



## **DEVELOPMENT PLAN DOCUMENT EXAMINATIONS PROGRAMME OFFICER GUIDANCE NOTES**

### **1. INTRODUCTION**

1.1 The purpose of the Examination of a Development Plan Document (DPD) is to consider whether the DPD meets the requirements of the relevant legislation and is 'sound'. Soundness is tested by considering whether the DPD is justified; effective and consistent with national policy.

1.2 As part of that process the Inspector (appointed by the Secretary of State) will consider representations made on the soundness of the DPD by interested parties such as local residents and developers. At the end of the examination the Inspector will issue a report to the Local Planning Authority (LPA). The report will contain recommendations relating to any changes that need to be made to the DPD, to ensure it is sound, before being formally adopted. The recommendations will be binding if the LPA chooses to adopt the DPD that has been examined.

1.3 The current legislative framework and other guidance on DPD Examinations and the wider Local Development Framework context is set out principally in:

*Planning and Compulsory Purchase Act 2004*

<http://www.opsi.gov.uk/acts/acts2004/20040005.htm>

*The Town and Country Planning (Local Development) (England) Regulations 2004*

<http://www.opsi.gov.uk/si/si2004/20042204.htm>

*The Town and Country Planning (Local Development) (England) Regulations 2008*

*Planning Policy Statement 12: Local Development Frameworks*

[http://www.odpm.gov.uk/stellent/groups/odpm\\_control/documents/contentserve\\_rtemplate/odpm\\_index.hcst?n=5382&l=3](http://www.odpm.gov.uk/stellent/groups/odpm_control/documents/contentserve_rtemplate/odpm_index.hcst?n=5382&l=3)

*Planning Advisory Service Plan Making Manual*

<http://www.pas.gov.uk/pas/core/page.do?pageId=51391>

*Examining Development Plan Documents: Procedure Guidance &*

*Examining Development Plan Documents: Soundness Guidance*

[http://www.planning-inspectorate.gov.uk/pins/appeals/local\\_dev/index.htm](http://www.planning-inspectorate.gov.uk/pins/appeals/local_dev/index.htm)

1.5 You may also find the *PINS FAQs* on the examination process helpful. These can be viewed at:

[http://www.planning-inspectorate.gov.uk/pins/appeals/local\\_dev/index.htm](http://www.planning-inspectorate.gov.uk/pins/appeals/local_dev/index.htm)

## **2. THE QUALITIES OF AN EFFECTIVE PROGRAMME OFFICER**

2.1 The Programme Officer is responsible for managing the day to day arrangements of the examination process before and during the period of the examination, recording all documents submitted, arranging for the inspection of sites by the Inspector and dealing with correspondence on his/her behalf to those who have made representations, including requests for and exchange of all statements. This will include any communication or correspondence between the Inspector and the LPA. For the successful flow of the DPD examination, it is vital that the Programme Officer possesses good administrative skills, tact, patience, firmness and confidence. In order to aid LPAs in securing an effective Programme Officer, the Planning Inspectorate keeps a list of experienced, independent Programme Officers who may be available to work for an LPA. LPAs are also encouraged to consider seconding someone internally to act as the Programme Officer or to consider working collaboratively with neighbouring authorities to train staff who can be shared amongst them and to widen the pool of available Programme Officers. Periodic courses are run by PINS to train such individuals.

2.2 It is essential that for the duration of their appointment, the Programme Officer is seen as an impartial officer of the examination process. It is recommended that the Programme Officer use examination headed paper, which does not incorporate the Council's logo, to emphasise their independence.

## **2. THE PROGRAMME OFFICER AND THE INSPECTOR**

2.1 The primary role of the Programme Officer is to organise and administer a cost-effective and efficient Examination under the direction and guidance of the Inspector(s) (often there may be more than one Inspector, but for ease of reference these notes refer in the singular). He/she needs to be aware of several matters from the outset:

- The Inspector will decide how to conduct the proceedings and ensure that the examination is conducted in accordance with the guiding principles of openness, fairness and impartiality (you may hear these referred to as the 'Franks Principles')
- The Programme Officer and Inspector work as a team. It is important for a good rapport to be established as soon as possible between them as this will promote an effective examination. Planning Officers (employed by the Planning Inspectorate) and Specialist Advisors (used to provide guidance on highly specialised issues arising) may also be included in the team to support the Inspector.
- The Programme Officer must be seen as acting independently of the LPA even though it employs him/her. This is particularly so when dealing with representations seeking to make changes to the DPD.
- The Programme Officer reports only to the Inspector, taking instructions from the Inspector and carrying these out effectively and efficiently. The PO is the link between the participants i.e. the Inspector, the LPA and those making representations.

