



# Knowsley Council

Mr Martin Pike BA MA MRTPI  
c/o Programme Officer  
Knowsley Local Plan Core Strategy Examination  
Municipal Buildings  
Archway Road  
Huyton  
Merseyside  
L36 9YU

Our Ref: Local Plan

8 January 2015

Dear Mr Pike,

## **KNOWSLEY LOCAL PLAN: CORE STRATEGY – PROCEDURAL MATTERS**

I am writing in response to your note on “Procedural matters following representations on Modifications to the KLPCS” issued on 18 December 2014.

Firstly, I would like to confirm that the Council fully supports the holding of further public hearings as part of the Examination in Public of the Knowsley Local Plan: Core Strategy (KLPCS). This is in line with the decision of the Council’s Cabinet on 17 December 2014 to call for such further hearings to be arranged.

I have set out in Annex A to this letter a response to each of the 7 procedural matters in your note. I also enclose with this letter a separate note which addresses matter 1, relating to the consultation processes at earlier stages. This reaffirms that the consultation which the Council carried out at previous stages met and in some respects exceeded statutory requirements.

I hope that this response is helpful and assists in the planning of the remaining steps in the Examination of the KLPCS.

Yours sincerely,

*Jonathan Clarke*

Jonathan Clarke

Policy Manager – Places, Knowsley Council

### **Enclosures:**

1. Annex A – Response to Inspector’s note on “Procedural matters following representations on Modifications to the KLPCS”

**ANNEX A - RESPONSE TO INSPECTOR'S NOTE ON "PROCEDURAL MATTERS FOLLOWING REPRESENTATIONS ON MODIFICATIONS TO THE KLPCS"**

<u>Procedural matter raised by the Inspector</u>	<u>Council response</u>
<p>1. Matter 1 identifies questions about the nature of previous consultation stages taking account of the concerns raised by representors about this issue (see Inspector's note for details)</p>	<p>The Council's separate note on matter 1 (Examination library reference EX37) sets out its response to each of the Inspector's questions about the nature of the previous consultation stages. It identifies factors which may in the Council's view have led to there being a greater level of response at the Proposed Modifications stage than at the earlier Proposed Submission stage.</p> <p>The Council's separate note also reaffirms that the consultation which has been undertaken at all previous stages has met and in some respects exceeded statutory requirements.</p>
<p>2. How does the Council intend to consider the representations received and to decide whether or not to make further modifications in light of the responses (in particular, will Members be involved and if so, how)? How long will this process take?</p>	<p>To assist in subsequent decisions about the KLPCS the Council proposes as a <u>first stage</u> to publish an "Accounting for Proposed Modifications Representations" document. This could perform a similar function to the previous <a href="#">Accounting for Preferred Options Consultation</a> document (Examination library reference SD17). For each theme, issue or site within the KLPCS as modified the new document would summarise the matters raised in the representations. Where the representations seek to challenge the soundness or legal compliance of the KLPCS, the new "Accounting for Proposed Modifications Representations" document would identify the soundness or legal compliance issues raised, whether these have already been considered in earlier parts of the Examination, and if so at what stage. In view of the number of representations which have been received this new document could take until late February 2015 to prepare and publish and would be intended to act as an aid to subsequent formal decision making about the KLPCS.</p>

	<p>Any decision by the Council about whether or not to propose further modifications as a result of the representations would need to be taken at a subsequent stage. Whilst a final decision about whether or not to adopt the KLPCS after the receipt of the Inspector's Report must be made by a meeting of the full Council, other decisions relating to the Plan as it is being prepared can (depending on their nature) be made by the Council's Cabinet or by a relevant officer acting in consultation with a Cabinet Member. A decision about whether or not to propose further modifications in response to the representations would be likely to be taken by the Council's Cabinet.</p> <p>A key issue is whether any such decision should take place before or after the new hearings. In the view of Council officers the best approach would be to hold the hearings beforehand. This would minimise any period of delay and uncertainty before the hearings. It would also enable any soundness or legal compliance issues which are raised in the representations to be tested at the new hearings before the Council's Cabinet formally considers any further changes to the KLPCS. This approach would mean that any risk of duplication of process (which could occur if the Council's Cabinet were to consider this matter beforehand only for further modifications to be potentially discussed at the hearings) would be minimised. In a similar manner to earlier hearing sessions, if any further modifications are identified before or during the hearings these would be subject to Cabinet approval afterwards.</p>
<p>3. The Council has agreed that an additional hearing session is desirable. Given the extent of objection to the safeguarded site at Knowsley Village (KGB6), and the fact that very little local objection to this proposal was aired at the previous hearings, this will be one of the</p>	<p>The Council agrees that the new hearings should include sessions covering the consultation process, Knowsley Village (KGB6) and other Green Belt sites. It will be necessary to ensure that sufficient time is given to cover these issues given the numbers of new representors involved. To avoid risk of unfairness it may be</p>

