

Examination of the Gloucester City PLan

Inspectors' Opening Statement

Good morning ladies and gentlemen

- Welcome everyone, including those watching the event via the live stream, to the Hearing into the Examination of the Gloucester City Local Plan submitted November 2019.
- The time is 10:00 am and the **Hearing is now open.**
- These hearings are programmed to run for three weeks ending on the 9th of June.

My name is Louise Nurser. I am a Chartered Town Planner

- I have been appointed by the Secretary of State under Section 20 of the Planning & Compulsory Purchase Act 2004 (as amended) to hold this Examination into the legality and soundness of the Plan
- and to produce a report of my conclusions and recommendations on these matters.

Programme Officer

- **Ian Kemp** is the Programme Officer. You will have spoken with him before joining the event today.
- He works for me and is independent of the Council. He is responsible for the administrative and procedural arrangements for the Examination.
- Please direct any questions or queries about procedures or practical matters to Mr Kemp.
- All information is available on the Examination webpage and any necessary updates will be posted there so please keep an eye on this.

Virtual Event Guidance

All participants should have read the Virtual Event Guidance, produced in addition to my Main guidance note. Just a few reminders:

- As you may be aware, the hearing sessions are being livestreamed on the Council's YouTube channel. There is a link to this on the examination website
- Please ensure that your **microphones are on mute** unless you are invited to speak – this helps to prevent disturbance from background noise and limits any microphone feedback.
- Please can you ensure that all **mobile phones and electronic devices not being used for the virtual event** are either switched off or are on silent when we are in session. Please also remember to turn them off again when the sessions are resumed after a break.
- Please use the 'raise hand' function if you wish to contribute to the discussions or have any questions during the hearing sessions.

My role

- My role is to assess whether the Local Plan satisfies the requirements of the 2004 Act, the relevant regulations and whether it is sound.
- This stage of the Examination is a series of hearing sessions to explore matters, some which have come forward in submissions, others, which I have raised. It takes the form of a virtual round table discussion, which is to be led by me, such that I can be given sufficient information to enable me to come to appropriate and justified conclusions in my report.
- I should emphasise that my duty is only to consider whether the Local Plan as submitted is sound, according to the tests set out at paragraph 35 of the 2019 version of the National Planning Policy Framework.
- To be "sound" a Local Plan should be positively prepared, justified, effective and consistent with national policy

- My starting point is that the Council has submitted a document which it considers to be sound. That is, the onus is on those who have made representations to demonstrate where, and how, they consider the plan is not sound, making reference to the relevant test(s) and identifying evidence to support their contention.
- It is not my role to consider individual objections to the plan, but to take a rounded view on soundness, having regard to the four tests set out in the Framework

Outcome in relation to soundness

- There are 3 possible outcomes to the Examination in relation to soundness which I have previously set out in my guidance note. For clarity I will reiterate them here:
 - I could find the submitted plan is sound and no modifications are necessary, **this would be unusual**; or
 - The submitted plan is not sound but could be made sound by making changes; or
 - The submitted plan is not sound and could not be made so through any changes.
- There are 2 ways that changes can be made to the Plan:
 - **Main modifications** recommended by me, the Inspector.
 - **Additional modifications** made by the Council on adoption (sometimes these are called minor modifications).
- The Council has formally requested that I recommend any main modifications necessary to make the Plan sound.
- I can only recommend main modifications if they are necessary to resolve problems that would otherwise make the plan unsound. Main modifications are changes that would materially alter the plan or its policies. In the interests of fairness, they will need to be subject to consultation (after the hearing sessions) and further sustainability appraisal and HRA work may also be needed

- Additional modifications are changes which do not materially affect the policies in the plan. They are made by the Council on adoption and are sometimes referred to as minor modifications. Additional modifications do not fall within the scope of the examination – and it is the Council which is accountable for them. Generally, they involve factual updates and the corrections of typographical errors. For example, Some of the proposed changes which the Council submitted with the Plan, do not go to the heart of the soundness of the plan and I have asked that these be placed on the website as a separate document CD10e. For the avoidance of doubt, I will take them to be part of the submitted plan.
- The list of remaining proposed modifications to the Plan which were submitted with the Plan have no status, but in the interests of transparency have been made publicly available on the Examination website as CD10a.
- I will discuss the Council’s proposed changes as we go along where I consider that they are relevant.
- Can I ask the Council to ensure that we cover the modifications you are proposing. The same applies to those who have objected to the plan and have suggested changes.
- Please, also bear in mind whether any further sustainability appraisal, or amendments to the HRA, will be necessary?
- As the hearings progress, can the Council prepare a running schedule of any additional changes you propose, support or have no objections to – and add these to the document CD10 a. This will be a matter of record but would not bind me when recommending my MMs.
- Please aim to do this on a daily basis.

Hearing sessions – procedure

- My guidance note outlines the procedures to be followed at the Hearing sessions, the way in which written representations will be dealt with and the availability of information.

- The hearings programme has been published and I intend to follow that.
- The purpose of the hearing sessions is for those invited to participate to HELP me to examine the soundness and legal compliance of the Plan, by contributing to the discussions on my specific questions.
- Hearing sessions will be in the form of structured discussions, which I shall lead, following the questions set out in my MIQs. My initial questions will normally be directed to the Council and then I will ask others to contribute.
- I must make clear that I will not be discussing any omission sites and as set out in my guidance notes, these hearing sessions are not a vehicle to either rerun the original JCS hearings or to pre-empt the JCS review. They are purely to examine the policies of the GCP which is a daughter document of the adopted JCS.
- Also please note that I am not necessarily proposing to go through every single question from my MIQs, as there may be some issues where I now have enough information and so there may be little or no discussion on these.
- If you wish to raise something relevant which you think I have missed, please do not hesitate to let me know before the end of the session.

Timing – length of sessions

- Though it may be necessary for there to be a degree of flexibility in terms of the length of sessions, morning sessions will always start at 9:30 am and afternoon sessions at 2pm. Lunch will generally be between 1pm and 2pm. I cannot emphasize the importance of taking sufficient breaks from the screen, so I will try to ensure we have a regular short break.
- Some sessions may be shorter if there is only limited discussion required.
- I am hopeful, with everyone's cooperation, that the sessions will be finished by around 4 pm each day.
- In any case, I will not sit beyond 5 pm.

- The virtual format does not provide the same opportunities for spontaneous discussions between participants and Council officers, outside of the formal sessions. These 'coffee queue conversations', can save time in formal hearings. So, please make the effort to continue to communicate with each other if you think it would be helpful to me in examining the Plan

Site visits

- I have already been able to visit Gloucester and view the site allocations from public vantage points. If further visits are required, I will undertake these unaccompanied or with the Programme Officer, unless I need to physically access private land.

Evidence

- All evidence should have already been submitted.
- No further documents, letters or written submissions of any kind will be accepted during or after the hearing sessions unless I specifically request them.

After the hearings

- I will carefully consider what I have heard. Then, subject to my conclusions, whether the Plan is likely to be capable of being found legally compliant, and sound in relation to the matters covered. (Taking into account the potential to recommend MAIN modifications which would require further consultation, I will make my report to the Council.
- The Examination remains open until I have sent my report to the Council.