The effectiveness of carrying out the Programme Officer's job will depend on the date of his/her appointment. Appointment of the Programme Officer should be in readiness for publication of the final DPD and it is effective to have the PO in post for publication of the DPD so that the PO can take charge of the process of gathering the representations. This will also give the Programme Officer sufficient opportunity to set up the office, become familiar with the plan, the database and the library. It is paramount that the Programme Officer is in place by submission stage so that arrangements can be made immediately to schedule the stages of the examination in conjunction with the Council. The Planning Inspectorate will not appoint an Inspector until the LPA has supplied details of the name, address and telephone number of the Programme Officer. Initially appointment may be on a part time basis of 2/3 days per week. This may build up to full time where the DPD is complex and/or the DPD is contentious and there are a large number of representations. However if the appointment is made late then it is more likely that the Programme Officer will need to be employed on a full time basis.

- Once the hearing sessions have finished the Programme Officer should be retained on a part time basis until the final report is delivered. A practical problem can occur if the Programme Officer is no longer in post as there will be no direct channel of communication between the Inspector and the Council or other representors.
- Immediately upon appointment, the Programme Officer will be sent a confidentiality letter by PINS. This states that the Programme Officer will be privy to the address and telephone numbers of the Inspector and will not disclose them to anyone, either before, during or after the process.

### **3. THE ROLE OF THE PROGRAMME OFFICER**

3.1 The Programme Officer should be:

- A good and thorough organiser and record keeper;
- Good at dealing with customers of the Examination process;
- Clear thinking and quick to learn;
- Calm, discreet and capable of speaking politely but firmly;
- Capable of working with minimal supervision by the Inspector; and
- IT literate

3.2 The extent of the Programme Officer's role may include finding and booking the Pre-Hearing Meeting (PHM) and Hearing venues, booking any catering facilities, clearing rooms at the end of each day, dealing with facilities management in finding and equipping the Inspector's office, security implications for visitors, parking facilities for participants etc.

3.3 In some instances the LPA organises these functions, leaving the Programme Officer to administer the examination process. There are advantages to each option, and respective areas of responsibility must be clarified. At an early stage, it is critical for the PO to establish a rapport with the LPA team as there will be daily contact with them.

3.4 In essence the Programme Officer's role is to:

- Establish appropriate filing systems
- Set up and maintain the Examination library
- Familiarisation and use of the Examination database
- Liaison with those making representations on the DPD.
- Assist the Inspector with the preparation of the Examination programme.
- Organisation of the PHM
- Receipt and recording of documents to be considered in the examination process, including written representations, and sending reminders for non-receipt of documents within set deadlines.
- Organise and manage the use of the Hearing venue. (See PINS 'Examinations Facility Note').
- Notify relevant parties of the closure of the hearing sessions of the Examination.

#### **4. THE PROGRAMME OFFICER'S OFFICE ARRANGEMENTS**

4.1 Initially, there may be an opportunity for the Programme Officer to do some work from home depending on whether the LPA and Inspector are content with such an arrangement. However, appropriate office accommodation will be essential to the proper performance of the Programme Officer's duties.

4.2 Office accommodation needs to be:

- Very close to the Hearing venue and separate from the LPA Planning Department. The office should be dedicated for that purpose and not be a shared facility with other local authority functions.
- Accessible to all members of the public during normal office hours and having chairs and a desk for visitors.
- Equipped with the usual desks, chairs, filing cabinets, stationery etc. A direct phone line and separate fax line are necessary, as is an answering machine. A photocopier should also be provided, which can also be used to copy documents for visitors, at either minimal or no charge.

4.3 IT equipment should include:

- A PC and a suitably heavy-duty printer should be provided
- Links to the LPA network and access to the Examination database
- E-mail facilities and connection to the LPA's web site.

4.4 Correspondence should be:

- Distinctive, easily recognisable headed paper and compliments slips should be used that contain the Inspector's and Programme Officer's names but not the LPA's logo.
- Date stamped with all examination documents also officially stamped and dated.

