is limited to those that are necessary to make the Plan sound, as opposed to those changes that would serve to improve a sound Plan. The duly made representations of all parties will be taken into account but only insofar as they relate to the soundness of the Plan.

5. Procedural Questions for the Councils

- 5.1 Ms Nia Davies, the Councils' Joint Planning Policy Manager introduced officers of the Unit as well as officers and Cabinet Members of the two Councils before answering positively to the procedural questions put by the Inspector by: confirming that the Plan had been prepared in accordance with the statutory procedures under Section 64(5)(a) of the 2004 Act and associated regulations; it is compliant with the Delivery Agreement and the Community Involvement Scheme; and it is supported by a Sustainability Appraisal and a Habitats Regulations Assessment.
- 5.2 Ms Davies also confirmed that the starting point for the examination is the Deposit version of the Plan as amended by the Schedules of Focussed Changes and Minor Editing Changes documents (February 2016). It was noted that the focussed changes have been subject to public consultation and have been assessed in an addendum to the Sustainability Appraisal.

6. Representations on the LDP

- 6.1 The Councils have indicated that some 1,697 representations have been received to the deposit JLDP from 458 organisations and individuals. Approximately 130 representations, from 24 respondents, have been received in response to the Focussed Changes.

7. Methods of Considering Representations

- 7.1 Most representations will be dealt with on the basis of the written submissions with the remainder dealt with orally at hearing sessions. Both methods will be afforded the same weight in the Examination. Where no preference has been expressed it will be assumed that a representation is to proceed by way of the written submission. No further submissions will be permitted in support of such written representations unless the Inspectors request further information, in which case the representor and the Councils will be invited to submit additional comment or clarification.
- 7.2 Any representor who originally wished to be heard but subsequently decides to rely on their written submissions should inform the Programme Officer at the earliest opportunity. Only those parties seeking specific changes to the Plan are entitled to participate at the hearing sessions of the Examination. Supporters of the Plan, its policies or allocations are not entitled to participate at the sessions.

8. Procedure at Hearing Sessions

- 8.1 The sessions will normally take the form of a discussion led by an Inspector and will be based on the questions and issues set out in the agenda for that meeting. The agendas and draft programme of hearings will be issued at the same time as this Note, but the content may subsequently change. If this happens participants will be sent a revised version as soon as possible. Any changes will also be placed on the website. It may also be necessary to issue requests for additional information in advance of particular hearing sessions, and this will also be recorded on the website.
- 8.2 The Guidance Notes explain how the hearings will be run. They will be conducted on an informal basis but will be structured so as to enable the Inspectors to gather the information required to reach a conclusion on the matters being examined.
- 8.3 Given that a good point made once does not improve by being repeated it would be helpful if representors who share the same views consider appointing a spokesperson to act on their behalf. In any event, in the interests of the efficient running of the examination the Inspectors will intervene if the same point is repeated or matters are raised which depart from the substance of a participant's original representation.
- 8.4 Whilst any further changes to the Plan should be kept to a minimum, during the course of a hearing it may become apparent that changes are necessary to the Plan to overcome an identified shortcoming. Any changes which the Councils suggest during the Examination should be recorded in detail in a list for each hearing session and a list of any other suggested changes which may not be directly related to any session. The Councils have already indicated that it wishes to suggest certain changes in response to representations received to the Focussed Changes. This should be presented as the first schedule of such changes (known as Matters Arising Changes).

