
SOUTH WEST REGIONAL SPATIAL STRATEGY REVISION

EXAMINATION IN PUBLIC

Note of the First Preliminary Meeting

Held on

Tuesday 16 January 2007

at the Thistle Hotel Exeter

**Panel Secretariat Office
South West RSS EiP
2 Rivergate
Temple Quay
Bristol BS1 6EH**

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Prepared by the Panel Secretariat

Approved by the Panel Chair

January 2007

**Note of the First Preliminary Meeting held at 2.00 pm on
Tuesday, 16 January 2007 at the Thistle Hotel, Exeter.**

PRESENT:

Examination in Public Panel Members

Jim Parke, Chairman

Rhys Davies, Member

David Lavender, Inspector

Examination in Public Secretariat

Brian Cobley, Panel Secretary

Elaine Lamb, Panel Assistant

Lisa McClymont, Panel Support

Participants and Attendees

| <i>Examination in Public Participant/Agent</i> |
|--|
| Alliance Against South Bristol Ring Road |
| Ashvilla Estates |
| Atkins Ltd representing: Hallam Land |
| Baker Associates Planning Consultants representing: Ashton Park Ltd Hignett Family Trust Strategic Land |
| Barton Willmore |
| Brethren's Gospel Trust |
| Borough of Poole Council |
| Bournemouth Borough Council |
| Boyer Planning representing: George Wimpey Strategic Land Barwood Land, Persimmon Homes Heron Land Heron, Persimmon (SW), Persimmon & Redrow Persimmon Homes Southwold Investments Ltd |
| Brethren Gospel Trusts |
| Bristol City Council |
| CBI |
| CgMs |
| Christchurch Borough Council |
| CSJ Planning |
| Corfe Mullen Parish Council |
| Cornwall County Council |
| Cotswold Conservation Board |
| Country Land & Business Association |
| CPR Regeneration |
| CPRE |
| CSJ Planning representing: Ashfield Land |
| Cushman and Wakefield representing: Grosvenor Ltd |
| Dartmoor National Park Authority |
| David Brown representing David Yule |
| David Lock Associates representing: East Swindon Development Group East Devon New Community Partnership |
| Devon County Council |
| DMS Consulting |
| Dorset County Council |
| Dorset Wildlife Trust |

| <i>Examination in Public Participant/Agent</i> |
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| DPDS representing: Persimmon, Redrow, Taylor Woodrow & Crest Porton Bioscience & Technology Centre |
| East Devon District Council |
| Emery Planning Partnership representing: Wainhomes (SW) Holdings Ltd |
| English Heritage |
| English Partnerships |
| Entec UK Ltd representing: Regional Airport Operators Crown Estates |
| Environment Agency |
| Exeter City Council |
| Exmoor National Park Authority |
| Exmouth Residents Association |
| Federation of Small Businesses |
| Friends of Suburban Bristol Railways |
| Friends of the Earth |
| Gloucestershire County Council |
| Goadsby Town Planning representing: South Coast Land Society and others Site Developments (Ferndown) British Land Holdings |
| Government Office for the South West |
| GVA Grimley representing: Defence Estates English Partnerships Summerfield Development |
| Highways Agency |
| Hives Planning representing: WBB Minerals |
| HLL Humberts Leisure representing: British Holiday & Home Parks Association |
| Home Builders Federation |
| Hunter Page Planning representing: Galliard Homes Redrow Homes |
| Kennet District Council |
| Kerrier District Council |
| King Sturge LLP |
| Lennon Planning representing: Linden Homes |
| National Farmers Union |
| National Trust |
| Natural England |
| New Forest National Park Authority |
| North Cornwall District Council |

| <i>Examination in Public Participant/Agent</i> |
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| North Somerset Council |
| North Wiltshire District Council |
| Nothern Community Area Partnership |
| npower Renewables |
| Pegasus Planning Group representing: Client Group Shortwood Landowners Group/KMPG Amesbury Property Company Decathlon UK |
| Penrilla Consultants representing: Plymouth Chamber of Commerce (Rok Developments) (Midas Homes) |
| Penwith District Council |
| Persimmon Homes |
| Plymouth City Council |
| PRO Vision representing: Charborough Estate |
| Purbeck District Council |
| Quarry Gospel Trust |
| Regional Environment Network |
| Robert Hitchins Ltd |
| Royal Town Planning Institute |
| RPS representing: Crest Strategic Projects North Tewkesbury Land Consort and an Individual |
| RSPB |
| Salisbury District Council |
| Savills representing: Crest Strategic Projects Dart David Pearce and Trustees of D J Pearce 1998 Voluntary Settlement Hallam Land |
| Sedgemoor District Council |
| Shelter |
| Sherborne Area Partnership |
| S L Layland |
| Somerset County Council |
| South Gloucestershire Council |
| South West Chamber Rural Enterprise & Rural Affairs Forum |
| South West Regional Assembly |
| South West Regional Development Agency |
| South West Wildlife Trusts |
| SWARD |
| Swindon Borough Council |
| Swindon Urban Regeneration Company |
| Teignbridge District Council |
| Terence O'Rourke representing: |

