

**NORTH ESSEX AUTHORITIES****Strategic (Section 1) Plan Examination**

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**Examination website:**

[https://www.braintree.gov.uk/info/200643/section\\_1/1065/section\\_1\\_examination\\_publication\\_local\\_plan](https://www.braintree.gov.uk/info/200643/section_1/1065/section_1_examination_publication_local_plan)

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**INSPECTOR'S EXPLANATORY NOTE****Purpose of this note**

1. The purpose of this note is to provide background to the public consultation which the North Essex Authorities [NEAs] are holding in August and September 2019, and to explain how the consultation fits into my examination of the NEAs' strategic Section 1 Plan.

**The Section 1 Plan**

2. The three North Essex Authorities – Braintree District Council, Colchester Borough Council, and Tendring District Council – are each preparing a Local Plan for their area. Each of the three Local Plans consists of a strategic Section 1, which is identical for each plan, and a Section 2, which is different for each plan.
3. I am examining the strategic Section 1 which is common to all three Local Plans. For convenience it is referred to as "the Section 1 Plan". The examination of Section 2 of each Local Plan is expected to take place when the Section 1 Plan examination has been completed.

**My role in the examination**

4. My role in the examination is to determine whether the submitted Section 1 Plan is sound and whether it is compliant with the relevant legal requirements. If it is not, I am able to recommend main modifications to it in order to make it sound and legally-compliant.

**Progress of the examination to date**

5. The Section 1 Plan examination began in October 2017, and hearing sessions were held in January and May 2018. All the examination documents are available on the examination website (details above).
6. After considering all the evidence and representations and the discussion at the hearing sessions, I wrote to the NEAs on 8 June 2018 [document IED/011]. In my letter I identified those aspects of the Section 1 Plan and its evidence base which I considered required significant further work on the part of the NEAs. In that context I set out three options for the NEAs to consider.
7. The NEAs chose to pursue Option 2: to carry out the necessary further work on the evidence base and Sustainability Appraisal, and to bring forward any resulting revised strategic proposals, for the Section 1 Plan examination to consider. On 10 December 2018 I announced a pause in the examination to enable this further work to take place [document IED/015].

### **Additional documents produced by the NEAs**

8. In response to my letter of 8 June 2018, the NEAs have now produced an Additional Sustainability Appraisal and a series of additional evidence base documents. These are all available on the "Further Work For The Inspector" page of the examination website (details above).
9. Also available on that page are a set of suggested amendments to the Section 1 Plan. These have also been drawn up by the NEAs, in response to discussions at the previous examination hearing sessions, in response to my letters of 8 and 27 June 2018 [documents IED/011 & IED/012], and in response to the findings of the revised evidence base.
10. The NEAs' suggested amendments are not part of the submitted Section 1 Plan which I am examining. As part of the examination I will consider whether or not those suggested amendments (and any other amendments) are necessary in order to make the plan sound and legally-compliant. Any amendments which materially affect the policies in the submitted plan may only be made if I recommend them as main modifications.

### **Public consultation on the additional documents**

11. The NEAs are arranging public consultation on the Additional Sustainability Appraisal, the other additional evidence base documents and the suggested amendments to the Section 1 Plan. The consultation runs from 19 August to 30 September 2019. Anyone may submit comments, whether or not they have previously been involved in the Section 1 Plan examination.

### **After the public consultation**

12. After the public consultation has finished, the examination of the Section 1 Plan will resume. The additional documents produced by the NEAs and all the comments that have been made on them will be forwarded to me. I will consider them alongside all the other evidence and representations already submitted on the Section 1 Plan.

### **Further hearing sessions**

13. I will arrange further hearing sessions as part of the examination. They will focus mainly on those aspects of the Section 1 Plan and its evidence base which I identified as requiring significant further work. However, they may include other topics as necessary to inform my assessment of the soundness and legal compliance of the Section 1 Plan.
14. Those submitting comments during the public consultation will be able to indicate if they wish to take part in the further hearing sessions. I may invite others to take part if it would assist me in assessing the soundness and legal compliance of the Section 1 Plan.
15. The dates for the further hearing sessions will be fixed as soon as possible after I have received and considered the additional documents produced by the NEAs and the comments made on them. As for the previous hearing sessions, I will prepare a list of matters, issues and questions to focus discussion at the hearings, and a guidance note to explain the procedure and the arrangements for submitting hearing statements.

### **Inspector's report**

16. At the end of the examination I will produce a report for the NEAs setting out my conclusions and recommendations, including any recommended main modifications to the Section 1 Plan. Any main modifications which I may consider recommending will be the subject of further public consultation before I complete my report.

### **Queries**

17. If you have any queries on the contents of this note, please contact Andrea Cosey, the examination Programme Officer, whose contact details appear above. Any queries specifically about the public consultation process should be directed to one of the North Essex Authorities.

*Roger Clews*

Inspector

August 2019