9. Examination Programme

- 9.1 The hearing sessions are presently scheduled to start at 9.30am on 6 September 2016 in Bangor City Council's Chamber. In addition to Bangor there will be sessions held in Caernarfon and Llangefni. The details are set out in the draft programme, but as this may change the web site should be consulted regularly. The Programme Officer will notify participants of any changes to those sessions to which they have been invited.
- 9.2 The programme and list of participants to each session has been carefully devised to ensure that none of the sessions are too large whilst ensuring that each representor who has a right to be heard is invited to a session most relevant to their objections. The matters to be addressed are wide ranging and reflect the objections raised to the Plan as well as other matters which the Inspectors consider necessary to explore. As the Inspectors continue to examine the Plan, evidence base and representations it is possible that other matters may emerge and the programme may need to be adapted accordingly.
- 9.3 Ms Davies confirmed that officers had delegated powers to represent the Councils at the hearing sessions and would have direct contact with the relevant Cabinet Members to agree certain other matters without the need to seek formal authority or approval from the Councils. The Inspector emphasised the importance of ensuring that, as far as possible, those representing the Councils at every hearing session were able to engage effectively in addressing any deficiencies that might be identified in order to resolve matters at the session, rather than seeking to defer matters to allow discussion with individuals outside the session. This would facilitate a positive resolution to any problems and avoid unnecessary delays in the examination programme.

10. Submission of Further Information

- 10.1 Those invited to a hearing session may submit a statement in advance of the session, which should only cover those matters and issues identified in the agenda of the session that are directly related to their duly made representation. If a statement includes matters not raised in the original representation it may be returned. The Guidance Notes provides further advice on the submission of these statements. In cases where the original representation is considered to fully address the matters raised in the agenda there is no need to submit an additional statement, though it would be helpful if the Programme Officer was notified accordingly.
- 10.2 To enable Inspectors and all other participants to understand every participant's case in advance, it is important that the deadline for the submission of statements is respected. All statements should be submitted by 16 August 2016. The Programme Officer will endeavour to circulate all statements received as soon as possible after this date.
- 10.3 In certain cases the submission of a statement of common ground by the Councils and some representors can assist in identifying matters which are

agreed by the parties thereby enabling those matters in dispute to be clearly identified and discussed at a hearing. Early consideration by all parties of the potential to submit such statements is encouraged.

10.4 Translation facilities will be available at all hearing sessions.

11. Availability of Information

11.1 The Programme Officer will maintain the examination library. It contains Submission and Supporting Documents and Examination Documents. These include national, regional and local policy documents, background papers and any other documents that are likely to be referred to including all representations and statements. The Documents list is available on the Councils' website.

11.2 Any documents that a participant to a hearing intends to refer to should be included in the list of Supporting Documents in the examination library. In the event that the library does not presently include such a document the participant should provide 3 copies of such documents to the Programme Officer.

11.3 The library is currently held at Gwynedd Council Offices, Shirehall Street, Caernarfon. The Inspector confirmed that during the period of the hearing sessions the library will move to the Programme Office at each of the venues. Any queries in relation to the library should be directed to the Programme Officer. The library can be accessed electronically via the examination web page. As the efficient running of the Examination requires the website to be updated without delay the Councils have been advised to ensure that they have robust internal arrangements in place to facilitate this.

11.4 This Pre-Hearing Meeting Note will be published on the Examination website and representors will be notified accordingly. The Programme Officer will send hard copies of the Note on request.

12. Site visit arrangements

12.1 The Inspectors will carry out a tour of the County to familiarise themselves with the area, and have already commenced visiting places referred to in the representations on an unaccompanied basis. Where a site is not visible from a highway or any other public vantage point it may be necessary for the Inspectors to be accompanied onto the site by a representative of the land owner and the Councils. It should be noted that there will be no opportunity at an accompanied visit to make any representations to the Inspectors.

13. Close of the Examination

13.1 The Examination will remain open until the Inspectors' report is submitted to the Councils. However, no further representations or evidence will be accepted after the hearing sessions have finished. The Examination remains open to enable the Inspectors to request further information which they may require.

13.2 Any late or unsolicited material is likely to be returned.

14. Submission of Inspector's Report to the Councils

14.1 After the Examination has closed, the Inspectors will submit their report with binding recommendations to the Councils. The date of submission will depend on the content, extent and length of the Examination and the likely date will be announced at the end of the hearings sessions.

15. Councils' response to Inspectors' Preliminary Note

15.1 A fortnight or so in advance of the meeting the Councils submitted a response to the Inspectors' Preliminary Note to the Councils (both available as examination documents on the website). The Inspectors provided their initial response to this at the meeting.