| <i>Examination in Public Participant/Agent</i> |
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| Crown Golf Sita UK Stone Firms J S Bloor (Newbury) Ltd |
| Tetlow King Planning representing: National Housing Federation |
| Tim Baker |
| Torbay Council |
| Torrige District Council |
| Town and Country Planning Association |
| Traditional Anglican Communion |
| Transport 2000 SW Network |
| Turley Associates representing: North Chippenham Consortium St Modwen Developments |
| Turner Holden representing: Persimmon Homes, David McLean Homes, George Wimpey Strategic Land Redrow Homes Summerfield Developments |
| West Devon Borough Council |
| West Dorset District Council |
| West of England Partnership |
| West Parley Parish Council |
| West Somerset District Council |
| Westbury Bypass Alliance |
| Western Vale Consortium of Parish Councils |
| Weymouth and Portland Borough Council |
| Wiltshire County Council |
| Wiltshire Wildlife Trust |

1 INTRODUCTIONS

- 1.1 Jim Parke, the Chairman of the Panel for the South West Regional Spatial Strategy Revision Examination in Public, opened the proceedings. The Chairman introduced Rhys Davies, the Panel Member and David Lavender, the Panel Inspector for the South West Regional Spatial Strategy Revision Examination in Public. Also introduced were Brian Cobley, the Panel Secretary and Elaine Lamb, the Panel Assistant.
- 1.2 The Chairman made the point that the Panel was in all respects independent of the South West Regional Assembly (the Regional Planning Body) and all other parties to the Examination in Public, including the Government Office for the South West (GO-SW).
- 1.3 The Chairman advised that all Participants should have received a copy of the 'Notes for Participants' and the Provisional Programme comprising the Proposed Timetable, Preliminary List of Matters and Participants. A Final Programme comprising the Timetable, Final List of Matters and Participants would be available and published on the Examination in Public website in due course.
- 1.4 The Chairman outlined the format for the meeting and added that there would be an open session for questions by attendees towards the end of the meeting, but reminded the meeting that the Panel would not be publishing the Final List of Matters and Participants until after the First Preliminary Meeting.

2 EXAMINATION IN PUBLIC PROCESS

- 2.1 The Panel Member commented that The Examination in Public Process would be conducted in accordance with the Governments "Planning Policy Statement 11: Regional Spatial Strategies". In brief:
 - the ten weeks of the Examination in Public would focus on the South West Regional Spatial Strategy, the Draft Regional Spatial Strategy for the South West;
 - it would be held in Exeter in this building; and
 - the meeting today formed the First Preliminary Meeting for the South West Regional Spatial Strategy Draft Deposit Revision Examination in Public.

Purpose of the Examination in Public

- 2.2 The Panel Member advised that the Examination in Public was about matters, which the Secretary of State needs to be more fully informed by means of public discussion in order to reach decisions on a revised RSS for the South West. It was:

- an opportunity for the discussion and testing in public of selected matters arising from consideration of the Deposit Draft to test the soundness of the revision;
 - to enable the Panel to advise the Secretary of State of the most appropriate way forward; and
 - not an examination of the whole of the Regional Spatial Strategy Revision, nor was it a hearing of all the objections.
- 2.3 After the Examination in Public the Panel will prepare a report for the Secretary of State. The report will be advisory and the final decision on any modifications to the draft RSS will rest with the Secretary of State.

3 PRELIMINARY LIST OF MATTERS AND PARTICIPANTS

The Selection of Matters for Discussion

- 3.1 The Panel Secretary reported that the Panel had consulted the South West Regional Assembly (the Regional Planning Body) and the Government Office for the South West in preparing the Preliminary List of Matters to be examined. In determining those matters, the process has been greatly assisted by the representations received by the Secretariat on the Deposit Draft. The Panel considered that it had included all the main issues of controversy/real Regional and Strategic significance.
- 3.2 The Matters selected for discussion were as follows:
- 1 A Sustainable Future
 - 2 The Context (for the Spatial Strategy)
 - 3 The Spatial Strategy
 - 4 Sub-Regional Strategies
 - 5 Transport/Regional Transport Strategy
 - 6 Housing
 - 7 The Environment and Resource Management
 - 8 Economy and Employment
 - 9 Implementation and Monitoring

Panel Tours

- 3.3 The Panel Secretary reported that the Panel and Secretariat have undertaken some initial familiarisation tours prior to commencement of the Examination in Public which have also assisted in the preparation of the List of Matters

Two **Panel area visits** have taken place so far

- Cornwall area
- Bath area

Another is planned for:

- Swindon area

The **Panel tours** to date have focused on:

- Around Bristol/Weston Super Mare Area
- Around Exeter/Taunton/Torbay Area
- Plymouth/Saltash Area /Okehampton

And there will be the fourth tour on the 17 January focusing on

- Dorchester /Weymouth Area/Yeovil

Others tours are planned for:

- Bournemouth/Poole/Christchurch Area (early Feb)
- Gloucestershire/Cheltenham Area (Late Feb)

3.4 Once the Panel Tours have been carried out the details would be published on the Examination in Public website. The Panel may also wish to undertake further tours which it considers necessary as the Examination in Public progresses. The Panel welcomed suggestions, in writing, for further tours.

