1. Welcome, Emergency Arrangements and Introductions

1.1 The Inspector welcomed everybody to the Meeting. He introduced himself as Richard Hollox, a Chartered Town Planner and Chartered Surveyor and said that he had been appointed by the Secretary of State to carry out an independent examination of the Rotherham Core Strategy which had been prepared by the Rotherham Metropolitan Borough Council. He asked the Council’s spokesperson to introduce herself and to explain the emergency exit arrangements which apply to the building, and then to introduce her team to the Meeting. Bronwen Knight (Planning Manager) introduced herself along with Andy Duncan (Planning Policy Manager) and Ryan Shepherd (Senior Planning Officer).

1.2 He asked if all present had an agenda for the Meeting which was included with the letter from the Programme Officer of 12 July 2013. There was an Attendance List and he asked people before signing it to read what it said about the Data Protection Act.

1.3 He said that many of those present would by now have met or spoken to the Programme Officer, Miss Kerry Trueman. Her task would be to continue to deal with all the procedural, administrative and programming matters relating to the Examination. As explained in her letter of 12 July 2013 she would work directly to the Inspector and so, like him, she would be independent of the Borough Council and, indeed, of every other person and organisation. All correspondence should continue to be addressed to her, preferably by e-mail. Similarly, the note-taker at this Meeting and at the Hearings would be an officer for the Examination, and under the Inspector’s direction.

1.4 He said that those present may have a copy of the Guidance Note which had been prepared by the Planning Inspectorate. It was supplemented by the Guidance Notes enclosed with the Programme Officer’s letter of 12 July 2013 which he had prepared for this particular Examination. Both would be further supplemented by the notes of this Meeting. These Notes would be sent to everybody who had made representations on the Core Strategy. A number of people asked questions during meeting and at the Question and Answer session towards the end of the meeting and these were either addressed at the time or advice given as to actions to be taken.

1.5 He explained that the Hearings for this Examination were expected to start at 10.00 am on Tuesday 22 October 2013 at Riverside House, Main Street, Rotherham, S60 1AE. As set out in his draft Matters, Issues and Questions, 7 Matters would be examined, the last one starting on Wednesday 6 November 2013. Ten days of Hearings were provisionally planned. They would all take place at Riverside House.

2. Purpose of the Pre-Hearings Meeting
2.1 The Inspector explained that the purpose of the Meeting was to provide an opportunity to discuss administrative and procedural matters as well as the examination programme and any other relevant concerns and not to discuss the merits or otherwise of the Core Strategy. A draft version of a paper listing the Matters, Issues and Questions (MIQ) for examination, together with a draft programme of Hearings, had already been sent to everybody who had made representations. The final version of this document would be circulated with the notes of this Meeting. The agenda for each of the Hearings would be the Questions which were set out on the Matters, Issues and Questions document.

3. **Scope of the Examination and the Inspector’s Role**

3.1 The Inspector explained that his role was to consider whether the Core Strategy had been prepared in accordance with the Duty to Cooperate, the legal and procedural requirements and whether it was sound. To be “sound” and thereby in accordance with the National Planning Policy Framework (the Framework) the Core Strategy must meet the tests of being positively prepared, justified, effective and consistent with national policy. Further details about the Examination process were contained in The Planning Inspectorate’s booklet *Examining Development Plan Documents: Procedure Guidance*. The document could be viewed on the website listed below. There was a copy in the Examination Library, and anybody wishing to view it should contact the Programme Officer to make the necessary arrangements. The Inspector went on to explain that he would like to emphasise a few points.

3.2 The starting point was the assumption that the Council had submitted what it considered to be a sound plan. He was not seeking to “improve” the Core Strategy or make it “more sound”. The Council should rely on evidence that it had gathered whilst preparing the Core Strategy to demonstrate its view that it was sound and legally compliant. Those seeking changes to it had to demonstrate why this was not the case. Thus the onus was on people objecting to the Core Strategy to convince him that it was either not sound or not compliant, or indeed that the Duty to Co-operate had not been met. The Inspector had written to the Council on 11 July 2013 about 2 matters, the Duty to Co-operate and the proposed level of housing provision in the Core Strategy. The Council had replied on 26 July 2013. The correspondence was in the Examination Library.