15.2 With regard to the Sustainability Appraisal the Councils were advised that the Inspectors consider that further work is required in respect of certain detailed policies that may have significant sustainability implications. In addition, the Inspector highlighted certain discrepancies with regard to policy numbering set out in the SA and those of the Deposit JLDP. The Councils' written response to these matters should be presented to the Programme Officer by 28 June.

15.3 Noting the content of a letter from the Councils dated 10 June 2016, the Inspectors sought clarification with regard to the potential allocation of a permanent gypsy and traveller site on Anglesey and queried the suggested timescale for the identification of temporary stopping sites. Ms Davies advised that the Council was due to prepare an addendum to Topic Paper 18 which would address these issues. Mr Dylan Williams, Head of Regulatory and Economic Development Services for the Isle of Anglesey County Council advised the Inspector that the Council's Leader and Chief Executive were involved with progressing this, but requested that the session to discuss this topic be moved towards the end of the hearing sessions. The Inspector stated his concerns with the potential for delaying this session which could only be justified if there were good prospects that the additional work being undertaken would lead to a positive outcome. The Councils were requested to submit a note by 17 June setting out in detail the preparatory work which has already been completed, the process of consultation and the anticipated timescale for completion of the work, together with a comment on the reasons why the Councils consider that this exercise will lead to a successful outcome despite the failure of previous initiatives. The Inspector will then decide whether to move the session closer to the end of the hearing sessions.

15.4 Clarification was provided on the implications of the additional work proposed on renewable energy to the Plan and that the report that is due to be published imminently would identify any additional site(s) required and that the additional work would not delay the programme.

15.5 The Councils were advised to prepare, in advance of the hearings, an alternative position that they would wish to present in the event that their

stated position on a particular point was found to be untenable, for instance by suggesting a change to the Plan.

- 15.6 The Inspector highlighted the deadline of 16 August for the submission of statements and raised some concern with the Councils' timetable for the submission of the additional work and whether these could be shortened. Ms Davies stated that the timescales proposed take account of the resources available in terms of officer time, the holiday period and any potential time lost due to sickness within the team. It was agreed that in light of the Inspectors' concerns that the Councils would submit a revised timetable that would introduce shorter deadlines where possible. [This should be provided by 28 June]
- 15.7 The Council asked whether it was possible to stagger the deadline for the submission of statements, with the statements for weeks 1 and 2 to be submitted by 16 August and the statements for weeks 3 and 4 to be submitted by 26 August. The Inspector advised that this would not be permissible given that changing the deadline would prove difficult for all involved in the process, especially the preparation work of those that would be involved throughout the 4 weeks of the hearings. If it proved necessary, and assisted with the concerns regarding their workload pressures, the Councils would be permitted to submit addendum papers for one or more particular topics to be discussed at the sessions in weeks 3 and 4 provided they were submitted at least 10 working days in advance of the relevant session. If the Councils' anticipate that this will be necessary they should explain their intentions in this regard to the Programme Officer well in advance of the deadline for statements, and should ensure that they provide a statement for that session by August 16.
- 15.8 The Inspector reminded the Councils' to ensure that at each hearing session it is represented by a team which includes any officers or consultants from outside the Plan preparation team that may have had significant specialist input into the topics to be discussed.

16. Questions

- 16.1 The following responses were provided to questions raised by the named persons:

Mr T Conway

With regard to the test of 'Soundness' the Inspector confirmed that the representation forms referred to the tests, but acknowledged that it was difficult for the 'lay person' to make an assessment on this issue. However, any representations submitted would be assessed by the Inspectors in light of the test of soundness.

The Inspector confirmed that the issue raised in relation to renewable energy would not be discussed at this meeting but there would be an opportunity to do so at the appropriate hearing session.