The Selection of Participants

3.5 The Panel Secretary reported that the participants had been selected to represent a range of views and interests. The Panel had invited approximately 200 different participants, some for more than one Matter. Because of their special roles, the South West Regional Assembly (as promoter of the Deposit Draft Revision) and GO-SW (to explain relevant national policy) had been invited to all of the Matters. The Preliminary List of Participants had been drawn up in consultation with the South West Regional Assembly and the Government Office for the South West.

3.6 The main criteria for the selection of Participants had been "the significance of the contribution which they can be expected to make to the discussion, having regard to their knowledge and expertise and/or the views they had already expressed". The Panel has also had regard to:

- the need for a 'balance' of the views expressed; and
- the need to ensure that the number of Participants invited did not preclude meaningful debate.

Consultation Process on the Preliminary List

3.7 The Panel Secretary said that approximately 180 comments had been received in respect of the Preliminary List of Matters and Participants, the majority concerning participation at the Examination in Public, and others

concerning the actual Matters to be discussed. The Panel was very grateful to all those who took the time to make comments and had found the representations to be very helpful in formulating the Final List of Matters. The Panel had carefully considered all of the comments it had received by the deadline.

- 3.8 The Panel has also consulted the South West Regional Assembly and the Government Office for the South West in producing the Final Programme. The Panel has found the comments received to be very helpful in formulating the Final List of Matters and Participants which will be placed on the EiP website very shortly.
- 3.9 The Panel now considered that the Final List of Matters and Participants would enable it to obtain a representative and informed selection of views on the various Matters. However, the Panel would be meeting after the close of the First Preliminary Meeting to consider if any further changes to the Final Programme were necessary.
- 3.10 Where the Panel had been unable to accommodate particular requests for participation there were two options open for those who felt that they could assist the Panel in its deliberations:
- a) submit written representations to the Panel Secretariat Office by the date to be announced, addressing the relevant questions in the Final Programme. Such representations would be circulated to all the Participants for the relevant Matter/sub matter; and/or
 - b) contact those who had been invited and who shared similar views to see if they could assist in putting the views across.
- 3.11 The Examination would take place in public and it would be open to anyone to sit in and listen to the discussions, but not take part.

Main Changes to the Preliminary List

3.12 In summary the main changes to the Preliminary Lists are as follows:

Participants

- (i) A small number of Participants have been unable to accept their invitation.
- (ii) Several new Participants have been invited as a result of the consultation, they have already been informed/will be informed and will receive the relevant documentation shortly
- (iii) A certain number of 'original' Participants have been invited for further Matters.

Matters

- (i) Examination extended by 1 week to accommodate longer sessions on debate on Appropriate Assessment (Matter 1/2),

climate change (Matter 1/3), overall housing numbers and 2003 forecasts (Matter 2/3), strategic approach (Matters 3/2 and 3/3).

- (ii) Sub matter on tourism introduced.

Written statements and their submission

- (i) The Panel are minded to allow an extra 1000 words per participant on the JSAs Sessions
- (ii) submit written representations to the Panel Office on the dates to be announced.

4 EXAMINATION IN PUBLIC PROCEDURE

- 4.1 The Panel Inspector indicated that for detailed guidance Participants needed to refer to the "Notes for Participants" which is available on the EiP website. If the answer to any query or concern cannot be found in the Notes then contact should be made with the Panel Assistant who would be happy to assist.

Participants' Statements

- 4.2 The Panel Inspector advised that detailed guidance could be found in Section 9 and 10. Please follow the instructions - it will assist the tasks of the Panel and the Panel Secretariat. There is a need for participants to provide an electronic copy of Statements.
- 4.3 There is a word limit of 2,000 words per statement (this equates to about 6 sides of A4), 3,000 in the case of JSA statements. That is a maximum, not a target, font size 12 and no condensed fonts. Please try to avoid appendices – if there are facts or figures that you want to refer to it is often better to include them in the text with a footnote to identify their origin.
- 4.4 Paragraphs 9.5 and 9.6 contain details on preparing and submitting statements:
- Statements must have a reference number on the front
 - Each page should have a header;
 - All pages and paragraphs must be numbered; and
 - 30 copies plus one electronic copy and an unbound copy are required.

Please use those paragraphs as a checklist before despatch.

- 4.5 Paragraphs 9.2 and 9.3 of the Notes for Participants contains advise on the content of statements:
- Focus on the Matter or sub-Matter concerned;

- Use your statement to present information on which you have particular and relevant knowledge; and
- Include any suggestions for changes to the wording of policies or explanatory text in the draft RSS that you think may overcome your concerns.

Examination in Public Library/Core Documents

- 4.6 Guidance on the EiP library and core documents is to be found in Section 14 of the Notes. An Examination in Public Library Documents List is available on the Examination in Public web site and will be updated regularly.
- 4.7 There will be a library of core documents. To add documents to the EiP library please follow the arrangements set out in paragraph 14.5 of the Notes for Participants.

Deadline for Statements

- 4.8 The Panel Inspector said that the Panel had specifically selected the deadline date for Statements to ensure that all the material could be circulated to other participants and also for consideration by the Panel. An extension would only be allowed in exceptional circumstances. The Panel Inspector reminded all Participants that the deadlines for all Participants' Statements was now:
- Matter numbers commencing during EiP weeks 1,2,3,4 & 5 by 5.00 pm, Friday, 2 March 2007 and
 - Matter numbers commencing during EiP weeks 6,7,8,9 & 10 by 5.00 pm, Friday, 16 March 2007
- 4.9 The Panel Inspector hoped that all Participants recognised the clear benefits in having Statements circulated at the earliest opportunity.

