

**BATH AND NORTH EAST SOMERSET CORE STRATEGY EXAMINATION****INSPECTOR'S NOTE – PROGRESSION OF THE EXAMINATION**

1. I refer to the Council's letter of 18 July 2011 and the attached detailed response (BNES/1) to some of the issues raised in my note of Preliminary Comments and Questions (ID/1).

2. The Council has requested a delay in the commencement of the hearings until January 2012 to enable it to consider its response to various concerns raised in my note and to undertake consultation on significant changes. Such changes would include those mistakenly included in the previously published schedule of minor changes as well as anticipated further changes which are likely to include addressing the consequences of the Council's recent decision to abandon various aspects of the Bath Transportation Package in reformulating its bid for central government funding.

3. In the above circumstances, the Examination is likely to be conducted more efficiently and effectively if the start of the hearings is delayed until January 2012. By that time there is likely to be more certainty about legislative changes to the planning system. I consider that this is the most appropriate course of action.

4. I have noted the Council's response to some of the issues I have raised and that the Council intends to respond to other matters during August. But my agreement to delay the start of the hearings does not imply that I am likely to find the Core Strategy sound. There will be a range of significant issues to explore during the Examination. On controversial matters, such as the scale of housing, the soundness of the plan can be assessed only by progressing the Examination. There would now be no purpose in holding an Exploratory Meeting at this stage. The Council is already aware from my earlier note of the need to explain a number of matters more fully and clarify the reliance on various evidence studies.

5. Normally I would envisage immediately suspending the Examination until it is necessary to resume preparation following the completion of the Council's consultation on possible changes. However, as previously indicated, I had not completed my initial preparation when I sent my Preliminary Note at the beginning of June and I have not undertaken further work since, pending the Council's response. I intend to complete that preliminary review of the remaining material at submission by 12 August and I will raise with the Council any further matters which cause me immediate concern. I would then suspend the Examination until I need to resume preparation leading up to the hearings.

6. The Council has set out a preliminary timetable leading up to hearings in January 2012. The critical event for the resumption of the Examination will be the completion of the consultation on possible changes and the provision by the Council to me of the responses suitably collated. If the Council is able to undertake the consultation as indicated, I would be able to resume the Examination at the beginning of November.

7. A Pre-Hearing Meeting (PHM) may not be required, but it would be convenient to fix a date for such a meeting now, to be triggered if required nearer the time. If serious and unexpected issues arise, the date for the PHM could be used for an Exploratory Meeting, or both such events, if needed. The PHM is most useful when a draft hearing programme has been prepared and I have identified the main issues and likely questions for further comment, but before this material has

been finalised. It should not be as late in the programme as suggested in the Council's timetable. I therefore suggest a date of Friday 18 November or Monday 21 November (11.00 start). I would like this date to be fixed before I suspend the Examination. I would normally aim to issue agendas for the hearings about 5 working days before the event and accordingly, given the Christmas and New Year Holidays, it may be more practical to start the hearings in the week commencing 9 January rather than on the 5<sup>th</sup> as the Council suggest. The start date can be confirmed when the Examination resumes. When the PHM date has been agreed, the Programme Officer will write to all parties to inform them of the new arrangements for progressing the Examination

8. A number of evidence studies/topic papers have been published since the public consultation on the draft Core Strategy earlier this year. Further studies or updates may also be published over the summer. It is important that there is the opportunity for public comment on this evidence as part of the consultation on possible changes. To assist me and interested parties, the Core Documents list should make clear what documents have been published since the original publication of the Core Strategy. With the large number of background studies on the CD list and likely further additions it is essential that the Council makes clear on what evidence it is relying and what evidence has been superseded. This is particularly important where significant changes are taking place, such as in the make-up of the Bath Transportation Package. It would be helpful if the consultation on the significant changes is accompanied by a Topic Paper which explains the reasons for those changes, what new or updated evidence has been prepared and how it has been used.

**Simon Emerson**  
**Inspector**  
**22 July 2011.**