Ms Mairede Thomas

With regard to the publication of new tests of soundness in the most recent edition of Planning Policy Wales and the implications on the JLDP, the Inspector referred to paragraph 3.7 of the 'Guidance Notes for Representors' and confirmed that any differences with the previous tests of soundness do not dilute the influence of the representations received.

In terms of access to the examination library documents the Inspector confirmed that it was imperative that everyone, including those requiring access to hard copies, has the opportunity to familiarise themselves with all the available information. The library is presently in the main Gwynedd Council offices in Caernarfon but would be available at the hearing venues. The frequency that the website will be updated on occasions means that it is not practical to notify representors individually of every change. However, changes of particular significance to certain representors will be subject to individual notification. In other cases representors should consult the website regularly where every effort will be made to ensure that latest additions will be readily identifiable.

Any changes to the Plan during the course of the Examination would be regarded as 'Matters Arising Changes' which would need to be subject to public consultation. Any representations submitted by interested parties at that stage would be assessed by the Inspectors.

Mr Owain Wyn

The Inspector confirmed that the draft programme can change during the course of the sessions. Requests to change the draft timetable would be considered. However, it is difficult to amend the programme for an individual if they are unable to attend as this would have a knock on effect on other attendees.

The Inspector referred to paragraph 8.7 of the 'Guidance Notes for Representors' which dealt with Statements of Common Ground. The submission of such statements can save time and shorten the length of statements.

In terms of the query relating to alternative sites, the Inspector referred to paragraph 5.6 of the 'Guidance Notes for Representors'. The Inspector also clarified that if the allocated housing sites put forward by the Council are found to be sound and adequate to meet the requirement there is no need for Inspectors to look at the merits of alternative sites. However, if there is a need to allocate additional sites it is then up to the Councils to put these forward.

Ms Sarah Price (Horizon)

The Inspector confirmed that the Wylfa Newydd topic will be raised at various sessions but that these discussions may be curtailed to allow for a fuller and more detailed discussion to take place at the specific Wylfa session. The Inspector also confirmed he considered that the proposed half day session would allow sufficient time to discuss the necessary issues raised within the agenda, though other arrangements can be made if this proves necessary.

Mr Paul Green, Cyngor Tref Biwmares

The Inspector confirmed that space will usually be available for one seat per representor at each session, but the Council's team would inevitably require additional spaces. If space permits, others may be allowed a second seat at the table. Otherwise, there will be space available for a colleague to sit behind a participant to provide support during the session.

Mr Tom Brooks

The Inspector referred to the 'Guidance Notes for Representors' which provides advice on submitting further statements and the introduction of new evidence. Only if there has been a change in circumstances could new evidence be submitted.

Any representor who wishes to be heard but who has not been invited to any hearing session should, if they consider that they fall within the category of having a right to be heard, contact the Programme Officer as soon as possible.

Any representor wishing to attend more hearings than the session/s to which they have been invited should also raise this with the Programme Officer. It should be noted that those representors that centre on a specific site/s have generally been invited only to sessions dealing with those sites. It is envisaged that such hearings will deal with some of the topics covered in other sessions insofar as they relevant to the sites under consideration.

Given that objectors to alternative sites are effectively supporting the Plan such representors do not have the right to be heard. In these instances the Councils can be expected to present the case against the allocation of such sites. The Councils may choose to include in its case any matters which have been raised by those representors who support its stance. Whilst in some cases site proponents may be represented by professionals the Inspectors will concentrate on the merits of each case rather than way it is presented. The 'Guidance Notes for Representors' provides further advice on this issue.

Cyng Wyn Williams

The Inspector confirmed that anyone has the right to come to a hearing session as it is a public session but not everyone has the right to take part in the discussion. The Inspector acknowledged that Members have been democratically elected by their community, but they do not have more of a right to take part in the sessions than anyone else.

Mr Hugh Richards

The Inspector confirmed that the Examination Programme did not propose holding two sessions at the same time.

17. Close of Meeting

17.1 The meeting closed at 12.00pm.

APPENDIX A

PROGRAMME OFFICER CONTACT DETAILS:

Programme Officer: Sharon Ellis

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