Arrangements for Distribution

- 4.10 The Secretariat would distribute the Statements to Participants at the earliest opportunity. To avoid any delays in distribution it was important that Participants comply with the detailed requirements in Sections 9 and 10 of the 'Notes for Participants' and observed the deadline. If Participants had any doubts they should contact the Panel Assistant for advice and guidance.

Preliminary Work by Participants

- 4.11 The Panel wished to encourage participants to reach agreement in advance of the Examination on as much of the factual background of their intended submissions on issues of contention as is possible to save time and unnecessary discussion at the Examination. The Panel Inspector

reminded Participants of the importance the Panel attached to the need for Participants to talk to each other before the Examination in Public.

Linkages between Matters

- 4.12 The Inspector said that the Matters for Discussion are inter-linked and it was likely that some issues may have relevance to a matter being discussed at another session (whilst avoiding repetition).
- 4.13 This is likely to apply to discussion of the context to the Spatial Strategy where there is an interrelationship between discussion of the Strategy approach and the more detailed impact of strategy on particular areas. Similarly, links exist between discussion of the Spatial Strategy and the level and distribution of housing in Matter 4.

Recording of the Proceedings

- 4.14 The Inspector stated that daily summaries will not be produced. The use of a means to enable those with an interest in the EiP to hear the proceedings a day or two after they have taken place is being explored. The purpose of such records is simply as an archive, not to stimulate further written representations from anyone who listens to them, and that will be made clear on the web site. The recordings of the Examination would be available after the close of the Examination in Public

5 EXAMINATION IN PUBLIC TIMETABLE

- 5.1 The Panel Assistant reported that the Final Programme containing the Timetable, and the Final List of Matters and Participants, which would be available on the Examination in Public website shortly, should be regarded as fixed. It was in everyone's interest to ensure that the Timetable now remained unchanged and every effort would be made to keep to the Programme.
- 5.2 The Panel would stress that, so far as possible, it was a firm timetable. Should any update be required in the light of any comments received from Participants (in the Open Session, which followed), it would be included in the aforementioned Final Programme.
- 5.3 Generally all sessions will start at 10.00 am promptly and finish by 5.00pm.
- 5.4 Participants should note that it is their responsibility to check the Examination in Public website

www.southwesteip.co.uk

regularly for updates and new published documents. Any Participant unable to access the Examination in Public website, should contact the Panel Assistant to make alternative arrangements.

- 5.5 Should any participant require assistance because of poor eyesight, hearing or other disability could they please inform the Panel Assistant.
- 5.6 The Panel Assistant assured Participants they should not worry if they did not receive an immediate response to any communication made to the Panel Office – they would be dealt with as soon as possible.

6 UPDATED BACKGROUND PAPERS

- 6.1 The Chairman indicated that the South West Regional Assembly had been requested to ensure that any new background papers were available by December 2006, before the preparation of Written Statements. The Chairman then requested that first, a representative of the South West Regional Assembly and second, a representative of the South West Regional Development Agency update the Panel and Attendees regarding Background Papers.
- 6.2 Clare Read reported that EiP information notes had now been prepared by the South West Regional Assembly. These documents were to be made available on the EiP website www.southwesteip.co.uk and the Regional Assembly website www.southwest-ra.gov.uk. There was also ongoing work by the South West Regional Assembly which would be coming available, as indicated in a note prepared for the meeting.
- 6.3 Pat Stewart reported the ongoing work of the South West Regional Development Agency which would be coming available, as indicated in a note prepared for the meeting.

| INFORMATION NOTES | PUBLISHED |
|---|------------------|
| EiP Information Note 1 Draft Issues, Strategy Vision and Aims | Jan 2007 |
| EiP Information Note 2 Draft RSS Spatial Strategy, Development Policies A-C, and rural/urban issues | Jan 2007 |
| EiP Information Note 3 Housing | Jan 2007 |
| EiP Information Note 4 Joint Study areas | Jan 2007 |
| EiP Information Note 5 Transport | Jan 2007 |
| EiP Information Note 6 Strategic Sustainability Assessment | Jan 2007 |
| EiP Information Note 7 Waste | Jan 2007 |
| EiP Information Note 8 Energy | Jan 2007 |
| EiP Information Note 9 Economy | Jan 2007 |

| | |
|---|----------|
| EiP Information Note 10 Climate Change | Jan 2007 |
| EiP Information Note 11 Housing mix,type,densities | Jan 2007 |
| EiP Information Note 12 Implementation and Monitoring | Jan 2007 |

ONGOING WORK

PUBLISHED

(South West Regional Assembly)

1. Revised Household Forecasts (including scenario 4 & Strategic authorities advice)
2. Strategic Sustainability Assessment of revised household forecasts
3. Joint Study Area Assessments
4. Urban Housing Capacity and Potential Study
5. Carbon Neutral Study
6. Appropriate Assessment of the Draft Regional Spatial Strategy
7. Evidence base to support appropriate assessment of the Dorset Heathlands
8. Economic Projections by HMA
9. Rail Prospectus
10. Testing of GBSTS
11. Swindon Water Cycle Study
12. Regional Flood Risk Assessment
13. Update of Water Resources Study

(South West Regional Development Agency)

1. Demand for and supply of Employment Land,
2. Sustainable Mobility
3. Rural Economic Activity
4. Economic Dynamics and Intervention in the West of England
5. Economic Dynamics and Intervention in the South Central Zone

6.4 The Chairman indicated that the Second Preliminary Meeting would be an opportunity to review progress on the availability of these documents. Participants should not necessarily wait for these documents before commencing drafting their Written Statements.

