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INSPECTORS' CLOSING COMMENTS

1. This note sets out the main matters that we covered in our closing comments at the hearing on 13 June 2018. The purpose of them was to give some indication of the next steps in the process and the likely timescales and to deal with any procedural questions that the Council may have had. Nothing should be taken as pre-judging the contents of the final report which will take into account all relevant matters and representations.
2. There are various strands that can proceed concurrently during this part of the examination.
3. Firstly, we have received the Council's response (SD/08b) to Question 6 from ID/5 regarding the housing land supply position. We will need to give consideration to this but are not requesting for any further work to be done at this stage. Rather we believe that this completes the picture and will enable us to provide any post hearing advice about the housing requirement, 5 year supply, housing policies and specific site allocations.
4. These are matters that may require an input from us to indicate whether there is potential unsoundness, to suggest any revisions that would ensure soundness or to identify any further steps to achieve this. Any advice issued will give the Council an opportunity to consider what further changes, if any, should be put forward and is intended to be helpful. However, it is ultimately for the Council to decide if it wishes to take any further action and to review the available alternatives. This advice to the Council should be completed by **Friday 29 June** and will be published in the normal way.
5. Before that we have some further questions in relation to the Statement of Common Ground with Kent County Council on the issue of mineral safeguarding (ED/23). We should be able to produce these by the end of this week. The Council is intending to produce a statement following a recent legal judgment concerning the Habitats Regulations. Otherwise we are content that the main requests for additional information and evidence have been complied with and there is nothing else outstanding or expected.
6. In addition, throughout the hearings numerous detailed matters have been raised about the wording of individual policies. These have been confirmed 'along the way' by various means for Weeks 1-4 but to assist we will

provide a list for the Council of our understanding of matters to be considered arising from the hearings from Week 5 onwards. This will be done by Wednesday 20 June.

7. The aim is to produce a schedule of proposed Main Modifications for consultation. As part of this exercise any Additional Modifications will need to be separated out. These are changes that (taken together) do not materially affect the policies of the Plan whilst Main Modifications can be taken to be those that do materially affect the policies. They will therefore be likely to comprise any changes to the policies themselves or to the supporting text which have a significant bearing on the interpretation of that policy. This excludes minor factual updates. Our concern is solely with Main Modifications.
8. Before it is published the Council should allow us to review the draft schedule of Main Modifications in order to ensure that it reflects our understanding of the discussion at the hearings and to avoid any obvious soundness issues. Others may have a different opinion about these proposed changes but that will be for us to resolve in due course.
9. It is up to the Council as to how quickly it wishes to take forward the detailed policy changes and the preparation of the draft schedule since some may be affected by our post hearings advice.
10. In terms of arrangements for consultation this should be for a minimum of 6 weeks. In carrying this out we ask that the Council explain the nature of the proposed Main Modifications and also make it clear that comments should solely be addressed to them and their implications rather than other parts of the Local Plan. Additional Modifications need not be the subject of consultation. However, should the Council wish to include them for completeness then the distinction with Main Modifications should be clearly spelt out and they should be contained in another schedule. We request that the final list of proposed Main Modifications contains the prefix MM.
11. The Council should also bear in mind the possible need for further Sustainability Appraisal and any necessary assessment under the Habitat Regulations.
12. The Council should keep us informed of progress in terms of proposed Main Modifications and particularly the date of the close of the consultation period.
13. In order for the Council to adopt the Plan we can only recommend Main Modifications if asked to do so by the local planning authority under section 20(7C) of the 2004 Act. If the Council wishes to make this request it should therefore be done before our report is finalised and we will indicate when we consider this to be appropriate.
14. More generally our report will only be published after we have given consideration to any responses to the Main Modification consultation. At the moment it is difficult to be definite about when this will be but we

expect it would be about 6-8 weeks after the end of the consultation period. A firmer date will be given nearer the time.

15. To conclude can we thank all those who have attended the hearings over the last two months for their input. Also to the Council officers for their contributions to the examination and for responding to our requests for additional information in a positive and timely manner. Finally, to record our personal appreciation for the very efficient work that Lynette Duncan has done as Programme Officer.

David Smith

Steven Lee

INSPECTORS

14 June 2018