

APPENDIX F

OLDHAM REPLACEMENT UNITARY DEVELOPMENT PLAN

NOTES OF THE PRE-INQUIRY MEETING HELD ON 17 NOVEMBER 2004 IN THE COUNCIL CHAMBER, OLDHAM CIVIC CENTRE

OPENING, INTRODUCTIONS AND PURPOSE OF MEETING

1. Richard Mordey opened the meeting at 10.30am, introduced himself and George Arrowsmith, and stated that they had been appointed by the First Secretary of State to hold an inquiry into objections to the Oldham Replacement Unitary Development Plan. RM is the Lead Inspector and final responsibility for the inquiry rests with him. GA is the Assistant Inspector; their workload will be shared. They may have help from a planning assistant, but this is not yet decided. The inquiry will open on Tuesday, 25 January 2005. The principal venue for hearings will be the Lees Suite, one of the Civic Centre's main meeting rooms.

2. RM then introduced Stephen Ramsden, the Programme Officer. His principal duties are to organise the inquiry programme, to ensure that all documents received both before and during the inquiry are recorded and distributed, and to maintain the inquiry library. He is an officer of the inquiry and is impartial. He acts as a liaison point between the Inspectors, the objectors and Oldham Metropolitan Borough Council. All procedural questions should be raised with him initially. He will move office in a few weeks time into the Lees 'A' room, close to the Rochdale Rd. entrance. His telephone number will remain 0161-911-3191. His e-mail address will also remain exactly the same, ie: stephen.ramsden@oldham.gov.uk

3. The purpose of today's meeting is to give an opportunity for procedural and administrative matters to be explained and discussed. It will assist the PO in preparing the programme. Responses to the PO's recent letter and questionnaire are being assessed and a draft programme will be published soon.

COUNCIL REPRESENTATION

4. Gareth Owen, Group Solicitor, Environment, will be OMBC's advocate. He submitted a list of OMBC's principal witnesses, and introduced those present at the meeting, led by Sarah Barker, Principal Planning Officer, Strategic Planning.

NUMBER AND SCOPE OF OBJECTIONS AND THE PLAN PROCESS SO FAR

5. GO submitted a paper summarising the objections and the history of the plan process. Work started in 1999, the First Deposit Plan was published in October 2001 and the Revised (2nd.) Deposit in October 2003. The latest analysis shows that there are 4810 outstanding objections to be dealt with from the two deposit stages, dealing with 14 main topic areas, listed in the summary paper. The 4810 total includes 238 conditional withdrawals, and a number of late objections which were accepted. These figures may alter as analysis proceeds. Further (unconditional) withdrawals are possible.

6. OMBC are proposing a number of changes to the RUDP. These were approved at Cabinet level on 11/11/2004, and go to the full Council on 24/11/2004. It is intended that a 6-week consultation period should begin on 29/11/2004. GO asked the Inspectors to consider any counter-objections to these changes as part of the inquiry.

7. GO indicated that OMBC is producing 5 topic papers to give its up-to-date view of the main subject areas of the inquiry.

2 of these papers are available now: Open Environment
Open Space, Sport & Recreation

3 are to be published on 24/11/2004: Housing
Renewable Energy
Business, Industry and the Local Economy

(N.B. At the time of writing these notes all five are now published and available from OMBC Strategic Planning or the PO.)

STATUTORY FORMALITIES

8. RM reminded OMBC that at the start of the inquiry he will require confirmation that the statutory formalities have been complied with.

PROCEDURES AND PROGRAMMING

9. RM outlined the procedures to be followed. The inquiry will sit for 2 weeks in 3, or 3 in 4. The standard day will be 10.00am to 5.00pm, with a 1-hour break for lunch. A 9.30 start can occasionally be made if necessary. There will be short breaks mid-morning and mid-afternoon. Drinks of water can be taken in to the inquiry room, but no other drinks, or food. Mobile phones should be switched off at all times. The inquiry is under acute time pressure. If complications arising from European regulations are to be avoided, the RUDP must be adopted by 21 July 2006. There will be no presumption of an early finish on Fridays. (The Inspectors live fairly close by.) Sittings can be held on Mondays if required.

