

**NORTH ESSEX AUTHORITIES
Joint Strategic (Section 1) Plan****Inspector:** Mr Roger Clews**Programme Officer:** Andrea Copsey**Tel:** 07842 643988**Email:** copseyandrea@gmail.com**Address:** Examination Office, PO Box 12607, Clacton-on-Sea, CO15 9GN

**FURTHER HEARING SESSIONS, JANUARY 2020
INSPECTOR'S GUIDANCE NOTE ON PROCEDURE****Purpose**

1. The purpose of this note is to provide guidance for participants on the procedure to be followed at the further examination hearing sessions which commence on Tuesday 14 January 2020.
2. It should be read alongside my November 2019 guidance note [IED/020], which sets out the reasons for, the scope of, and the arrangements leading up to the further hearing sessions.

Procedure at the hearing sessions

3. The hearings process is an inquisitorial one in which the inspector takes the lead in questioning and inviting comments from the participants. It is different from the adversarial process in a planning appeal inquiry, where the opposing parties put their cases and cross-examine each others' witnesses.
4. As IED/020 explains, when reaching my conclusions on the Section 1 Plan ["the Plan"] I will take into account everything that was said at the original hearing sessions in January and May 2018, and in all the written representations that have been made since the Plan was published in June 2017. There is no need for you to repeat any of those earlier comments and representations during the further hearing sessions.
5. The further hearing sessions will focus on the documents that the NEAs published for consultation in August and September 2019. I have spent several weeks reading those documents, all the comments made on them during the technical consultation, your further hearing statements and responses, and the statements of common ground.
6. You should therefore assume that I am familiar with all the written material that has already been submitted. During the hearing sessions, please do not repeat anything you have already said in writing, unless I specifically ask you to do so, as it will take up unnecessary time.
7. Discussion at the hearing sessions will focus on the questions on which I need to hear further oral clarification or discussion, after reading all the hearing

statements and other written material. For each hearing session¹ I will issue an **agenda** setting out those questions, which will provide a starting-point for the further discussion. The agendas will be issued at least a week before each hearing session and participants will be notified by email when they are issued. I am not inviting and will not be accepting written responses to the agendas.

8. I have agreed with the North Essex Authorities [NEAs] that they may make a short statement at the beginning of each hearing session, to set out their position on the key issues and set the scene for members of the public who are attending. (See correspondence in NEA/015 & IED/017.) Thereafter I will lead the discussion.

9. Usually I will direct each question first to specific participant(s). Other participants may then comment on what is said, provided your comments are relevant to the question asked. The NEAs will normally be invited to make the last comment on each question, as they are the promoters of the Section 1 Plan.

10. I will not need to hear discussion on every question in my Matters, Issues and Questions document [IED/019], as I have sufficient information on some of them from your hearing statements and responses. There will be an opportunity at the end of each hearing session for any additional points to be raised that have not already been covered.

Suggested amendments to the Plan

11. The Matter 9 further hearing session will consider the NEAs' suggested amendments to the Plan [EB/091]. Some of the NEAs' suggested amendments will be discussed at other hearing sessions, where they are relevant. Where an amendment would materially alter any of the policies in the submitted Plan, it can only be made if I recommend it as a main modification following further consultation.

12. One possible outcome of the examination is that I find that the Plan can be made sound and legally-compliant if main modifications are made to it. During the hearing sessions I will therefore be exploring whether there are possible amendments to the Plan that might overcome any soundness and legal compliance problems I may identify. These could include amendments suggested by other participants or by me, as well as by the NEAs.

After the hearing sessions

12. At the end of the last hearing session on Thursday 30 January I will seek, in consultation with the NEAs, to give an indication of the remaining steps in the examination and the timescale for them.

Roger Clews

Inspector

December 2019

¹ And for the viability technical seminar. The agenda for the technical seminar will provide further details of the seminar procedure.