3.3 Following the close of the last Hearing, the Inspector would start to write a Report to the Council with conclusions and the decisions on the action which the Council needed to take with regard to the Core Strategy. The options open to him were as follows. He could recommend that the Core Strategy be adopted as it is, in that it was sound and legally compliant. Or he could recommend that it be not adopted because it was unsound and/or not legally compliant. Or, if the Council requested, he could recommend one or more Main Modifications be included in it to make it sound or legally compliant and that it be adopted on that basis. The Council should then modify it in the light of those recommendations and move swiftly on to its formal adoption – subject of course to findings of soundness and legal compliance. When it came to writing his Report, he would recommend Main Modifications only if he considered them to be necessary in order to make the Core Strategy sound (or

---

legally compliant) – assuming of course that was his finding.

4. **The Role of the Programme Officer**

4.1 The Inspector explained the role of the Programme Officer. Miss Trueman would continue to act as an impartial officer for the Examination, under his direction. During the Hearings she would be based at Riverside House, and her contact details were set out on all the various documents.

4.2 Her principal functions would continue to be to liaise with all parties to ensure the smooth running of the Examination, to ensure that the documents received both before and during the Hearings were recorded and distributed, to maintain the Examination Library and to assist the Inspector with procedural and administrative matters. She would continue to be able to provide advice on the programme, which might change. Everybody was urged to keep in contact with her. All procedural questions should be addressed to her in the first place, and she would pass them to the Inspector if need be.

4.3 Through the Programme Officer, he had asked the Council to assemble a list of Core Documents that would be available in the Examination Library at all reasonable times. These would include Acts of Parliament, adopted development plans, the National Planning Policy Framework (the Framework), various Circulars, Background Papers and any other document to which the parties might wish to refer. Documents may have to be added to it during the course of the Examination. A list of Core Documents was available on the Examination webpages. Documents in the Examination Library would be available for inspection both before and during the Hearings. Later, the Council updated the Meeting on the arrangements it had made for the Examination Library and its contents.

5. **Procedural Questions to the Council**

5.1 The Inspector asked the Council if it considered that it had complied with all the statutory requirements, including requirements for a sustainability appraisal report, appropriate assessment under the Habitats Regulations and a Statement of Consultation in accordance with Regulation 22 of the Regulations of 2012. Bearing in mind the key questions set out in Local Development Frameworks – Examining Development Plan Documents: Soundness Guidance paragraph 2.3, he asked if the Council was satisfied that the Core Strategy was legally compliant. He said that if anybody was of a contrary opinion, he would ask them briefly to explain their reasons for it during the Questions and Answers Session, and he would no doubt be requiring them to put their views formally in writing, so the Council could respond formally in writing, all via the Programme Officer.

5.2 He also asked if the Council had undertaken a “self-assessment” exercise, as referenced in the Procedure Guidance at paragraph 3.4, concerning compliance with the aforementioned Act and associated Regulations and the appraisal of the Core Strategy proposals at various stages. He asked if that was CSP/46, but the Council confirmed it to be KSD/9.

6. **Procedure Prior to the Hearings**
6.1 The Inspector said that his intention was to conduct the Hearings as efficiently and informally as possible, keeping a tight rein on the discussions and the time taken. He would discourage repetition and would seek to minimise the amount of material to that necessary to reach informed conclusions on the issues. He intended to conduct a short, but a focussed, series of Hearings and, in turn, to write a short, focussed Report. This would not address individual objections as was the case with the previous UDP and Local Plan inquiries, but would concentrate on the Core Strategy’s soundness and legal compliance, or otherwise.

6.2 Those persons who had made representations on the Published submitted Core Strategy as amended by the Focussed Changes and the Additional Proposed Changes, should have already decided whether their views could be suitably dealt with solely in a written form or whether they needed to present them orally at a Hearing or Hearings. Both methods carried equal weight. With the Programme Officer, he had studied all the representations, and everybody who had expressed a wish in them to state their views at a Hearing or Hearings would be invited to do so. Hence their names would be indicated on each agenda for the Hearings. Indeed, he considered that each person advocating a change to the Core Strategy who had submitted duly made representations had a right to participate in the Hearings. At a somewhat broader level, his view was that if anybody who is involved in this Examination, having submitted duly made representations, could help him to come to right, soundly based recommendations, he was more than happy to hear from them. He believed that it was the duty of everybody involved in it to assist him in his task, and through him the Secretary of State. In return, he wanted to work with everybody in ensuring a fair hearing for all and the smooth and efficient running of the Examination.