10. At the start of the inquiry, OMBC should make a short opening statement, 20 minutes maximum, outlining the context of the RUDP, and updating the position on objections, including counter-objections to proposed changes. All background documents relevant to the issues should be introduced at this point.

11. RM reviewed the 3 types of sitting available---round-table sessions, informal hearings, and formal hearings. Informal hearings are like small appeals. The Inspector chairs the session, leads the discussion and will ask questions---more so than previously. Formal sessions will be much less formal than hitherto, with no opening presentations or closing submissions by advocates. Again, the Inspector will set the scene, outline the main issues, and direct the discussion. Where evidence needs to be tested, direct questions across the table can be asked. Lawyers can advise on this, but are to be regarded as part of the team. Hearings should be grouped as much as possible---by site, by geographical area, by topic, or by objector. RM said that, in the informal hearing mode, it may be possible to hold as many as five cases in a day.

12. Objectors making an appearance should submit a proof of evidence, to the PO, 6 weeks in advance of their appearance date. OMBC then has 3 weeks to respond, and the PO sends that response to the objector. Proofs should be a maximum of 3000 words. Summaries are not required. Technical evidence should be confined to appendices. Lengthy extracts from other documents, particularly national guidance, should be avoided. Proofs should concentrate on what is alleged to be wrong with the RUDP and why, what changes would improve it to the objector's satisfaction, and what exact new wording is wanted. In its responses, OMBC should rely mainly on its previous statements, such as its topic papers. The Planning Inspectorate has recently (6/10/2004) given guidance on the form of inquiry sessions---a copy will be sent by the PO to all appearers.

13. RM stressed that written objections receive exactly the same attention as appearances. The written route is a quicker and easier process, and should be used whenever possible. If the Inspector has any queries arising from written objections, he asks them via the PO, and replies are also conducted via the PO. Copies of the correspondence are placed in the inquiry library.

14. RUDP inquiry hearings are concerned with the principle of the use of land, and should avoid detail unless the RUDP itself contains details. The inquiry is not a means to promote a particular development---that should be done through a planning application.

15. The inquiry programme will be available shortly, and the PO will send a copy to all objectors. The PO will be speaking to all would-be appearers (28 so far) in the next few days to make the arrangements. Every effort will be made to stick to the programme, but because changes are sometimes inevitable, the onus is on objectors to keep themselves up to date.

16. The inquiry does not close on the last day of appearances. Usually there are still other matters to be resolved, mostly involving OMBC's written responses to cases. Formal closure of the inquiry normally comes a little later.

SITE INSPECTIONS

17. RM explained that the two inspectors have already had one conducted tour of the district. Many more site visits will be made before, during and after the inquiry. These will be unaccompanied visits. An accompanied site visit is only required when a site cannot be seen from any public road, path or vantage point. If an accompanied site visit is wanted by an objector, a written request should be made to the PO.

AVAILABILITY OF INFORMATION

18. The inquiry library will be kept in the PO's room, the Lees A room. It will contain all the core inquiry documents, all proofs of evidence, all the objections, etc. Requests to access it should be made to the PO.

ASSISTANCE WITH REPORT

19. Councils sometimes prepare skeleton reports to help speed up an inspector's work. RM explained that he and GA are unconvinced of their usefulness, and prefer a hands-on approach which gives a better appreciation of the material they are dealing with. GO confirmed that OMBC is happy to provide whatever assistance the inspectors decide upon.

ACCESS TO THE INQUIRY

20. RM asked about access for the disabled. The inquiry main venue, the Lees Suite, is a regular venue for Council meetings and is close to the Civic Centre's Rochdale Rd. entrance: access is considered good. Anyone foreseeing any special problems should contact the PO in advance.

21. Objectors attending the inquiry are normally expected to make their own parking arrangements. The Civic Centre car parks are often crowded, and a recommended option, at £1.50 for a full day, is the former Sainsbury's car park on Bloom St., off Manchester St., close to its junction with Oldham Way.

PHOTO-COPYING ETC.