#### **5. THE HEARING VENUE**

5.1 It is the responsibility of the authority to provide accommodation for the hearing sessions. Adequate arrangements must be made for accommodating all participants, the general public and the press as well as the programme officer and Inspector, and where necessary additional administrative resources. The formal Council Chamber will generally be unsuitable for the examination. A flat floored room capable of accommodating a large table arrangement with ample space for seating around and beyond would be the most suitable venue. The venue must be suitable for people with all forms of disability and be accessible by public transport. (See PINS Examinations Facilities note). The Programme Officer should check at an early stage, in conjunction with the Inspector, that the venue will be appropriate.

## **6. THE FILING SYSTEM IN MORE DETAIL**

6.1 The filing system should be simple and easy to maintain and compatible with the LPA system. Remember that all documents involved in the Examination process are available to the public for perusal or copying (a charge may be levied if the LPA wants it). No documents submitted can remain confidential, including representations submitted. Representations should have been submitted on the model form (provided in the Inspectorate's Examination Procedure Guidance).

6.2 Key points to remember are:

- Consult with the Inspector and see how many sets of documents are required. Generally, this will be 4-6 sets for:
  - The Inspector
  - The Programme Officer
  - The Examination library
  - The LPA
  - The legal representative of the LPA (if any); and a spare
- The basic choices for filing systems are suspension files within filing cabinets or A4 lever arch files.
- For Examinations relating to more complex and/or controversial DPDs, it is recommended that filing cabinets be used. The most efficient way to organise the system is suspension files containing 1 or more representations.
- Once the basic system has been designed, approach the Inspector and ask in what order he/she prefers the filing to be done.

## **7. THE EXAMINATION DATABASE**

7.1 It is the responsibility of the LPA to establish a database to record all the information needed to administer the examination process. It must also provide the PO with the necessary equipment to access and update it. LPAs can use Microsoft Access or Excel to create a database. LPAs may also choose to use an online electronic system to support an efficient and effective examination process. The system should provide a means to publish documents in the LDF online to assist with the process of consultation. It should supply a mechanism for any interested party to make representations on the content of DPDs online. Additionally it should provide a full electronic administration system for local

authorities to use for recording all representations made on DPDs. This will allow representations to be made, stored and managed via the internet if the LPA chooses to use the system to manage examinations.

7.2 Representations should be analysed carefully by experienced members of the planning team, not the programme officer as any inadequate or inconsistent analysis may lead to misunderstandings and mistakes leading to abortive work later on.

7.3 LPAs should structure their database for representations so that they are capable of being listed in a variety of ways. This will assist the Inspector in determining the most efficient way of carrying out the examination.

7.4 The database used should be able to produce reports to give the following information, sorted in alphabetical, numerical, policy, paragraph, site ref or soundness test order:

- Representations seeking changes to the DPD
- Representations supporting the DPD
- Withdrawn representations
- Representors being heard before the Inspector
- Representors being dealt with by written representations
- Method of hearing or written representations
- Names & Address data of representors
- Names & Address data of agents
- Labels with addresses of representors and agents
- Labels with details of each representation
- Examination Programme
- Document lists
- Core Document lists
- Mail Merge facility

7.5 There is a variety of numbering systems for representations but the aim should be to have as simple a system as possible.

- Personal reference number. This should be used to identify the person(s) making the representation only and numbering can start at 0001, giving each person, group, or organisation their individual reference number.
- Representation reference number. This is used to identify each representation and should start at a substantially higher number than the last reference number for personal references. It is useful to add up the total number of personal references initially and number them 0001-0999 (or higher if necessary) and then number representation references at a significantly higher number, for example 5000.
- Paragraph and policy – this prefix is essential for all parties, particularly Inspectors.
- Soundness Test Number, where the representation is asserting the DPD is unsound, the test number should be used as a prefix. Where the representation is supporting the soundness of the DPD, the prefix should be an S. This is essential for all parties and especially Inspectors.

So where the representation is seeking a change because the DPD is unsound, the reference number will look like this:

0001(Personal reference number)/5000(Representation reference number/2.6ENV(para/policy)/1(test number).

Where a representation is in support of the soundness of the DPD (or part of it) the reference will look like this:

0002/5001/2.6ENV/S

7.6 Care should be taken when constructing the Database to ensure that it will not crash if a field is left blank such as that relating to the tests of soundness. Legal Compliance can be annotated as 'LC' in place of a soundness test number. It is helpful to populate this field where possible however there are likely to be a number of representations where no reference is made to the three tests of soundness or legal compliance.