6.3 The acceptances of requests to participate in the Hearings were not cast in stone and if anybody felt that they should attend additional, or alternative, Hearings, they should make their views known at this Meeting or very shortly afterwards, giving reasons for any requested changes. A draft list of participants was available at the meeting. Similarly, the MIQs were in draft form at present and he would welcome any comments upon its contents, or significant omissions. The Council had already commented upon the sequence of the Hearings, due to a clash with half term holidays, and it was agreed that Matter 2: Infrastructure and Monitoring currently being held on Thursday 24 October 2013 at 10 am be swapped with Matter 4: Affordable Housing and Other Needs programmed for Thursday 31 October 2013 at 10 am. The Council further advised that Bassingthorpe Farm was a broad location for growth, and suggested that it may be worthwhile to hold a hearing day specifically about Bassingthorpe. The Inspector would consider making changes to the MIQs to accommodate this suggestion and incorporate any changes in the revised MIQs. He anticipated that the revisions would be made available within a week of the meeting.

6.4 Anyone who wished to take part in a Hearing who intended to add to their submissions should submit any additional statement in advance of the Hearings. Submission of a statement was not, however, a requirement. If a further statement was submitted, it should be focussed upon the MIQs which had been identified, should be within the context of the original representation and should be sent to the Programme Officer to be received by 5 pm on Friday 27 September 2013. That also applied to the Council. Others who do not wish
to take part in the discussions at the Hearings may also wish to submit additional written statements. They could do so, but the same conditions applied. If, however, they did change their minds and decided that after all they did wish to participate, he asked that they notify the Programme Officer as soon as possible.

6.5 The Inspector advised that there was no need to wait until Friday 27 September 2013 if these statements were ready to be submitted beforehand. They could be submitted to the Programme Officer as soon as possible. This would help the Inspector give them all the attention which they deserved, in as much time as possible. Deadlines were important, keeping to them was to everybody’s benefit and it greatly assisted with the smooth running of the Examination. A very good case indeed would have to be made for the deadline to be waived. The requirements for these statements were as set out in the Guidance Notes at paragraph 7.1 and there was no need to repeat them. The same submission date and other requirements applied to any Statements of Common Ground (SOCG) prepared jointly by the Council and one or more other participants.

6.6 Statements must be succinct. Unnecessary detail and repetition must be avoided. It was the quality of the reasoning that carried conviction, not the bulk or weight of the documents. Nonetheless, it was vital that the fundamental elements of cases were clearly set out. Parties did not need to attach extracts of documents which were in the Examination Library. A note of their reference number would suffice.

6.7 Referring to paragraph 7.1 of the Guidance Notes, the Inspector would need statements from the Council setting out their responses to the Questions posed and explaining why it considered the Core Strategy to be sound in these respects. They must be submitted by the same date, 27 September 2013. He would not be looking for a schedule of detailed rebuttals to the representations, but there would be no objection in principle to the Council’s responding to representations that it felt were of particular significance or concern.

7. **Programme of Hearings**

7.1 The programme of Hearings was as set out in the MIQs document. It was in draft form at present, and as changes would be made as discussed an updated edition would be sent out with the notes of, and arising from, this Meeting.

8. **Arrangements for, and Procedure at, the Hearings**

8.1 As stated, the Hearings would start at 10 am on Tuesday 22 October 2013 and, with one exception, subsequent ones were also likely to start at 10 am. A short break would be taken mid-morning and mid-afternoon, with a lunch break at about 1.00 pm. The Hearings would focus on the MIQs which had been identified and the Questions would form the agenda in each case. They would be open to the public, and members of the public would be most welcome to attend, even if not taking part in the discussions.

8.2 The Hearings would take the form either of round table sessions, where several parties were present, or an informal hearing where there were only one or two
parties taking part. This approach should provide an informal setting for dealing with issues, by way of a discussion which the Inspector would lead. Those attending may bring with them professional advocates and witnesses, but it was highly unlikely that there would be any formal presentation of evidence or cross-examination. He would expect any advocates to take part in much the same way as other participants.

8.3 The number of people participating in particular Hearings might vary a good deal. At present, it varies from 5 to 12. This may change, however, in the light of requests made at this Meeting. The Programme Officer had a draft list of the people attending each Hearing, and it was available for inspection. It was also attached to the MIQs document.

