

7. The Exmoor National Park Authority [ENPA] have submitted what they consider to be a sound plan, as the NPPF requires. Those seeking changes must demonstrate why the Plan is unsound by reference to one or more of these tests.

Representations on the Plan and Evidence Base

8. All the representations received on the Plan and the Evidence Base which contains all the documents that informed the preparation of the Plan are available via the Exmoor National Park Examination webpage link above.

Schedule of Proposed Changes to the Plan

9. The ENPA have published a schedule of proposed changes to the Plan (document SD5). Although this is not part of the Plan itself, it will help to inform the discussions at the hearing sessions. Participants should therefore ensure that they are aware of its contents.

Attending the hearing sessions

10. Anyone can come and observe the hearings, but only those who are proposing changes to the Plan in order to make it sound or legally-compliant have the right to participate and speak. I may invite additional participants to attend the hearings because I think their representations are particularly relevant to the matters under discussion. All those who are participating at the hearings are shown on the programme.

The hearings programme

11. Updates to the hearings programme will be posted on the Examination webpage. **It is the responsibility of individual participants to check the latest programme for the hearings, either on the Examination webpage or with the PO, and to ensure that they are present at the correct time.**
12. Morning and all-day sessions will normally start at 9.30 am, and afternoon sessions at 2.00pm. Short breaks will be taken at convenient points in the mid-morning and mid-afternoon, and there will be a lunch break at about 1.00pm.
13. The hearings programme sets out the **issues and questions** that will be discussed at each session. The issues and questions cover the matters on which I need to hear discussion in order to help me determine whether or not the Plan is sound and legally-compliant. They take into account the representations made on the publication draft plan.

Format of the hearing sessions

14. Each hearing session will consist of a structured discussion led by me and based on my list of issues and questions. I will invite particular participants to begin the discussion on each question, and others will then have a chance to contribute.
15. There will be no formal presentation of evidence as I will have read all the relevant representations and other written material beforehand, and will expect all the other participants to have done so as well. Nor will there be any cross-examination unless I consider it is necessary to deal with a particular issue or question. Barristers and solicitors, if present, will be

treated as part of the respective team. There should be no more than two people per participant at the hearing table.

Representations and hearing statements

16. Oral and written representations carry equal weight. Representors should have put their full case in their representations on the publication draft plan¹, and my issues and questions take account of the representations made. So there should normally be no need for hearing participants to submit an additional hearing statement.
17. If, exceptionally, participants do wish to produce written hearing statements to supplement their original representations, for each matter they should cover only:
 - (i) the issues and questions identified in the programme which are relevant to their original representations, and
 - (ii) any relevant new matters that have arisen since their original representations were submitted.
18. Similarly, the ENPA should not produce additional written material for any of my issues and questions that are already answered by material already published, including evidence documents and "LPA responses" to representations on the Publication Draft Plan.
19. Statements should be no longer than is necessary to deal with their subject matter and, in any event, must contain no more than 3,000 words. This limit will be strictly applied. **Three hard copies and one electronic copy must be sent to the PO to arrive by 5pm on Monday 20 June 2016.**
20. Hearing statements will be posted on the Examination webpage, so that they are available to all participants and anyone else who wishes to read them. Because they will be available in this way, they will **not** be circulated directly to participants. However, anyone who is unable to access them on the webpage may request copies from the PO.

Statements of Common Ground

21. Statements of Common Ground, agreed between two or more hearing participants, will be welcome where they would help to identify points not in (or remaining in) dispute, and so enable the hearing to concentrate on the key issues that need further discussion. At the very latest, any Statements of Common Ground should be submitted to the PO by **Monday 20 June.**

Roger Clews

Inspector

May 2016

¹ See *Examining Local Plans Procedural Practice* (The Planning Inspectorate, Dec 2013), para 2.15.

ANNEX A

SOURCES OF RELEVANT DOCUMENTS AND ADVICE

A. The Exmoor National Park Examination webpage

All documents for and information about the Plan are available via the Birmingham Development Plan 2031 Examination webpage at:

<http://www.exmoor-nationalpark.gov.uk/planning/planning-policy/local-plan-examination>

All the material produced for the examination hearings will appear on the Examination webpage.

If you do not have access to the internet, documents and other information can be obtained from the Programme Officer whose contact details appear on page 1 above.

B. Relevant legislation

These documents can be searched for and found at:

<http://www.legislation.gov.uk/>:

- *Planning and Compulsory Purchase Act 2004*
- *Planning Act 2008*
- *Local Democracy, Economic Development and Construction Act 2009*
- *Localism Act 2011*
- *The Town and Country Planning (Local Development) (England) Regulations 2012 [SI No 2012/767]*
- *The Environmental Assessment of Plans and Programmes Regulations 2004 [SI No 2004/1633]*

This document can be found at:

<http://ec.europa.eu/environment/eia/sea-support.htm>:

- *European Directive on Strategic Environmental Assessment (2001/42/EC)*

C. National Guidance and guidance from the Planning Inspectorate

See: <http://www.gov.uk/guidance/local-plans>

which provides links to the following:

- *The National Planning Policy Framework*
- *Examining Local Plans: Procedural Practice* (December 2013)

The National Planning Practice Guidance [PPG] is available via:

<http://planningguidance.communities.gov.uk/blog/guidance/local-plans/>