7 Panel Response to the Comments Received

- 7.1 The Chairmen addressed the main points that had been made in the comments on the Preliminary Programme, Timetable, Matters and Participants.

Responses on the background and setting up the EiP

Location of EiP

- 7.2 Throughout the preparation for the EiP we have considered the possibility of holding sessions of the EiP at a number of locations around the region, but have now decided on a single venue. In part this is a response to the number of candidate locations – there are 13 HMAs, 9 Joint Study Areas and 6 Counties plus the West of England Partnership – and also the relative accessibility of Exeter by public transport. The decision to retain Exeter as the single location is also influenced by the additional time that would be needed to move the EiP around the region and the logistics of doing so.

Right to be Heard

- 7.3 Many of the representations on the matters and participants implied a right to be heard - on the basis of local representation or specific commercial interests. Paragraph 17 of Annex C, PPS11 makes clear that individual objectors do not have an automatic right to appear. Paragraph 18 of Annex C indicates that the main criterion for selecting participants should be the significance of the contribution each potential participant can be expected to make. Paragraph 19 further asserts that the EiP is not a forum for hearing all representations.
- 7.4 The Government Office for the South West has been provided with copies of all representations, which will be before them when the Panel Report is received on behalf of the Secretary of State. Following this, the Secretary of State will publish proposed changes, which can cover issues not dealt with in the Panel Report (PPS11, Annex C, paragraph 52). There is then an eight-week consultation period on these changes. This provides a further opportunity for the RSS review process to take into account the representations, which are not covered by the EiP.

Strategic versus Local

- 7.5 Paragraph 5 of Annex C indicates that the EiP is a public debate on selected issues where an examination could usefully provide further information to test the soundness of the draft RSS. This requires the Panel to focus on strategic rather than local matters. Our choice of participants is driven by the need to obtain contributions of a strategic nature, while at the same time ensuring an equitable balance of differing viewpoints. We have invited a number of local bodies, but we will encourage them to adopt a wider perspective. In terms of the development industry we were faced by a complex web of client/agent relationships, but our invitations will be based on the assumption that the agents/representative will be presenting strategic arguments. It is

our intention to be firm with any attempt to raise local planning matters as opposed to more general and strategic arguments.

Responses to comments on the Preliminary lists of Matters and Participants

Participants

- 7.6 Our consideration of the appropriate number of participants has been guided by PPS11 Annex C, paragraph 18 and our previous EiP experience. We have sought to limit numbers at each EiP session to around 20. In order to ensure a meaningful debate we have set an upper limit of 25 participants. It is likely that a significant proportion of the sessions will reach that limit of participants, because of the scale of the region, the complexity of the issues and our wish to ensure as broad a range of viewpoints as possible.
- 7.7 Some of the Planning Consultancies have submitted representations on behalf of a portfolio of clients, and some clients would seem to have sought representation by more than one consultancy. Where our invitation to participate involves either of these categories of Consultants, we would wish to make it clear that the invitation is issued on the basis of the potential strategic contribution of that Consultant and not on the basis of the specific land or commercial interests of specific clients. We will be expecting a single Statement from these Consultants rather than one per client.
- 7.8 The demand for participation has been particularly heavy. And we will not be able to meet the many requests to participate at the various sessions. We have, however, carefully scrutinised the comments that have been made on the draft list of matters and participants and, as indicted earlier, be proposing some additions and amendments.

Hot Seating

- 7.9 There are a large number of relevant local government bodies within the region. It is not possible to accommodate all of these bodies individually and at the same time ensure a meaningful debate of diverse views. In order to maintain the levels of participant numbers at a reasonable level, we have sought the co-operation of the Local Government sector to operate a hot seating arrangement. This was based on the successful operation of this process at other EiPs and more recently the North East RSS EiP. We have been pleased by the positive response to our proposal. In return we are minded to agree to the request for an additional place for the Strategic Authorities in the North and Central part of the region for the thematic sessions. We would hope the relevant Local Authorities would prepare Joint Statements in relation to the Matters. The Panel would find this approach particularly helpful.
- 7.10 However, we are not minded to accept the proposal for an additional seat for the West of England Partnership at the sub-regional session as this would appear to be the opposite of hot seating. We are of the opinion that the four invited authorities that make up the West of England

Partnership should be able to find a way of ensuring that any "Partnership views" can be brought forward.

Pre EiP Sessions

- 7.11 A number of participants have suggested the use of such sessions and have quoted the practice in other EiP processes as a reason. We are of the opinion that such sessions should not be a substitute for the EiP debate and can only be effective where there is scope to clarify factual matters and thereby make the EiP debate more effective. While there are substantive differences of views between the participants, we are not convinced that these differences are of a factual nature that could be resolved through pre EiP discussions.

