

## Comment Receipt

<b>Event Name</b>	County Durham Plan Pre-Submission Draft
<b>Comment by</b>	The City of Durham Trust (Mr John Lowe - 440609)
<b>Comment ID</b>	482
<b>Response Date</b>	05/03/19 10:10
<b>Consultation Point</b>	1 Introduction ( <a href="#">View</a> )
<b>Status</b>	Submitted
<b>Submission Type</b>	Web
<b>Version</b>	0.1

### Q1

#### **Do you consider that this policy/proposal of the Pre-Submission Draft Local Plan to be Legally & Procedurally Compliant and Sound?**

(Please note the considerations in relation to the Local Plan being 'Legally and Procedurally Compliant' (Please see guidance notes).

(Please select one answer for each question)

**Legally and Procedurally Compliant** No (Go to Q3)

**Sound** No (Go to Q3)

### Q3

#### **Why do you consider that this Policy/Proposal of the Pre-Submission Draft Local Plan is not Legally & Procedurally Compliant or sound? (Please select all that apply)**

- . Positively Prepared
- . Justified
- . Effective
- . Consistent with national policy

### Q4

**If you do not consider this policy/proposal of the Pre-Submission Draft Local Plan to be Legally & Procedurally Compliant or Sound please use this box to explain why.** Please note your representation should cover all the information, evidence and supporting information necessary to support/justify the representation as there is no opportunity to submit further representations unless requested to do so by the Inspector, based on the matters he/she identifies for examination.

These comments relate to paragraphs 1.9 to 1.16 inclusive.

The City of Durham Trust is concerned that, although responses at this Pre-Submission stage have to be on 'Soundness' and should set out in what way we either agree or disagree with the policy being

positively prepared, justified, effective, and consistent with national policy, there is not a single mention of this in the Pre-Submission Plan document.

Furthermore, the confusion continues as to whether this is a Pre-Submission document or the Council's subsequent Submission document: the front cover calls it the 'Pre-Submission Draft 2019'; Figure 1 on page 7 identifies this as the current stage and the subsequent stage as being the 'Submission Local Plan June 2019'; but paragraphs 1.10 and 1.15 on page 8 invite people to comment right now on the 'Submission Draft'. This term is repeated in the document, for example in the heading of Table 6 on page 49. People opting to email their comments or write to FREEPOST SPATIAL POLICY will have no idea that their comments must address 'Soundness'.

Nor will they know that they must state if they wish to attend the Examination in Public.

These failures adequately to signpost the legally constrained nature of the 'consultation' call in to question whether the Plan can be said to be **Legally and Procedurally Compliant** and whether it is has been **positively prepared, justified, or consistent with National Policy regarding consultation**.

We see that a note about a typing error has been added to the consultation portal, but this is inadequate since neither the pdf nor the interactive version of the text has been corrected, nor does the portal correction include Table 6 on page 49.

#### Q5

**What change(s) do you consider necessary to make this policy/proposal of the Pre-Submission Draft Plan Legally & Procedurally Compliant and Sound?**

The County Council needs to take adequate steps to ensure that the nature of the 'consultation' is made clear to the residents, businesses and groups and organisations who may be making comments that they must address 'Soundness'; that this is not a stage where the County Council can make significant changes to policies; and that they need to state if they wish to attend the Examination in Public.

#### Q6

**Do you wish to participate in the Examination in Public? (Please note that the Planning Inspector will make the final decision on who will be invited to attend individual sessions at the Examination).** Yes

#### Q7

**Do you want to be informed of the following:**

**The submission of the Local Plan to the Secretary of State?** Yes

**The publication the Inspector report?** Yes

**Consultation on any Main Modifications?** Yes

**The adoption of the County Durham Plan?** Yes