

Maldon District Council Local Plan Examination in Public

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Dear Mr Coleman,

Responses to the Maldon District Local Development Plan

I understand that the Council resolved on 11 December 2013 not to accept any late consultation responses to the Plan. In the event, three such responses were received in March 2014 from:

Brentwood Borough Council; Elise Gwyn-Williams; and Kath Vale.

Although the Inspectorate's *Examining Local Plans Procedural Practice* says that Inspectors will adopt a robust approach to late requests to attend hearings (paragraph 4.3), the handling of representations submitted after the close of the Plan's consultation period (i.e. 12 March 2014) is not mentioned (http://www.planningportal.gov.uk/uploads/pins/dpd_procedure_guide.pdf).

The above three representations were submitted after the close of the consultation period and so are not properly made representations which are legally compliant with the 2012 Local Planning Regulations. However, they were submitted either on the day of, or on the day after, the close of the consultation period, and one of them merely shortly added to an existing legally made representation. In these circumstances, I have decided to take them into account as part of my Examination of the Plan, although they will not be classified as legal representations under Regulation 20. I have asked my Programme Officer to inform the three parties of my decision and to keep them informed on the progress of the Examination.

Since the Examination commenced on 25 April 2014 I have received a number of additional responses to the Plan from members of the general public who are involved with the Save Maldon Action Group and the Heybridge Residents' Association. I am aware that the Save Maldon Action Group has urged local residents write to me about the Plan's proposals. I consider that these responses would assist me in determining the soundness of the Plan and its legal compliance. Moreover, to refuse to accept them as material considerations could lead to local residents believing that their

concerns were not being properly listened to in my examination of this Plan, which is so important for the future of the District.

Therefore, I have decided to accept these responses, and any other future responses, from members of the public concerned about the same issues as those mentioned by the Save Maldon Action Group and the Heybridge Residents' Association. Again, they will not be classified as legally made representations under Regulation 20, but I will nevertheless take them into account in my examination of the Plan. Similarly, I have asked my Programme Officer to inform those who have already written to me, and those in this category who do so in the future, of my decision and to keep them informed on the progress of the Examination.

Because none of the above responses are a legal representation under Regulation 20, none of the people will have a legal right to be heard at the hearings, although they may attend as observers. However, paragraph 8.27 of the Inspectorate's *Procedural Practice* says that I am able to invite anyone to appear and be heard at a hearing session where I think that person is needed to enable the soundness of the Plan to be determined. I think that that soundness 'need' exists with this particular group of responses. Paragraph 4.18 of the *Procedural Practice* says that those with very similar views should be asked to appoint a single spokesperson. Therefore, if requested, it would be my intention to invite only the Save Maldon Action Group and the Heybridge Residents' Association to represent all the members of the public who have written to me on similar concerns since the consultation period closed.

Please would you ensure that a copy of this letter is placed on the Examination web page.

Yours sincerely,

David Vickery

Inspector