Sequence of Matters

- 7.12 A number of the representations on the draft EiP Programme have suggested that there could be an advantage in hearing some of the thematic sessions such as Housing and Transport prior to the sub-regional sessions. However, in the interests of avoiding the potential for unnecessary confusion over the structure of debate, we have sought to adhere as closely as possible to the sequential framework provided in the published draft RSS itself. Two examples: firstly housing, this facilitates discussion about overall quantity before moving on to consider distribution and secondly, qualitative matters such as the proportion of affordable housing and questions of density.
- 7.13 As far as transport is concerned, we are of the opinion that there is a considerable advantage in hearing the sub-regional sessions prior to the discussion on transportation policy. Thus, debate over the distribution of development would suitably precede consideration of how resulting travel and transport demands might best be addressed and other implemetational issues.
- 7.14 We would also wish to make the point that the EiP is structured to provide a cumulative approach to the assessment of the soundness of the draft RSS. We expect the discussions on the first category of Matters to provide a broad framework for the subsequent debates. The discussions on the "Context" Matters should cascade through the economy and population to provide a basis for the discussions on housing. These discussions should provide an input to the debates on Strategy and the Housing Market Area Matters and the Housing Market Area discussions will provide an important input for session 4/14. We would seek your co-operation in not trying to finalise everything in the early sessions.

Relationship between 2/4 and 4/14

- 7.15 Some of the representations sought an explanation of the relationship between the debate on Matter 2/4 and that on Matter 4/14. It is our intention that the discussion on Matter 2/4 together with the discussion on Matter 2/3 will provide a framework for the HMA debates. It is not intended that the discussion on Matter 2/4 will involve an individual assessment of each HMA, but will identify any overarching need for

change and the means to achieve such change. The debate on Matter 4/14 is intended to allow the Panel to come to a decision on the contents of Tables 4.1 and 4.2 and will utilise the earlier HMA discussions to identify potential changes to the Tables.

Sustainability Appraisal (S.A.)

- 7.16 A number of representations on the draft List of Matters and Participants questioned the time allocated to this session. Generally, requests for more time were based on the supposition that there would be a separate critique of the Sustainability Appraisal. As far as we are concerned, the EiP as a whole will provide the basis for a judgement on the soundness of the draft RSS. Furthermore, the EiP provides the means of overcoming any strategic deficiency in the Sustainability Appraisal and another round in the SA process will be required if any changes are thought necessary. Therefore the initial session of the EiP, 1/1, will only deal with whether the S.A. has been satisfactory in procedural terms, rather than in its outcomes. We are of the opinion that the time allocated will be adequate for this purpose.

Appropriate Assessment

- 7.17 The representations on the draft List of Matters and Participants also suggested a need for more time to discuss this issue. We are minded to provide more time for this session, but we are of the opinion that many of the representations do not seem to appreciate that session 1/2 is only intended to deal with the broad implications of the Habitats Regulations and that the actual sub-regional implications will be dealt with through, for example, sub-matter 4/7(d).
- 7.18 Some of the representations on the Matters referred to the contribution of the specialist assessor to the South East RSS EiP. We do not consider it appropriate to replicate the work done for the South East RSS EiP, but anticipate that we may take advantage of the conclusions of the assessor prior to the opening of the South West RSS EiP (subject to its availability).

More Time

- 7.19 Were we to accede to all the requests for additional time; the EiP would be extended by a number of weeks. But, as indicated previously, we are minded to provide more time for some of the sessions. It seems likely that as a result of our deliberations extra time will be provided for the sessions on Climate Change (1/3), Overall Level of Housing (2/3) and some of the Strategy sessions (3/2 and 3/3). As a result, it would appear that the EiP will extend by a further week.

Additional Matters

- 7.20 Some representations encouraged us to include a number of new matters. While many of these deal with not unimportant components of the draft RSS, in our view they do not raise strategic issues of significant controversy nor do they raise any conflicts with national policies. Therefore, we did not consider that further discussion on such matters was required.

- 7.21 However, as previously indicated, we are minded to include some additional matters. We are considering the need to provide for discussion on Green Belt issues in the sub-regional sessions where Green Belt modifications are an issue. We are also considering a specific opportunity for the discussion of how adequately the draft RSS deals with tourism development.

Response to the Next Stages of the EiP process

Submission of Statements

- 7.22 It has been put to us that the submission of EiP Statements on the Matters should be staggered in view of the work involved and to allow the incorporation of up-to-date information. It was suggested that the submission dates should be 9th. March, 6th. April and June 4th. These suggestions do not fully take into account the implications for the Panel. Once the EiP has commenced it will be virtually impossible to find the time to read additional material. It is important for the proper conduct of the EiP that the Panel have an opportunity to read the statements prior to the commencement.
- 7.23 Furthermore, the statements for different parts can, from time to time, interact and provide the Panel with additional insights on how the EiP should be shaped. Nonetheless, we are of the opinion that some staggering of the submission dates could be beneficial for administrative reasons and as already indicated we propose that there should be two tranches –
- the first tranche on 2nd March 2007 and the
 - second tranche on 16th March 2007.