## **8. THE EXAMINATION LIBRARY**

8.1 Community Groups, private residents and other unrepresented persons may need help to understand the nature of the examination process if they are to use it efficiently. Therefore a start should be made on setting up the examination library as soon as possible so that the information and documents it will contain can be available to those making representations. The library should contain a copy of key guidance documents (see para 1.4 of this note), existing plans, committee reports, research reports, Planning Policy Statements, Planning Policy Guidance, the RSS (SDS in London) and any other information likely to be used during the examination. Those making representations should be told of the library's existence and invited to discuss any difficulties they encounter in preparing for the examination with the programme officer or the authority.

## **9. GETTING STARTED**

9.1 The start of the process may seem daunting but remember the first steps are important to later success:

- Establishing contact with the relevant LPA officers to discuss:
  - PHM and Hearing venues
  - PO and Inspector accommodation
  - Lines of communication
  - IT arrangements
- Notify all respondents that the PO exists, that the Inspector has been appointed to conduct the Examination and give your contact details. It is important to ensure that all those involved in the examination process are circulated with all relevant information. Ensure that details of the Inspector and contact details for the Programme Officer also appear on the website.

## **10. SUMMARY OF TYPES OF PROCEDURE FOR THE HEARING PART OF THE EXAMINATION.**

10.1 In most instances you can assume that the hearing sessions will be in an informal hearing format. Informal hearings allow for a concentrated discussion of the issues involved, which is led by the Inspector. They can provide those not

familiar with the examination process with the opportunity to present their arguments in a reasonable informal and relaxed setting.

You should also be aware of the other procedures the Inspector may employ.

**Round table discussions:** There is very little to differentiate between informal hearing sessions and round table sessions, but you may hear this term used to describe the nature of the sessions.

**Written representations:** For the Inspector, written representations are a very efficient method of considering representations. Inspectors are experienced in reaching decisions on the basis of an exchange of written statements. Where necessary, the Inspector can seek clarification of matters raised in written representations by writing to the parties and inviting further comments on specific issues. This is an appropriate method where there are few representations and the DPD is relatively simple (it may be the case that no oral part of the examination might need to take place).

**Formal hearing sessions:** The traditional inquiry is an adversarial process which involves the formal presentation of evidence and cross examination of witnesses. This particular procedure is considered unlikely to be necessary for the consideration of most representations in determining the soundness of development plan documents. The existing traditional inquiry procedure has been adapted to form the formal hearing, where the Inspector leads the process in an inquisitorial manner and advocates are permitted to be present to assist in the proper testing of evidence.

## **11. AVOIDANCE OF FORMAL EXAMINATION SESSIONS**

11.1 Every effort needs to be made to deal with the examination process as expeditiously as possible. You may work on the presumption that an informal hearing procedure will be favoured over one more formal. As noted above, it is therefore expected that oral sessions will take the form of informal hearings.

11.2 The Inspector will consider the views of the LPA and other parties in determining the most appropriate procedure to adopt for the examination of each individual DPD. However, Inspectors have the power to determine the precise procedure(s) to be adopted at the Examination. The process will be clearly led by the Inspector whose aim will be to adopt the most efficient procedure to enable him/her to determine whether the DPD is sound.

11.3 The Inspector will structure the programme around the matters and issues which he/she has identified. Programme Officers should discuss the approach to be taken with Inspectors accordingly in drawing up the examination programme, and in considering any practical measures that may need to be taken in connection with these procedures. Formal hearing sessions involving advocates should especially be discussed with the Inspector before being programmed.

## **12. THE PRE-HEARING MEETING**

12.1 The Pre-Hearing Meeting (PHM) is very important for setting the tone for the subsequent Hearing Sessions. The PHM will usually be held at week 8

following submission of the DPD to the Secretary of State. The PO's role here is to:

- Make sure the venue is booked. This should have been vetted with the Inspector. Access, signage, security and rest facilities need to be checked. Parking arrangements for the Inspector (if required) need to be organised.
- At week 6 or around 2 weeks before the PHM the Programme Officer will clarify and confirm attendance at the hearing sessions
- All representors, including those who have stated they do not wish to appear at the examination, need to be informed of the date, time and agenda of the PHM.

Circulate the draft programme and any guidance notes prepared by the Inspector before the meeting.

