

Standing up for Hertfordshire's countryside

Simon Berkeley (Inspector)
North Hertfordshire Local Plan Examination
C/o Louise St John Howe (Programme Officer)
PO Services, PO Box 10965
Sudbury
Suffolk
CO10 3BF

Our Ref:

Your Ref:

30 November 2018 (by email)

Dear Inspector Berkeley,

Examination of the North Hertfordshire Local Plan

In your note (Exam Doc ED 132) of 6 June 2018 you stated that you would be inviting representors to send in written comments on the documents submitted to you by the Council that they had not yet had an opportunity to provide views on during your examination of the above Plan. That note followed on from your note of 18 April (ED130) at the end of the programmed hearing sessions. The final paragraph in your note of 6 June clearly indicated that this step would enable representors to make comments that might influence your consideration of important matters relevant to the soundness of the Plan before you completed your advice to the Council through action notes, etc.

Your note of 23 July 2018 (ED133) repeated that promise, and stated that you would then 'decide on the next steps in the examination', but did not expect this to be until September. On 11 October 2018 you placed a further note on the website (ED134) stating that you had asked the Council to comment on newly-published household projections, and that you would not be in a position to decide on your next steps in the examination until after such comments had been received, that these would be posted on the website after the end of October, and that the next steps would also be posted on the website.

It is therefore with surprise, and some dismay that we received your letter of 16 November 2018 (ED162) stating that you had reviewed all the material submitted by the Council and their proposed main modifications, and that you had written to the Council with further comments (ED160). Those comments were made without the benefit of any written statements or comments from representors in line with your previous notes.

Your letter (ED162) now states that representors will only be able to comment on the extensive documentation submitted by the Council in the context of the Council's proposed main modifications and clearly implies that you will not be seeking any further work or changes to the Plan as a result of representors' comments before you prepare your Report on the examination.

Given the potential implications of the new household projections (your note ED 134 and Council response ED159), let alone any issues arising out of the Council's other new

documentation, we do not understand how the examination can be concluded without a formal opportunity for representors to influence your examination of the matters on which you sought the Council's opinions (but not their own) before determining whether any further modifications are likely to be required, or on whether there are any new issues of soundness that need to be addressed as a result.

We are aware of the Planning Inspectorate's document 'Procedural Practice in the Examination of Local Plans' which says (at paragraph 5.26) that you need to be satisfied that the requirements for public consultation have been or will be met, and that (para 5.31) exceptionally there should be the opportunity for further hearing sessions.

Given that you sought further documentation from the Council after the scheduled hearing sessions ended, and that you stated that representors would be invited to submit a response to that documentation before proceeding with the examination, and the significance of the matters addressed in your notes to the Council and their responses, we ask that you reconsider your proposed way forward with the examination.

We ask you to reconsider inviting representors to submit any further comments to you on all of the new documentation from the Council relevant to their representations now, before giving them a subsequent formal opportunity to respond to final draft main modifications that may be affected by your findings as a result of representors' comments.

Both of these steps should in our view take place before you complete your consideration of the Council's final proposed Main Modifications to the Plan and formal Representations on those Modifications.

Yours sincerely,



Steve Baker,
Planning Manager