

I apologise for the delay in preparing this response to your letter of 24 June 2011, but I have been away from my desk.

In relation to the points you raise regarding the Council's website, I note that the recent correspondence is available as Related Documents under the section on Review of Sustainability Appraisal. It seems to me that this is reasonably easy to find for those who have been involved in the Examination process, but I will ask the Programme Officer to investigate whether an additional link to recent correspondence or a 'what's new' section could be added to the website.

Turning to your question as to why there is an additional stage for the Council to consider amendments to the CS, I have taken the view that the Council should approach the Review of the Sustainability Appraisal (SA) with an open mind. It would not have been appropriate to decide in advance of carrying out the review that no changes would be required, and therefore the timetable for progress of the Examination had to take into account this possibility. It is now for the Council to consider whether any changes may be required in the light of the outcome of the Review and any comments made during the current consultation period.

The Council has given no indication that it intends to use this process to 'rewrite bits of their Plan' as you suggest. If the Council comes to the view that major changes are needed, the advice in Section 9 of the Inspectorate's Procedure Guidance indicates that withdrawal may be the most appropriate course of action. I have not yet seen any proposed changes, so cannot comment further at present.

It is unfortunate that there have been a number of delays in the progress of the Examination, not all of which are the result of the Council's actions. However, national policy requires at least a 15 year plan period, and it is a legal requirement that the CS complies with national policy.

Regarding conformity with the RS, I have drawn the Council's attention to the recent Court of Appeal judgement in the Cala Homes case. Notwithstanding any comments by individual Members, I have no reason to think that the Council is unaware of the implications of this judgement. If any changes the Council may propose would appear to fail the test of general conformity with the RS, I would raise this with the Council as a significant concern.

*Laura Graham*

Inspector