This will provide an extra week for the preparation of the later Statements.

Scale of Statements

- 7.24 We were also requested to split some of the sub-regional sessions into two because of the difficulty of dealing with the issues within the 2000 word limit. We are of the opinion that this amounted to a request for a longer statement for some of the sub-regional Matters. For the HMA sessions involving a Joint Study Area only, as announced earlier, we propose to allow the statements to have a 3000 word limit.
- 7.25 Questions have also been raised about the role of an appendix in relation to the word limit. We accept there maybe a need for an appendix in some cases when important supporting material is required, but we are concerned that the opportunity may be misused by the inclusion of site specific material which is not relevant to strategic matters. In any event , critical documents should be in the EiP library and a reference should be sufficient. Given the amount of material that the Panel are going to have to read for this EiP, we would request that the use of appendices should be minimised.

Nature of Statements

- 7.26 The purpose of the EiP is to provide the basis on which the Secretary of State can decide whether any changes need to be made. Statements which simply criticise the draft RSS are of less value to the Panel than an argued case for change. For example, the Panel would expect those submitting Statements supporting higher levels of development in small towns and villages and in the rural areas to support the case with:
- An assessment of the overall development implications;
 - An indication of the contribution which the proposed development pattern would make to the reduction of carbon emissions; and
 - Evidence to support any implied benefits of an alternative distribution in terms of sustainable communities.
- 7.27 The Panel will require evidence to support any proposed changes the draft RSS and therefore it is expected that Statements will not only make suggestions for change, but support those suggestions with evidence and set out an assessment of the likely consequences of the proposed changes. It would be desirable for those Statements advocating a limit on development, because of environmental constraints, to set out the alternative locations within the Housing Market Area where the development should be accommodated or demonstrate how the consequences of an absolute restriction of growth are to be dealt with.
- 7.28 The Panel must also be certain that any proposed changes are realistic and will look for evidence in the Statements on that aspect of the proposal. For example, any Statement arguing for a significantly higher rate of development should include evidence to demonstrate that it might be delivered.

8 OPEN SESSION FOR QUESTIONS

- 8.1 The Chairman invited questions and queries from the attendees. It was not appropriate to make specific requests to participate at the Examination in Public.

1. Rob Duff: Pegasus Planning

Q: Will supplementary statements be allowed after the deadline set for the submission of statements on overall housing numbers (2 March 2007) as the RPB was not proposing to publish background papers on this subject until that date?

R: *Advice on the timeliness of background material had already been given to the RPB, which had affirmed that if material can be made available sooner than 2 March, it will be. However, the relevant Matters would be discussed at the scheduled sessions on the basis of the evidence available at the time and the participants should prepare accordingly.*

2. Mark Fox: Pegasus Planning

Q: Queried the arrangements for examination of the soundness of the RSS sustainability appraisal.

R: *The focus of the Panel's interest under Matter 1/1 will be on the procedural aspects of the appraisal rather than its conclusions. The Examination as a whole is, in effect, directed at testing the soundness of the outcomes and the appraisal process is a continuing one that will include the RSS in its final published form.*

3. Maxine Bodell: Dorset County Council

Q: What were the arrangements for adding documents to the Examination Library and what effect will the additions made by the Panel to the List of Matters would have on the sequence and timing of the Examination?

R: *Core documents may be submitted to the Panel Assistant separately from Statements but should be in sufficient time for them to be digested by other Participants as well as by the Panel. Additions to the List of Matters had been slotted into the Programme wherever they occur rather than simply being added "en bloc" at the end. Dates and timings had been adjusted accordingly throughout, with the result that the length of the Inquiry had increased by one week.*

4. Ted Fryer: (SWARD) (Safety in Waste and Rubbish Disposal)

Q What is envisaged for the Second Preliminary Meeting?

R. *The First Preliminary Meeting concentrates on procedures in the run-up to the opening of the Examination, especially the arrangements for the submission of Statements. The Second Preliminary Meeting will be concerned principally with the conduct of the Examination itself. The two dates also provide alternatives for those unable to attend one or other of the Preliminary Meetings, while the Second Preliminary Meeting in itself has a further important function as representing a final opportunity to resolve any remaining procedural concerns prior to the opening of the Examination.*

5. Chairman of the Exmouth Residents' Association

Q. Requested that a Member of the Regional Development Agency be invited to attend one of their meetings.

R. *The Panel has no powers to instruct representatives to attend.*

6. Jan Molineaux: Terence O'Rourke and Partners

- Q. Will all Statements be available on the EIP web-site?
- R. *The Statements from all Participants will be published on the web-site, but there may be short delays after the two respective submission dates before they appear*

7. Alan Soldat: Barton Willmore Planning Partnership

- Q. Expressed concern that the inclusion of suggested alternative policy wording could significantly reduce the 2,000 word limit for Statements.
- R. *It would be acceptable to include any alternative wording that Participants wish to suggest in an appendix but the option of presenting such wording as the Statement's concluding summary should not be overlooked.*

8. Rob Duff: Pegasus Planning

- Q. How would the Panel distinguish between strategically and non-strategically significant potential development sites?
- R. *It is not possible to establish a definition from the outset and the Panel will exercise its judgement in the light of the discussion at each of the sub-regional sessions. At this stage, however, it may be taken that the List of Participants reflects what the Panel considers most likely to represent those with potentially strategic interests.*
- Q. When would the responses to Panel Note 2 be available and when the consequential implications for LDF preparation would be considered?
- R. *The Panel had requested responses by the date of the First Preliminary Meeting but they will now be published on the Web Site when received. With regard to LDF preparation, Matter 9 in the Programme will cover the delivery of infrastructure and relevant implementation issues.*

9. Stephan Layland: non-Participant

- Q. In terms of the procedure this rolling steamroller process, whereby illustrative evidences from representative groups are taken forward, it has an inexorable dynamic perpetuating the status quo. What is being done to ensure that representative or illustrative evidence of a different status quo might come in at this stage?