- Check the seating arrangements - a large table arrangement with ample space for seating around and beyond would be most suitable. Note: the formal council chamber will generally be unsuitable for the examination.
- Take notes. Both the Inspector and Programme Officer take notes of the proceedings (if in attendance the PINS Planning Officer may also assist with note taking).
- PA systems. If the Inspector wishes to use one, make sure it is installed in adequate time and it is tested.
- Provide name bars (preferably the 'toblerone' style name bars).
- Supply copies of the Inspectorate's plain English guide to DPD

12.2 Aim to circulate the PHM notes within 5 working days of holding the PHM and ensure all those making representations, agents and Media receive a copy. Additionally, send a copy to PINS. At this point it is as well to consider the flow of information to those respondents who have appointed agents to further their representation(s).

### **13. PREPARING THE EXAMINATION PROGRAMME**

13.1 The examination programme is decided by the Inspector based upon the matters and issues which he/she has identified for further discussion. The way the Examination Programme looks is up to each Inspector and PO. Whether it is produced by word-processor, in a spreadsheet or via a report in the database, it should be clear and easily amended in the future.

13.2 The Examination Programme should be issued to every representor and agent who has expressed a desire to appear. A copy should also be placed on the website. A draft programme should be available before the PHM and circulated to those attending. It is inevitable that further revisions will be necessary and it is the responsibility of the PO to ensure that those who will be

attending the hearing sessions are advised of any changes. An up to date version should also be placed on the website.

13.3. The Inspector normally decides the issues and programmes for the hearings with the participants allocated to the relevant session(s). Representors with an interest in similar issues, policies and geographical areas will be invited to the same hearing session. The Inspector will lead hearing sessions and will take a strict approach to oral representations – he/she will not allow those speaking to ramble off the issue in discussions. Remember the physical restrictions of the venue and allow for breaks in the morning and afternoon as well as for lunch.

13.4 As for the pattern of sitting times and because of the nature of the hearings sessions it is likely that the Inspector will usually sit for an intensive 3 days a week. This will allow for adequate preparation time between the sessions. This will vary if there is more than one Inspector appointed. Where hearings last for more than 8 sitting days, the Inspector is likely to take a break to enable adequate preparation time.

## **14. PROCESSING DOCUMENTS**

14.1 Following the PHM, further documents will arrive in accordance with any further information the Inspector has requested from the LPA/Representors. Points to remember are:

- Every document that arrives should be date stamped.
- No document can be treated as confidential.
- If insufficient copies have been provided it will be necessary to photocopy additional ones.

14.2 The Inspector may ask those making representations to provide further statements/evidence to supplement their representation, where this would help the Inspector to assess their representation in relation to the soundness of the DPD. Further statements will normally only be invited by the Inspector if they address the key matters and issues which he/she has identified for examination.

- Apart from date stamping the document upon arrival, each representation needs a unique number. One way is to number each document sequentially after a prefix letter denoting its source (i.e. R for representor and C for Council/LPA).
- A description of each document should be recorded in the database, as this will feed one of the Inspector's appendices as well as the document list submitted to the relevant hearing session of the Examination. Where possible, this description should be as meaningful as possible e.g. "Further statement relating to Environmental Impact study by Mr B Stiles" is more informative than "Document No: XX from the representor "
- Remember that the document list is a key element in the hand-over of the system to the LPA at the end of the examination process. It also acts as confirmation to the Inspector that he/she is in possession of every document he needs to report on the soundness of the DPD.

14.3 There will be other correspondence that requires filing and action:

- To preserve impartiality all correspondence addressed to the Inspector will be sent to the PO and any reply the Inspector wishes to make will go out in the name of the PO.

14.4 Files should be set up and maintained for correspondence not related to parties involved in the hearing sessions.

14.5 All documents to be considered during the examination process have to be distributed to the relevant participants:

- Copies of all documents must be accurately and quickly processed, distributed and the filing system updated on a regular basis. Remember that many parties will only submit after reminders so there will be a considerable workload close to the submission deadlines.
- A filing tray for each type of participant is the best way to control the paperwork flow. Once the relevant information on each document has been recorded, place it in the relevant tray.
- Make the time each day to either post or courier the document(s). To preserve the Inspector's confidentiality, his/her mail should be stamped/franked, and *then* the address label should be attached and posted by the PO. If using a courier, request that delivery/confirmation notes are sent to the PO personally and those invoices do not show destinations.
- Members of the public and representors will be visiting the PO's office on a regular basis seeking information and wishing to look at the Examination library.