22. Photo-copying facilities will be available during the inquiry, in the PO's room. Ask the PO for assistance. Those wanting to contact the PO during the inquiry may well find e-mail the most efficient method. There will not be a specific inquiry web-site, but OMBC's web-site carries information about the RUDP and the inquiry.

23. RM mentioned that his computer is geared to Word 98. GO confirmed that this would pose no problems of compatibility.

QUESTIONS

24. RM asked for any questions from the floor:

Councillor Ken Hulme (Saddleworth Parish Council) asked whether people who misunderstand the procedures, or the PO's questionnaire, or whose questionnaire responses fail to arrive at the due time, are penalised and not allowed to put their case. RM said no objectors are ruled out in this way. In areas where there are large numbers of objectors, it is best if they choose representatives to agree the arrangements. The PO said he will be contacting Council. Hulme in the next few days with a view to making suitable arrangements and straightening out any difficulties or misunderstandings.

25. Sarah Baron (Broadway Malyan Planning) asked for confirmation of the publication date of the remaining OMBC topic papers. GO confirmed November 24th.

26. David Makin (Saddleworth Civic Trust) asked how the system works when a planning application, for instance for wind turbines, is submitted in advance of the RUDP public inquiry. Is there a conflict; is the inquiry postponed? RM answered that the RUDP inquiry process and the planning application process are in parallel. A planning application can be submitted at any time, and the local planning authority must then decide how to deal with it. The RUDP inquiry continues. There can obviously be policy conflicts. GO added that there are nearly always planning applications being submitted, and decisions on them being made by the local authority, during public inquiries. The applications are decided on the basis of the previously adopted policies of the Council.

27. Victoria Clark-Leece (Lower Lime Fields) asked whether OMBC can actively market or sell a piece of land during the public inquiry, even though doing so might affect the issues being considered by the inquiry. RM responded that this is entirely a matter for the Council, and that an inspector might be completely unaware that something of this kind was taking place. However, an objector could certainly raise the point in evidence. GO said that a local authority is perfectly entitled to deal with its own land as it sees fit. Land disposal is a separate process and can carry on as normal during a public inquiry, even though it could quite clearly affect the issues under consideration.

28. Councillor Ken Hulme asked which version of the RUDP would be used to determine a planning application submitted in, say, January or February---1st Deposit, 2nd. Deposit or the proposed changes? RM explained that at an appeal the inspector would give full weight to the adopted plan, ie the first Oldham UDP, and less weight to the emerging RUDP which will in due course replace it. The new plan is not yet advanced enough to have full weight attached to it. A planning application submitted shortly would not be for him or GA to determine---they are specifically debarred from doing so. Concurrent inquiries are occasionally held, but this outcome is extremely

unlikely. GO added that the adopted plan plus national planning guidelines are the basis for a decision.

29. Alan Chorlton (Chorlton Planning) asked when the inspectors' report might be expected. He is concerned about a possible clash with call-in inquiries expected in September next year. RM replied that the normal basis for calculation is 4 reporting days for every inquiry sitting day. So, for example, a 7-week inquiry, with perhaps 28 sitting days, would suggest a reporting time in mid-Summer. But this is speculative---we can not yet be certain.

30. Mark Wolstenholme (MCP Planning and Development) asked if and when papers are required in advance of round-table sessions. RM confirmed that papers are indeed required, 6 weeks in advance.

31. Tony Faulkner (Cowlshaw Action Group) asked what should and should not be put in evidence. His group's evidence will be from ordinary people and in the language of ordinary people. Is this acceptable? RM replied that evidence should be to the point, especially now with the 3000-word limit, and should avoid lengthy quotes from national material. Inspectors are expected to know the national planning guidelines. Inquiries are for everyone, that is their purpose, and laymen's language is entirely acceptable, though it needs to be clear, eg in specifying the exact form of policy wording desired. The PO added that he is glad to help with matters of format, style and procedure, though not with the arguments to be used.

CLOSING

32. With a final reminder to everyone to be sure to have signed the attendance register, RM thanked all those who attended, and closed the meeting at 11.25am.

21 people attended. No members of the Press were present.