Concern is that although this is a launching process to 2026 it is going to last a lot longer and push the South west into a particular direction and it will be difficult to back out later in the long term. I'm concerned of the return of the repressed whereby traditional enmities across the region will re-arise. We are facing an enormous paradigm change and although that may be the government's responsibility, government doesn't know about regional enmities. It is the responsibility of the Panel to confront the possibilities that there may be a paradigm, a perspective from a paradigm that isn't incorporated in these representative, illustrative evidences which by their nature are attached to the status quo. What is the Panel doing about that?

- R. *The Panel's remit is set by the Secretary of State for Communities and Local Government and is concerned with advising on a suitable spatial framework to inform the preparation of Local Development Documents, Local Transport Plans and regional and sub-regional strategies and programmes that have a bearing on land use activities. The remit does not extend to resolving past enmities or to other matters that do not have a bearing on land use activities.*

10. Mike Birkin: Friends of the Earth South West

- Q. What means of transport does the Panel use when visiting places in the area?
- R. *The Chairman replied that experience was being gained on using various means of transport in travelling into the region and within it.*

11. Jeff Walker: RTPi SW Branch

- Q. In response to Mr Layland's concern that the Branch is considering alternative future scenarios.
- R. *The Panel noted this response.*

12. Mike Fox: Torbay Borough Council

- Q. Would further information on growth points and alternative development trajectories (brownfield etc) be provided and if so, when?
- R. *It would have been helpful to have had such information much earlier in the process. If such information is already available, the RPB or others ought produce it as soon as possible. However, if the information has not yet been compiled it would be ambitious to now expect it to be available in time to inform the Examination.*

13. Rob Duff: Pegasus Planning

- Q. Would like to suggest that a separate Technical Session may assist in filling gaps like that identified by Mr Mike Fox.
- R. *In the run-up to the Examination, it is unlikely that the RPB will have the resources to fill evidence gaps of this sort, or to service a separate round of Technical Sessions. The RPB indicated that they would endeavour to obtain this information. The Panel, with the help of a Planning Officer provided by PINS, had itself begun some analysis of data provided by various Participants, including Barton Willmore, in their original representations. The results will be published when this analysis is completed.*

14. Joanne Russell: Home Builders' Federation

- Q. Will copies of all of the original representations submitted in August 2006 would be available on the web-site to assist others in preparing their Statements?
- R. *The data-base has now been completed and the documents should appear on the web-site from the beginning of next week (22 January). This will include suitable search facilities.*

15. Wendy Lutley: CPRE SW

- Q. When will the next annual monitoring report of RPG10 be published?
- R. *The RPB responded that this would be published on the RPB web-site on 28 February 2007.*

16. Alan Watson: National Trust

- Q. Welcomed the extension of the climate change session and inquired whether the Examination would cover the new PPS on Climate Change?
- R. *The new PPS has been published in consultative form only at present, with a deadline for responses by the end of March. The final version is unlikely to be published until after the Examination has closed. In the light of this timetable, the Panel will be unable to attach anything more than very limited weight to the document in its own deliberations and it will be mainly for Government Office to assimilate it into later stages of the RSS process.*

17. Mark Fox: Pegasus Planning

- Q. The Panels for the East of England RSS and South East of England RSS EiPs took different views on the degree of information to be provided. Can you clarify to what degree you want sustainable information on locations in support of direction of growth and so on?
- R. *If alternative development locations are being advanced by Participants the Panel will expect them to be supported by sufficient environmental and other information to demonstrate that the locations are genuinely developable and that the consequences of development at them would be acceptable.*

18. Stephan Layland: non-Participant

- Q. Do not understand the Panel when it says it does not have a remit when I specifically say it is not government which will have responsibility to know about regional enmities and when you look regionally you see those enmities are very local and characteristic of the region in the past. How is this possibility being allowed for in the enquiry process?
- R. *The scenario alluded to is not evident in any of the representations and is certainly not within the remit of the Panel in terms of identifying issues at this EiP.*

9 CONCLUDING REMARKS

- 9.1 The Chairman informed everyone that it was hoped the Final List of Matters and Participants would be prepared shortly. A Note of the First Preliminary Meeting would be put on the Examination in Public website as soon as possible. A paper copy will only be sent to Participants, if it is specifically requested.
- 9.2 The Chairman thanked all those who had attended this First Preliminary Meeting.
- 9.3 The Chairman reminded everyone that the Second Preliminary Meeting would be held on Tuesday 6 March 2007 at 2.00 pm in this room.

The Meeting closed at 3.50 pm.