## **15. FINALISING THE HEARING PART OF THE EXAMINATION ARRANGEMENTS**

15.1 Between the PHM and the opening of the hearing part of the examination there is a great deal of work to get through:

- Ensure that those attending the hearing sessions are advised of any changes to the examination programme and these are placed on the website .
- Remind the Council of the need to advertise the hearing sessions 6 weeks prior to commencement (at week 8).
- Reminders for Documents: The chasing routine will become the mainstay of the PO's role throughout the Examination process.
- It is preferable to remind parties before they are due to submit further information rather than to wait until they are late, as this limits the time to rectify the situation. It is suggested that 2 weeks before a submission date is reached, a note is sent to each party reminding them of the deadline date and drawing attention to the consequences of a late submission.
- Where representors' further evidence (as requested by the Inspector) is late, it would be normal to press for use of written representations and losing the right to an oral hearing rather than cause delay to the programme if that would be the consequence of a failure to meet the deadline.

- Appearance Information: The list of persons appearing at the hearing part of the examination needs to be finalised. Again, the LPA database should be used to gather, collate and hold this information.
- Once this information has been received, consideration should be given to producing a composite form for each representor, listing their details, documents and issue(s) being considered. The Inspector is then able to use it to verify the attendees and documents/issue being considered.
- Other Matters: There will be an ever-increasing number of visitors to the PO's office as the hearing part of the examination looms ever closer. For a lot of individuals the process will be the first time they have been involved in a hearing and they may well be apprehensive and nervous. The advice given should be limited to suggestions as to how to answer the Inspector's questions and the merits of their request to change the DPD should not be discussed.
- Make sure the venue is still booked! Also re-confirm the booking period in the light of any changes to the Hearing Programme.
- A map showing the venue should be sent to each participant showing the location of the examination room, car parking facilities, disabled access points, directions to the town centre for lunch etc. This should also be placed on the website.
- Ensure the Inspector's office is still available. It should be lockable, and equipped with a desk & chairs, a lockable drawer and IT equipment with Internet access.

## **16. FINAL PREPARATIONS FOR THE HEARING PART OF THE EXAMINATION**

### DURING THE HEARING SESSIONS

16.1 There are several routine matters to attend to each day:

- Ensure that all Core Documents being referred to are placed on the Inspector's table, in numerical order so he/she may refer to them;
- Some representors, particularly those being represented by counsel or other professional advocates, may hand in a list of documents being referred to, which is useful;
- In an ideal world, no document should be handed in at the hearing. However, this occasionally happens. The PO will ensure that the requisite number of copies are received and distributed;
- It is not usual for the PO to be present during all hearing sessions. Each Inspector will have his own preference for the PO's role during the examination, but generally this is limited to ensuring the participants are marshalled together ten minutes before their designated appearance time, either in the PO's room or an ante-room to the hearing venue. The PO then escorts those from an earlier hearing session from the venue and installs the next group;
- Most changeovers should be arranged to coincide with a break for coffee, lunch or tea.

## **17. CLOSING THE EXAMINATION**

17.1 At the end of the last hearing session the Inspector will announce the expected date of delivery of the report for 'fact check.' This will be confirmed later in writing by the LDF administrative team. The examination will remain open until the final report is submitted to the Council. This will enable the Inspector to seek clarification on any matters which may have arisen following the hearing sessions. The Inspector would normally seek clarification via the PO in writing, but exceptionally if the matter is fundamental, might seek to set up a further hearing session. This would be subject to the same considerations as the main block of hearing sessions (though on a much smaller scale) and would need to be advertised 6 weeks in advance to comply with the regulations.

17.2 To enable the Inspectorate to keep up to date on each examination, a standard package of information should be forwarded to your contact in the LDF team as and when it is available:

- Notes of the PHM;
- Examination Programme produced before the hearings;
- Examination Programme as finally occurred;
- Date for expected delivery of report as announced by the Inspector at the end of the last hearing session; and
- Statistics of the Examination, including number of representations (objections and support) at submission stage; number of representors heard at the examination; and duration of the hearing part of the examination including days/half days spent on site visits between the opening and the close of the examination.

