**ITEM 3 – NEIGHBOURHOOD PLAN HEARING**

The examiner of the Totnes Neighbourhood Plan has called a hearing on Tuesday 6th September at 10.30am to be held in the Guildhall. The Council is asked to consider which Councillor will represent the Council’s position at the hearing – only one representative to be able to respond to the questions which will be received in advance from the examiner ( which Town Council officers will prepare background on).

In the examiner’s letter to South Hams District Council they set out:

As the independent examiner of the Totnes Neighbourhood Development Plan, having read the plan, supporting documents and representations, I consider that it is necessary to call a Hearing. I have decided that in order that I may consider fully certain of the issues raised in the representations on this plan it is necessary to arrange a Hearing under the provisions of Schedule 4B of the Town and Country Planning Act 1990, as amended by the Localism Act 2011.

As the examiner I determine the issues to be considered at the Hearing. The scope of the Hearing will be confined to the areas of the plan that I consider that it is necessary for me to hear oral representation to ensure adequate examination of the issues.

It is for me as the independent examiner to decide:

• the format and scope of the Hearing

• who will be invited to speak at the Hearing, in addition to the local planning authority and the qualifying body that submitted the neighbourhood plan.

• the questions to be asked at the Hearing.

More specifically I wish to consider in more detail, and hear oral representations on, issues arising from the following policy of the plan:

Policy C12 Former Dairy Quest Site and Appendix E, Former - Dairy Crest site Development Brief

**Procedure at the hearing**

As the hearing is to be held to elicit more information and is not specifically required to give any person a fair hearing (that is not to say that invited participants will not be given a fair hearing) participation at the hearing is by my invitation. I am inviting those who have made written representation on the issues to be discussed and who have sought some change to the plan.

The hearing is held in public, but it is not a public meeting in the sense that anyone may speak. Only those invited to participate will be permitted to speak. The hearing will take the form of a structured question and answer session based on an agenda which will be circulated in advance. It will cover the issues and questions I have identified.

On the day, I will make a short introduction and then proceed to the agenda items. Agenda items will be taken in turn and I will ask questions of the person I consider to be the most appropriate to commence discussion on the item to do so. Generally, I will look to the town council representative to conclude on each item, having the final say as the ‘plan- making body’.

I attach a draft of the topics (issues) I wish to cover; detailed questions and a formal agenda will follow, and this will include an indication of which topics the invitees will be asked to address.

The hearing will centre on issues relating to Policy C12 Former Dairy Crest Site and Appendix E, Former Dairy Crest site Development Brief including but not exclusive to the following:

• Consultation

• Meeting the Basic Conditions

• HRA

**Invitees**

Representative of Totnes Neighbourhood Plan Group/Town Council

Representatives of South Hams District Council Planning and Legal Departments

Representative of Fastglobe (Mastics) Ltd, the owners of the site.