9. Procedure for handling proposed minor changes during the Examination.

9.1 The Inspector explained that, as a result of the discussions at and outside the Hearings, it was not beyond the bounds of possibility that the Council might wish to make some amendments to the Core Strategy which did not go to the heart of it, in other words they would not affect its soundness. They might be by way of updating, corrections or clarification. The question arose as to how they should be accommodated. He said that on his past experience there were 2 options. There could be a schedule of proposed additional, (i.e.) not Main, modifications in the form of a living document which could be added to, as and when. He would expect it to be updated when need be and put on the Examination webpages. But he would discourage a series of schedules.

9.2 Alternatively, he said the Council could have a Core Strategy document with amendments made to it so the proposed changes could be easily identified. Red or strike-through could denote deletions and green could denote additions. Then, in theory, on the day of the last Hearing the Council could present him with a document and say “this is what we think our Core Strategy should be”. It would also, of course, include any Main Modification(s) should that be the case. The main point is that it should be clear with an obvious distinction between the text in the submitted Core Strategy and changes to it.

10. Matters, Issues and Questions paper

10.1 These were in draft form and comments had been received on it and the final edition would be sent out with the notes of, and arising from, this Meeting.

11. Arrangements for the Site Inspections

11.1 The Inspector had already visited some parts of the Borough of Rotherham, mainly the town centre to familiarise himself with the plan area and he would continue to view relevant areas and locations from public roads and footpaths before, during, and after the Hearings. This would be done unaccompanied by the parties, unless it was considered that an accompanied visit was necessary, for example where the land concerned could not be seen adequately from the public highway. In such cases, the Programme Officer would liaise with the parties to make the necessary arrangements. These visits would not, however, be an opportunity to discuss the merits or otherwise of the matters concerned. The Hearings were the place for that. He would expect most site inspections to take place after the end of the last Hearing. On previous occasions, conducted
tours had been arranged, and they were a useful way of ensuring that he had all the necessary evidence.

12. **Close of the Examination**

12.1 Once he has gathered all the information necessary to come to reasoned conclusions and decisions on the main issues, he would write his Report. The Examination would remain open until the Report had been submitted to the Council. However, once the Hearings were completed, he could receive no further information from any party, including the Council, unless it was a matter upon which he had invited further comments. The Programme Officer would return any unsolicited documents to the sender.

13. **Submission of Inspector’s Report**

13.1 He intended to announce the likely date of the submission of the Report at the end of the final Hearing.

13.2 The Inspector said that he was a member of the estates Committee of the University of Sheffield to which reference had been made in at least one representation on the Core Strategy. The University had written a letter to him to confirm that it had made no representations on the submitted Core Strategy and saw no conflict of interest. Nor did the Inspector or the Planning Inspectorate. The letter was available for all to see, but no comments were made on it.

14. **Questions, Answers, Comments and Any Other Business**

14.1 In response to the Inspector’s questions the Council confirmed that:

a) It was satisfied that it had abided by all statutory requirements.
b) It had not submitted any further changes to the Core Strategy since its submission to the Planning Inspectorate.
c) With regard to proposed minor changes throughout the examination, the Council suggested submitting a schedule of changes which would be updated as progress was made.
d) It was working to produce a SOG with land owners and their agents in respect of Bassingthorpe Farm (in particular regarding the Heritage Impact Assessment).
e) The note-takers were independent of the Examination with no input to Core Strategy.
f) It would not be represented by an advocate at any Hearing.
g) Documents were available on the website and in line with the need to reduce costs it was trying to keep to a minimum those documents in hard copy. However hard copies of documents were available to view on request. A note was distributed at the meeting about additional or updated documents added to the examination library since submission.

14.2 He then took questions from those present.

14.3 Ms Linda Hoyland asked about how the Inspector dealt with individual comments, and he advised that it was his role to be convinced that the
plan was sound and he asked that people be not put off by the regulations and that he valued views of local people.

14.4 Mr Absom was told that he was not able to appear at the hearings because he did not make representations last year. The Inspector advised that the regulations are clear that only those that made representations were entitled to participate in the hearings. Mr Absom said that he did. The Council confirmed that it had no record of his representations and that it had acknowledged all the representations which it had received. Its consultation database held details of all those they have emailed or sent letters to and of those representations they had received. The Inspector asked that Mr Absom write to the Programme Officer setting out what he wrote and when, and to what documents he responded to. He also suggested that Mr Absom contact others who had made representations and that he may, with their agreement, join with them and get them to put forward his representation. It would, however, have to be within the context of their duly made representation.