## **18. HAND-OVER TO THE LPA**

18.1 The PO should remain in post until the Inspector's final report is received by the LPA and the examination is closed. Several matters need to be finalized before the PO can leave his/her post:

- Complete the filing system for hand-over to the LPA.
- Make sure the LPA is familiar with any modifications made to their system and are conversant with them.
- Remove any specific passwords used so that the LPA has full and free access to the system.
- Create and hold all data relating to your activities in a single directory so that the LPA can easily trace all information and it can be backed up easily.
- Ask the LPA to create a secure back up copy of the data.
- Arrange an alternative contact at the Council for the Inspector if you are going to be absent or leaving the post

**Any query on the Notes should be to:**

**LDF Team  
The Planning Inspectorate  
3/25 Hawk Wing  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN**

**Janet Foster: 0117 372 8948  
Janet.foster@pins.gsi.gov.uk**

## **ANNEX 1 – PROGRAMME OFFICER’S ACCOMMODATION AND EQUIPMENT**

### **Accommodation**

Dedicated office separate from the planning department and as close to the examination room as possible.

Dedicated office for the Inspector – near to the Programme Officer & examination room

Most hearings can be accommodated in a large room with a flat floor capable of accommodating a large table arrangement with ample space for seating around and beyond. Audio equipment to aid audibility should also be available. The venue must be suitable for people with all forms of disability and be accessible by public transport.

### **Programme Officer’s Equipment**

L-return desk with drawer pedestal	Lockable filing cabinet(s)
VDU Operators chair	lockable cupboard(s)
Large table	Visitors chairs
Table & chairs for viewing Library (outside PO office if possible)	
Wipeboard	Notice board
Computer with Broadband Internet connection	
Laserjet printer (15 ppm)	
Telephone (with answerphone/voicemail)	
Photocopier – A3/A4; double sided duplex, minimum 10 sort bins, 20 pages per minute	
Filing baskets, wastepaper bin, etc	

### **Inspector’s Equipment**

L-return desk with drawer pedestal	VDU Operators chair
1 or 2 spare chairs	Lockable filing cabinet
Telephone	Waste paper bin
Computer with Broadband Internet connection	

### **Stationery**

10 reams white A4	1 ream white A3
A4 lever arch files	1 box twinlock hanging files
10 slim A4 ring binders	1 box plastic pockets
1 box file dividers	1 box C4 window self seal env
1 box C4 self seal plain env	500 banker window env
100 C5 env	1 heavy duty stapler & staples
1 standard stapler & staples	1 heavy duty hole punch
1 staple remover	Shorthand pads
A4 pads	Treasury tags
Bluetack	Pritt stick
Sellotape	Parcel Tape
Drawing/map pins	Paper clips – various
Bull dog clips – various	Rubber bands
Post-it pads – various	Pens & pencils
Marker & Highlighter pens	Eraser & sharpener

<b>ANNEX 2 – NOTIFICATION OF EXAMINATION DETAILS AND CONFIRMATION OF REPRESENTATIONS</b>
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Dear

**Anytown Development Plan Document Examination**

1. A public Examination will be held to consider the soundness of the Anytown Core Strategy Development Plan Document. The First Secretary of State has appointed Mr/Mrs xxx to conduct the Examination, which will begin at 10.00 a.m. on Tuesday, xx February 2007. I have been appointed as Programme Officer for this Examination and will deal with all procedural, administrative and programming matters.
2. The Inspector will hold a Pre-Hearing Meeting on Thursday xx November 2006, at.....starting promptly at 2.00 p.m. This meeting is to help the Inspector and all interested parties to prepare for the Examination and the Inspector will outline how the Examination will be conducted and the procedures to be followed.
3. I would be grateful if **Representors** would complete the enclosed questionnaire and return it to me, in the pre-paid envelope provided, by Friday xx October 2006. **Whilst I am aware that you may have previously provided some of this information to the Council, it is ESSENTIAL (for the programming of the Examination) that I know your current position. Your co-operation is appreciated.**
4. If your original representation has now been satisfied and can be treated as withdrawn it would be most helpful if you would confirm this to me in writing.

Yours sincerely

Programme Officer

## **Examination Procedure**

Representors need to decide whether they wish to have their representation heard at the hearing sessions or dealt with by means of a written representation. Both methods of representation carry the same weight. Attendance at the hearing sessions will only be usually helpful to the Inspector if a representor wishes to question the Council's representatives but otherwise written representations will be just as fully considered by the Inspector. The programme for the examination will be based on the information provided by representors in response to the questionnaire sent to them on xx 2006. Written details of those representors intending to appear at the examination, should be submitted to the Programme Officer.

Supporters of the Council's case, i.e. those who either support the policies and proposals in the draft DPD or who have made representations to sites put forward by other representors, are not normally heard at the examination.

