

REF: WOE 01

Lisa Bartlett
SRO for the JSP
18th June 2018

Robert Young
JSP Examination Programme officer

Dear Robert

West of England Joint Spatial Plan: Councils' Response to Inspectors letter ED01

Please will you thank the Inspectors for the preliminary queries. The WoE Councils' substantive response to the Inspectors' questions is set out in the schedule annexed to this letter. This letter and its annexes will be published in due course.

The Inspectors have highlighted the need to consider the implications of the recent Court of Justice of the European Union judgment ([People over Wind, Peter Sweetman v Coillte Teoranta](#)) concerning Habitats Regulations Assessment (HRA) which was made just before the JSP was submitted. In the conclusion to their letter, they have also raised the issue about the Councils' intention to submit further evidence and asked the Councils to consider the implications for the examination programme. The Councils have considered these points and suggest the following as a way forward.

1. As set out in Annex 1 REF: WOE 01, the Councils consider that additional work is required in respect of the HRA in light of the People over Wind decision. The Councils are of the view that the further work to be undertaken in respect of both the HRA and the SA is likely to be ready for consultation by 17th September 2018.

The Councils suggest that the further work in respect of the SA and HRA should be subject to public consultation until 17th October to ensure all participants in the Examination have the opportunity to consider and make representations in respect of the further work. This will provide the basis for the Inspectors to consider the further work and set the questions for the hearings.

2. In light of the additional work to be undertaken, the Councils would appreciate the Inspectors consideration of a two stage examination process. This would entail consideration of the JSP legal compliance and objectively assessed need and housing requirement figures (Policy 1) and underlying growth assumptions in January 2019 with the Inspectors to then issue interim findings. Based on this and the context it provides with

regard to the level of housing growth required, the substantive EiP matters relating to the remaining JSP policies could be held subsequently. This would allow the Examination process to be conducted efficiently and without any pause in the process. A two stage process would allow additional technical work (over and above the additional HRA and SA work) on matters such as transport to be published later in the year, and any required supporting public consultation to be undertaken if necessary, and the findings then presented to the Inspectors. A two stage process would allow the Inspectors to continue to review other aspects of the evidence base and raise any further points of clarification with the Councils. This would assist the Councils in continuing to prepare effectively for the Examination and to clarify/address as many issues as possible in advance of the hearings in order to ensure an efficient process.

Therefore this overall approach would entail;

June	WoE UAs respond to ED01 with recommended timetable for the hearings
June/ July	Inspectors confirm 2 stage EiP hearings
September 10 th	Final SA and HRA report.
September 17 th -October 15 th	Public consultation on SA and HRA report.
End of October	Final publication of any ongoing work -including emerging findings from transport options assessment reports and employment updates to be made available to Inspectors and published on the examination website ahead of Inspector setting questions on remaining matters.
2 nd Nov 2018	Representations on SA and HRA collated and sent to Inspector
2 nd Nov-16 th Nov 2018	Inspectors to review comments received and set questions
14 th December	Deadline for responses to Inspectors Questions on Legal Compliance, (incl DtoC SA, HRA) Objectively assessed need and housing requirement figures
14 th January 2019	Hearings on Legal Compliance, (incl DtC SA, HRA) and Objectively Assessed Need and housing requirement figures

End of February	Inspectors to set questions for remaining matters
March to Mid May 2019	WoE / All EiP participants respond to Inspector questions
Late May 2019 (after local elections)	Commencement of remaining hearings on technical issues

We would welcome your consideration of this proposed approach.

Yours Sincerely

Lisa Bartlett
SRO JSP