
North Hertfordshire District Council

Examination of the North Hertfordshire Local Plan 2011 - 2031

**Guidance note
for people participating in the examination:
the procedure for the further hearings to be held on 1 and 2
February 2021**

December 2020

Inspector: Simon Berkeley BA MA MRTPI

Programme Officer: Louise St John Howe
PO Services, PO Box 10965, Sudbury, Suffolk CO10 3BF
louise@poservices.co.uk
07789 486419

Introduction and background

1. I am Simon Berkeley, the Planning Inspector appointed by the Secretary of State for Housing, Communities and Local Government to independently examine the soundness of the North Hertfordshire Local Plan 2011 – 2031 ('the Plan'). I have prepared this guidance note.
2. I held hearing sessions in November and December 2020 covering a number of matters and issues. However, since then the Council has put forward some additional main modifications which it considers to be necessary for the soundness of the Plan. These relate to Barkway and Site BK3, Policy SP9: Design and Sustainability and to the strategic housing site policies (Policies SP14 to SP19 inclusive). The Council's position on these matters is set out in its note concerning Site BK3 and Barkway [ED210] and in a proposed schedule of main modifications [ED216].
3. The purpose of this note is to confirm that I will be holding further 'virtual' hearing sessions on 1 and 2 February 2021 to consider these proposed main modifications, and to explain the process involved. This note supplements the main guidance note I prepared for the examination as a whole [ED11], and should be read in conjunction with it.
4. I have issued a draft timetable for these further hearings, which is also on the examination webpage.

Written statements

5. **I am now inviting statements responding to the main modifications put forward for consideration by the Council only – any material relating to other matters will not be accepted.**
6. Your views in relation to these proposed main modifications can be taken forward and considered in three ways:
 - a) you can rely on the written comments you have already made; or
 - b) you can if you wish also submit a written statement responding to the Further MIQs dated December 2020 ('the Further MIQs') I have issued alongside this note; and/or
 - c) you can, if you wish and are entitled to do so, participate in the further hearing sessions – I explain this further below.
7. For those who do choose to provide statements, they should directly address the matters I have identified in the Further MIQs.
8. **Statements should be sent electronically if possible, and should be in pdf or word format only. One paper copy is also required (not bound) of each written statement. If posting a statement rather than sending electronically one copy of each statement (unbound) is required.** Statements should be no longer than 3,000 words for each matter. Statements which are excessively long or contain irrelevant or repetitious material may be returned. Any technical evidence should be limited to appendices and should be clearly related to the case being made. Statements should be on A4 paper and stapled. Plans or diagrams should fold down to A4 size.
9. **Electronic and paper copies of all statements must be received by the Programme Officer by 5.00pm on Wednesday 20 January at the latest.** If not received by this deadline, the Programme Officer will assume that written statements are not being provided.
10. Participants should adhere to the timetable for submitting written statements. **Late submissions and additional papers will not be accepted on the day of the relevant session.**
11. I will not accept any further representations or evidence after the hearing sessions have finished unless I specifically request it. Any late or unsolicited material is likely to be returned.

Participation at the further hearing sessions

12. **Only those who have made representations seeking to change the Plan have a right to appear before,**

and be heard by, the Inspector.¹ It is important to stress that written representations carry the same weight as those made orally at a hearing session. Consequently, participation at the further hearing sessions is only necessary if, in the light of the Further MIQs, you have specific points you wish to contribute.

13. People who are able to participate in the forthcoming further hearing sessions are those who:
- a) made a representation seeking to change the Plan under Regulation 20 (ie when the Council invited representations before submitting the Plan for examination) in respect of:
 - Site BK3;
 - the categorisation of Barkway as a ‘Category A Village’ in Policy SP2; and/or
 - any parts of Policy SP9, or Policies SP14 to SP19 inclusive, which are now proposed by the Council to be modified.
 - b) made a representation responding to the Council’s consultation (which ran from 3 January to 11 April 2019) about the main modifications then proposed concerning:
 - Site BK3 – ie people who made representations to main modifications MM216 and MM389;
 - the identification of Barkway as a village ‘for growth’ in Policy SP2 – ie people who made representations to main modification MM010 (insofar as it relates to Barkway); and/or
 - any parts of Policy SP9, or Policies SP14 to SP19 inclusive, which are now proposed by the Council to be modified.
 - c) are promoting the inclusion of Site BK3 in the Plan.
14. If you wish to participate in the further hearings you should contact the Programme Officer **by 5.00pm on Monday 4 January** indicating the Matter and the session you wish to attend (see the draft hearings timetable). **Please note that if you do not contact the Programme Officer by that date it will be assumed that you do not wish to appear and be heard, and you will not be listed as a participant. If you are not listed as a participant, you will not be able to take part in the further hearing sessions.**

The hearing sessions and day to day arrangements

15. The hearing sessions will start on **Monday 1 February at 9.30am**. They will be held ‘virtually’ using the Zoom application.
16. Every effort will be made to keep to the draft timetable, but late changes may be unavoidable. The Programme Officer will endeavour to inform the participants of any late changes to the timetable, **but it is the responsibility of the participants to keep themselves up to date with the arrangements and programme. Participants need to be ready to attend on the Reserve time indicated on the programme – this will be used if necessary to complete any unfinished sessions.**
17. Please let the Programme Officer know as soon as possible if you have any specific needs in relation to attendance and participation at the further hearing sessions.

After the further hearing sessions

18. Once the further hearing sessions are completed, there will be one final focussed consultation. This will invite representations on:
- a) the Council’s response to my letters of July and August 2019 insofar as it relates to matters not discussed at hearing sessions;

¹ S20(6) of the Planning and Compulsory Purchase Act 2004

- b) the main modifications put forward by the Council that are the subject of these further hearings, including any changes to them arising from discussion at the hearings;
- c) any main modifications I consider necessary for soundness that have not already been the subject of consultation;
- d) any updated Sustainability Appraisal, other evidence or work produced by the Council that has not already been the subject of consultation that I consider needs to be consulted on.

I will take all representations received through this final consultation into account in coming to my final conclusions about the soundness of the Local Plan.

My report

- 19. Once the final consultation mentioned above has concluded, I will write a report to the Council setting out my conclusions about the legal compliance and soundness of the Local Plan. This will include my recommendations concerning the main modifications I consider necessary to render the submitted plan sound.
- 20. The examination will remain open until my report has been submitted to the Council. However, as mentioned above, I will not accept any further representations or evidence after the hearing sessions have ended unless I specifically request it. Late or unsolicited material may be returned.

I trust that you find this Guidance Note helpful. If you have any further questions, please contact Mrs St John Howe – she will be happy to assist if at all possible.

Simon Berkeley

Inspector

Reminder of key dates:

- Deadline to confirm with the Programme Officer whether you wish to participate in the further hearings, indicating the matter and the hearing session: **Monday 4 January, 5.00pm**
- Deadlines for submission of statements: **Wednesday 20 January, 5.00pm**
- The further hearing sessions open: **Monday 1 February, 9.30am**