

Norwich to Tilbury Examination – Deadline 6.

Representation by the North-West and South-West of Chelmsford Parishes Group

Re: Alison Farmer Associates Landscape Report ('the AFA Report')

Introduction and Summary

1. The North-West and South-West of Chelmsford Parishes Group ('the Parishes Group'/'the Group') is an alliance of 9 parish councils: Broomfield, Chignal, Great Waltham, Highwood, Ingatestone and Fryerning, Little Waltham, Margaretting, Roxwell and Writtle.
2. Following discussion at ISH2, the Parishes Group expected the Applicant to make a full written response to the AFA Report. We became concerned when no response was forthcoming at deadline 4 or 5; and when the Applicant's Summary of its Oral Contribution omitted reference to such a response. We mentioned this briefly in our [REP5-260].
3. We contacted the Case Team in order to establish beyond doubt what was said at ISH2. They advised us to put the details into a further rep at Deadline 6.
4. The Parishes Group therefore has 2 concerns about this matter:
 - That the Applicant seems unaware of its commitment to the ExA at ISH2 to respond in full;
 - That, with the end of the Examination approaching, there has still been no full response to an expert report which the Inspector noted as requiring one.

Discussion at ISH2

5. The relevant discussion took place within Item 8.3, Great and Little Waltham. It is a little complicated, as the discussion was spread over Part 5 of the Recording. The main points are as follows:
 - At 4.45 mins in, the Inspector raised a point from the Report and asked if the Applicant's representative was familiar with it. She thought she was not. He emphasised (at 7.35 mins in) the need to study and respond to the Report unless the Applicant had already done so.
 - At 20.20 mins in, the Applicant's representative came back in and said that it had responded to the Report, referring to [AS-089].
 - At 53 mins, the Parishes Group representative emphasised our position that [AS-089] does not properly respond to the Alison Farmer Report, merely acknowledging its existence
 - At 54.50 mins, the Inspector referred this point back to the Applicant's barrister who replied that its response to this issue will be in writing; and '*in terms of the Farmer Report you've asked us a specific question in relation to it, we will ensure that we reply to it in full.*'
6. It is this last important point that has either been overlooked by the Applicant; or it has reverted to its earlier position without explanation.

Applicant's Response to Relevant Representations [AS-089]

7. If the Applicant has reverted and now says that [AS-089] is a full response, the Parishes Group would emphasise again that this is not the case. Indeed, as [AS-089] is the Applicant's response to Relevant Representations, it cannot be, as the AFA Report was not submitted until Deadline 1. Our Relevant Representation simply says that it had been produced and would be submitted.
8. It is therefore not surprising that [AS-089] merely acknowledges the existence AFA Report. At one point, it states that 'This (the AFA Report) is responded to in our response to item 3 below', but there is no such response (nor even an item 3). There is only one further passing reference to it.

Conclusion

9. At ISH2, the Inspector rightly noted the importance of a full response to the AFA Report. The Parishes Group would be grateful to the ExA if it were minded to clarify this matter such that a full response from the Applicant is forthcoming.
10. The Parishes Group believes that Examination would be best served if the Applicant responds in time for the Group to comment on that response. This would mean that the Applicant would need to provide the full, written response at Deadline 7 at the latest.