

Inspector's Agenda and Supplementary Questions: Issue 1

Agenda

- 1 Opening remarks
- 2 Compliance with the legal requirements
- 3 Paragraph 2.3 of the Plan

Having read the further submissions, the following questions need to be addressed by the Council, and others as appropriate, **at the Hearing session. Unless specifically requested by the Inspector via the Programme Officer, no further written statements should be supplied in response and any that are will be returned by the Programme Officer.**

Agenda Item 2

1. Notwithstanding the demise of the regional planning body, I am still required by s20(5)(a) of the 2004 Act to determine that the Plan is in general conformity with the RS until such time as the power in s109 of the Localism Act to revoke them is exercised. What effect does the issue of the disputed sand and gravel apportionment to Cumbria (see ED86 paras 34 to 37) have on the general conformity of **this** plan (rather than, say, the Core Strategy – CSD14)?
2. Regarding the Duty to Cooperate, the Council refers to document RSAP11 (ED86 paragraph 57). Arguably only paragraph 16 of that document is relevant to **this** Plan. How have the discussions referred to influenced the content of the submitted Plan with particular reference to site M12?

Agenda Item 3

1. The insertion of paragraph 2.3 into the Plan that was adopted was a minor change promoted by the Council that in its view did not go to the soundness of the Plan. It is also unrelated to policy 1, which addresses a different point. Why then is the Plan unsound with paragraph 2.3 included within it?
2. The term 'number of facilities' in paragraph 2.3 is presumably a reference to the 'waste facilities' part of CS policy 9 rather than the 'waste capacity' part. Looking at the preamble to Development Control Policy DC4 and the phrase 'facilities that accord with CS policies 2, 8 and 9' can the Council explain whether it is the waste capacity figures or the waste facility numbers that are relevant for the operation of policy DC4?
3. Given what is said in paragraph 3.1 of CSD15, how are the sites identified in **this** Plan given priority over what Barrow BC term windfall sites?
4. If, as Barrow BC suggests, there is uncertainty over which sites may come forward, how does the deletion of paragraph 2.3 address this?