

New Southwark Plan Examination

**Inspectors: David Spencer BA(Hons) MRTPI & Philip Mileham BA(Hons) MA MRTPI
Programme Officer: Jacqueline Christie**

5 January 2021

Dear Harpreet Aujla

New Southwark Plan Examination – response to Southwark Law Centre

Thank you for your correspondence of 22 December 2020 and recent follow-up email regarding the timetable for the New Southwark Plan examination following the introduction of Tier 4 restrictions to all London Boroughs on 20 December 2020. At the time of writing this response, I am also mindful that further national lockdown measures are now being introduced and are likely to be in force for some time. At this stage the overall programme for the Plan examination remains as published but it is clear that matters will need to be kept under review and could change at short notice. Were this to occur the website will be updated and participants contacted.

As a starting point, a number of Local Plan examinations have already been conducted exclusively (and successfully) via virtual hearings during the Coronavirus pandemic, in accordance with the legal requirement of 'the right to be heard'. This includes being heard via video conferencing software (for example Microsoft Teams / Zoom etc.) or by telephone. For example, in London virtual hearings only were held for Westminster's Local Plan in Autumn 2020.

Timetables and deadlines for responses

On issuing our Matters, Issues and Questions (MIQs) on 11 December 2020 we set an overall timetable for the hearings to start on 23 February 2021. The two associated deadlines were: (i) notifying the Programme Officer which hearing session(s) people wish to participate by 11 January 2021; and (ii) submission of further statements in response to the MIQs by 5pm on 27 January 2021.

As things currently stand it remains that the hearings will start on 23 February 2021. Consequently, we would encourage those who wish to participate to let the Programme Officer know by 11 January 2021 which sessions they wish to attend. However, if we receive valid requests to participate after that date they will be accepted and programmed accordingly. That said, to enable the efficient programming of the hearings and relevant communications, it will be helpful if as many people as possible inform the Programme Officer by 11 January of their intended participation. Where there are several individuals making similar points, it can be helpful to nominate a representative to speak on their behalf.

With regards to the 27 January 2021 deadline for further written statements in response to our MIQs, I recognise that we have identified a significant number of questions but wish to re-emphasise a few important points contained in our guidance notes intended to help focus efforts at this stage. These are:

- Only respond to questions that directly relate to your already made representations – this is not an opportunity to widen the scope of comment on the Plan.
- Written representations already made on the Proposed Submission Version (2018), Amended Policies Version (2019) and Council’s Proposed Changes (2020) are before the Inspectors and will be taken into account. There is no need to repeat previously made representations.
- There is a limit of 3,000 words per Matter – focus on what needs to be changed to the Plan to meet any of the four tests of soundness.

Taking into account the continuing impact of the Coronavirus on people’s general ability to work/collaborate, the **deadline for statements** will be extended to **5pm on Tuesday 2 February 2021**. In doing so, we will have given in excess of 5 weeks¹ preparation time from 11 December 2020 for statements (compared to the 2-3 weeks advised in the Inspectorate’s Procedure Guide for Local Plan Examinations (paragraph 11)). This is a proportionate approach in the circumstances.

In terms of access to paper documentation, including via libraries, in response to Covid-19, the local plan regulations (35 and 36) were temporarily amended so that documents only had to be made available on the Council’s website and not at their principal office (or elsewhere). This amendment has now been extended to 31 December 2021. Accordingly, there is no reason why the examination hearings should be further delayed on this basis. Anyone experiencing particular difficulties accessing examination material should contact the Programme Officer for assistance.

Reasonable efforts to facilitate participation

Notwithstanding the Coronavirus situation, we anticipate, based on experiences of other recent virtual Local Plan examinations, that the majority of those who wish to exercise their legal right to be heard on the New Southwark Plan will be able participate from home or work office via video conferencing software. The Council will be hosting the hearings via Zoom, which is a readily available and intuitive software. Guidance notes will be issued to explain how the virtual hearings will work and there will be test events to check that people can connect and participate effectively.

We recognise that not everyone may have access to the internet or be comfortable with using video conferencing software. In those circumstances we will be able to hear from participants via either mobile phone or traditional telephone, preferably dialling into the relevant video conference call, so that we can hear from them as part of a wider discussion. That said, and as you identify, due to caring and shielding commitments etc., it may be the case that some people could have difficulties participating at the date/time of the relevant hearing session. Where that arises, people should contact the Programme Officer as soon as possible and we will look into what reasonable adjustments can be in terms of an alternative date/time. In those scenarios, it may be the case that a separate video call/phone call is arranged at a convenient time for the participant, the Inspector and the Council.

¹ Deducting two weeks (21 Dec – 3 Jan)

Going Forward

The New Southwark Plan has been in examination for a year. It is now at a stage where it needs to progress expediently to hearings. The Inspectorate's Guidance on Coronavirus and Local Plans is clear that examinations should proceed where possible, with an emphasis on on-line events to make this happen. In terms of the overall timetable, whilst we are of the view that hearings can still take place from 23 February 2020 onwards, we will, nonetheless, keep the matter under review given the Coronavirus pandemic. If circumstances change, we will revise the programme and the Programme Officer will notify people accordingly and the examination website will be updated.

I trust this response is helpful. I have asked the Programme Officer to place this response on the examination website for transparency.

David Spencer

Inspector.

cc. Juliet Seymour, Planning Policy and Digital Transformation Manager,
Southwark Council.