14.5 Ms Judith Jones said that a previous consultation asked us to make representations only on the legal aspects of the Core Strategy. As a lay person and a group of lay people they were unable to comment on legal aspects and were then told that they would not be able to attend the Hearings and speak. The Inspector invited the Council to reply. They clarified in June 2012, when they consulted on the Publication Core Strategy they set out the basis for making comments and gave guidance to people on their website on the manner in which representations should be made. Previous representations were assessed on planning grounds and were commented on in feedback reports at each stage. In June 2012, the consultation was set out in the same manner as prescribed in the Regulations.

14.6 The Inspector advised that the Regulations were in place so everyone is on the proverbial level playing field. In order to be helpful, however, he said that he would give consideration to Save Our Greenbelt taking part in Hearing No 1 when the matter of the greenbelt would be discussed. The Council raised no objection to the course of action. In reply to the Inspector’s suggestion that the Group make a statement to the Hearing, Ms Jones said it would take about 30 minutes or so for a statement to be made. The Inspector asked her to write to him, setting out her complaint about consultation/representations so the Council could reply formally. The Inspector would then consider whether, as an exception to the Regulations, Save Our Greenbelt be invited to Hearing No 1 to make its prepared statement, taking 30-45 minutes to do so.

14.7 Ms Janet Hodson asked whether the Council would be preparing any further topic papers. The Council confirmed that it would not be doing so.

14.8 Mr Anthony Jones asked if the Inspector could confirm if the Hearings would be open floor. The Inspector informed that they were round table discussions with invited participants, rather that open public meetings for all present able to take part.

14.9 Mr Green said he was having trouble with some of the population and housing figures. The Inspector advised that the meeting was for
administrative and procedural matters; housing would be covered during the hearings in Matter 3 and the greenbelt in Matter 1.

14.10 Mr Whittaker spoke about documents which he had received regarding flooding and was advised that flooding was a matter for the relevant Hearings.

14.11 Mr Wood asked about the MIQs and the Inspector advised if there were any comments to be made on the MIQs to do so as soon as possible. Mr Wood also asked if some questions referred to whether certain matters were for the Core Strategy or the Sites and Policies document. The Inspector confirmed that he would need to be convinced that the Council had got the right balance between the 2 plans with, for example, the Core Strategy not devolving too much to subsequent plans.

14.12 Mrs Bates said she had contacted the Council and was told that representations had been couriered to the Inspector’s Bristol office. The Inspector confirmed he had received all representations on the submitted publication Core Strategy 2012. The Council confirmed that it had sent representations in accordance with the Regulations.

14.13 Mrs Barker asked about building on Moorhouse Lane and that she was not told about it until earlier this year. The Council believed she was referring to the Sites and Policies plan which was not the same as the Core Strategy.

14.14 A question was asked that if the Inspector were to find the Core Strategy sound does it follow that the Sites and Policies document would proceed. The Inspector replied that if the Core Strategy was to be found sound and adopted, the Council would proceed with this subsequent plan which would have to be in general conformity with it. The Council confirmed that further consultation would take place on the Sites and Policies plan which would eventually be subject to independent examination.

14.15 Mr Searle asked if those that did not make representations could be observers at the Hearings. The Inspector confirmed that the Hearings would be held in public.

14.16 Mr Lyle asked if there would be an opportunity for his client to contribute to the SOG regarding Bassingthorpe Farm. The Inspector said that he always encouraged parties to work together, and the Council indicated that Mr Lyle would be included in the discussions regarding this. Mr Lyle also asked about the changes to the order of matters and whether there would be sufficient time to set out their case if the timings of the matters changed. The Inspector confirmed that there would an opportunity for full discussion of the matters.

14.17 A question was asked that if they were taking part by written representation, was the statement due by 27 September 2013. The Inspector confirmed that was correct.

14.18 As requested by Mr Barnes, the Inspector advised the meeting of the matters to be discussed at the Hearings, and the days when they would take place.
15. **Closing Remarks**

15.1 The Inspector strongly advised participants to keep in touch with the Programme Officer to check the progress of the Hearings, to check that each one would take place as expected at present and to ensure that they were present at the appropriate time. Participants should also keep abreast of the Examination webpages to keep themselves up to date with matters including any further changes which the Council might be proposing to its Core Strategy.

15.2 They should make best use of the remaining time before the start of the Hearings as any further statements must be submitted by 27 September 2013.

15.3 There was no need for parties to make further submissions if they intended to rely entirely upon the written representations already made.

15.4 The Inspector thanked everybody for coming to the meeting. He looked forward to meeting everybody again at the Hearings.

Richard E Hollox

Date: 23 August 2013