## **Site Visits**

The Inspector will make a series of unaccompanied site inspections before, during and after the Examination. Requests for accompanied site inspections should be submitted to the Programme Officer who would prepare a programme of visits that would be displayed on the Examination notice board. A Council representative will be present on all accompanied visits. No evidence will be heard on site visits.

## **Miscellaneous matters**

A note of the names of all participants at the examination will be taken when they present their case. An attendance list will be maintained on a daily basis. The media should always advise the Programme Officer of their presence.

An examination notices board would be located outside the Programme Officer's room, and will display an up to date copy of the programme and other notices.

Any participant suffering from any form of disability, for example hearing difficulties, poor eyesight, or other physical disability should contact the Programme Officer for assistance.

## **ANNEX 3 – GUIDANCE FOR UNREPRESENTED REPRESENTORS**

You need not be represented by a legally qualified or other person who is familiar with public examinations in order to present your representation to the Inspector. Nevertheless, the imminent appearance at a public examination understandably makes some people feel apprehensive and uneasy. However, the system is designed to be 'user friendly' and you can make the best use of your time at the examination if you bear in mind a few basic ground rules.

### **BEFORE THE EXAMINATION**

If you said on your representation form that you want to appear at the examination, the Programme Officer will have sent you a copy of the programme. You should check that you have been given a date and time that you can attend. If there are foreseeable problems please let him/her know immediately.

In accordance with the timetable provided by the Programme Officer, before your appearance at the examination, you should submit a written statement or proof of evidence setting out all that you wish to say at the Examination. Six copies of this proof are required, together with 6 copies of any appendices and documents. Nothing should come as a surprise to the Council at the examination session and therefore you will not normally be able to raise matters not referred to in your proof. You need not include lengthy extracts from documents held in the examination library, provided adequate references are included. All documents should be A4 size or capable of being folded to that size. Any photographs should be mounted on A4 card and accompanied by a plan showing viewing points. If your proof exceeds 10 pages, a summary should also be submitted, drawing from but not adding to the proof.

You will receive a copy of the Council's response to the representations made to date. You should study it in preparation for the examination. If the Council's response refers to any documents, make sure that you are familiar with them and make sure that you have read the relevant sections of the DPD and any proposed changes. The documents can be seen at the Council's offices. If having read the Council's response you consider that you no longer wish to maintain your representation or wish to conditionally withdraw your representation subject to an offered proposed change being recommended by the Inspector, please confirm this in writing to the Programme Officer as soon as possible. This may enable him to re-allocate your time in the Examination programme to someone else. Similarly, if you decide that you don't want to appear at the Examination and rely instead on written representations, please inform the Programme Officer immediately.



**DAY**

**ANYTOWN DEVELOPMENT PLAN DOCUMENT**

**PUBLIC EXAMINATION**

**Details of person(s) giving evidence on:**

**Appearing**

**Instructed by**

**Representing**

Examination Document No	Plan Ref	Name(s) of witness(es) (if any)	Additional documents (if any) submitted at the hearing

**ANNEX 6 – APPENDICES TO INSPECTORS REPORT****1. APPEARANCE LIST**

<b>Day xx</b>	
<b>For the Council:</b>	
<b>Mr P Greenaway QC:</b>	
<b>Mr P Brown</b>	<b>Chief Planning Officer</b>
<b>Mr G White</b>	<b>Chief Engineer</b>
<b>For the House Builders Federation:</b>	
<b>Miss V Persuasiv</b>	<b>Marketing Manager</b>

**2. DOCUMENT LIST**

<b>Document Ref:</b>	<b>Title</b>
<b>0219/1/P/doc1</b>	<b>Conservation Group's evidence</b>
<b>0219/1/P/doc2</b>	<b>Conservation Group's appendices</b>
<b>0219/1/SP/doc3</b>	<b>Conservation Group's Supplementary Proof</b>
<b>0219/1/SP/doc4</b>	<b>Photos of derelict Listed Building</b>

**3. CORE DOCUMENT LIST**

<b>CD Ref:</b>	<b>Title</b>
<b>CD/1 Anytown</b>	<b>Anytown Core Strategy</b>
<b>CD/2</b>	<b>Anytown Core Strategy Sustainability Appraisal</b>
<b>CD/3</b>	<b>Anytown Council Pre-Inquiry Proposed Changes</b>
<b>CD/4</b>	<b>PPS3</b>
<b>CD/5</b>	<b>Anytown Council Housing Capacity Study March 2007</b>