<p>items for discussion. I think it will also be necessary to revisit the consultation process (item 1 above). Depending on the Council's response to item 1, it may also be necessary to briefly revisit other Green Belt sites that have attracted substantial additional representations – if this is necessary, my approach will be to hear from representors who did not participate at the earlier stages.</p>	<p>necessary to give some time to those Green Belt sites for which a relatively small number of new representors are involved as well as those where large numbers of new representors are involved.</p> <p>The Inspector's suggested approach of hearing from representors who did not participate at the earlier stages is reasonable. Previous participants may however need to be given the opportunity to respond to any new matters raised.</p>
<p>4. One issue that is frequently mentioned in the representations is the Ministerial statement(s) in October concerning Green Belt protection. Clearly this (together with the associated PPG revision) is a new matter that warrants discussion with all participants. At the additional hearing session I will be asking the Council for its comments on the statement and PPG revision, and whether or not it proposes to further modify the plan in response to the Ministers' views and/or the representations.</p>	<p>The Council agrees that the Ministerial Statement concerning Green Belt protection in October 2014 is a new matter warranting discussion with all participants. The Council representatives at the new hearings will be able to offer observations about the Statement and associated Planning Practice Guidance revisions. For the reasons stated under matter 2 above an appropriate approach would be to consider whether this point raises any new soundness or legal compliance issues at the hearings before the Council formally considers any further modifications to the KLPCS which may arise from the Statement and PPG.</p>
<p>5. Some representors have raised specific questions about the wording of certain modifications including Highways Agency (SUE 2 and 2a-2c), Junction Property Ltd (SUE 2), Sport England (SUE 2, 2a, 2c), Orbit Investments (CS 11, CS 22), English Heritage (CS 20), Coal Authority (Allocation Profiles). Had there been no need for a further hearing session I would have dealt with these matters based on the written comments. However, as hearings are to be held it seems sensible to have a brief discussion on whether further adjustments are necessary to the wording of modifications.</p>	<p>The Council agrees with the suggested approach under matter 5. The Highways Agency entered into a <a href="#">Statement of Common Ground</a> in December 2014 (Examination library reference AD59) in which it has withdrawn its representations about the wording of the SUE policies. It may therefore be possible for the brief discussion under this matter to be focussed mainly on the other representations listed namely: Junction Property Ltd (SUE 2); Sport England (SUE2, 2a, 2c); Orbit Investments (CS11, CS22); English Heritage (CS20) and the Coal Authority (Allocation Profiles).</p>

<p>6. One other <u>potential</u> matter for discussion is the 2012-based household forecasts from DCLG, which were expected to be published in Autumn 2014 but are still awaited. If these are released prior to the hearing, the implications will have to be addressed.</p>	<p>The Council agrees that the new hearings should cover any implications arising from the 2012-based sub-national household projections, if these are released beforehand. Whilst such projections are clearly only one element to be considered within the calculation of Objectively Assessed Housing Need, the Council acknowledges that participants should be given an opportunity to discuss the 2012 based projections if they are available.</p>
<p>7. Other than the items above, does the Council consider (i) that there are any other new matters raised in the representations that need to be discussed, and (ii) that it necessary or desirable to re-open the discussion on any other matters previously debated?</p>	<p>The Council has not to date identified any further matters raised in the representations which need to be discussed, or any need to re-open the discussion on other matters previously debated. This is on the basis that the new representors have mostly submitted comments related to the Green Belt sites. As stated in relation to this issue under point 3 above, it will be necessary to ensure sufficient time is given to cover this.</p>