**CANTERBURY DISTRICT LOCAL PLAN EXAMINATION 2015**

**ERRATUM AND UPDATE TO STATEMENT BY J.D.I. BAKER (Respondent ID: 780828)**

**ON MATTER: 5: INFRASTRUCTURE (INCLUDING TRANSPORT) AND IMPLEMENTATION**

**FOR HEARING ON: 28 JULY 2015**

**Introduction**

Prior to the Hearing on 28th July, at which I will be represented by Mr. Ronnie Nevell of Harbledown, two updates and two corrections are necessary to my Statement on Matter 5.

For the convenience of the Inspector and other parties, these are set out under headings corresponding to those in my Statement:-

**Question c)**

In my response to this Question, I referred to my letter to the Council on 16th June 2015, at Appendix 1 to my Statement. I wrote that letter because I was alarmed that the Council’s approach to seeking funding from applicants for planning permission appeared to be both illogical and at variance with its Draft Infrastructure Delivery Plan (CDLP 11.6).

Since preparing my Statement, I have received the Council’s response to my letter, in a letter dated 13th July 2015, a copy of which is attached to this Erratum & Update.

This letter confirms that the information given to the Council’s Planning Committee was not the full picture. It confirms that the Council does intend to use Section 106 Agreements to secure developer contributions towards the A2 Off-sliproad, at least up to the legal limit of 5 ‘pooled’ Section 106 contributions towards a single infrastructure project. However, it is still no clearer which developments will be required to contribute to this infrastructure project, nor whether only 5 developments will be sufficient to fund it. It is hoped that this matter will be clarified at the Hearing.

KCC’s very recent Decision on the District Transport Strategy (see further under **Question e)** below), requires “Canterbury City Council and the developers [to] be legally bound to fund the necessary infrastructure at no cost to the public purse and before the development begins” (underlining added). It made no mention of KCC contributing any funding, nor how this (if available) would affect the legal commitments that KCC requires. It is hoped that this matter also will be clarified at the Hearing.

Further, although the second page of the attached letter states that KCC is expected to contribute to the A2 Off-sliproad in the sum of £1 million, no details are given of whether this funding is committed by KCC and, if it is, when it may be available. The Council’s Statement for the Hearing on Matter 5 states (in response to the Inspector’s Question (l)) that KCC will apply to the Single Local Growth Fund to support the Wincheap Relief Road, but makes no reference to whether this will also be the case for the A2 Wincheap Off-Sliproad. It is hoped that this matter will be clarified at the Hearing.

**Question e)**

Under this Question, I stated that the District Transport Strategy (CDLP 8.6) had “neither been approved by KCC, nor properly consulted upon”. I referred in this connection to pages 6 – 9 of my letter to the Planning Inspectorate dated 19th February 2015 in which I set out the reasons for this statement (that letter can be found at:-<https://www.canterbury.gov.uk/media/1029725/J-Baker-appendix-Duty-to-Co-Legal-780828-0085.pdf>).

Since preparing my Statement, and as set out in my ‘Additional Papers Referred to at Hearing on: 14 July 2015’ (which I circulated on 15th July 2015 and is now CDLP 16.31), KCC has decided to endorse three principles of the Transport Strategy (CDLP 8.6), not all of the contents or details thereof.

This means, importantly, that KCC has not endorsed the funding amounts or sources identified in the Action Plan attached to CDLP 8.6, nor specifically the funding which is claimed in the Action Plan to be coming from KCC itself. It is therefore uncertain whether the Inspector can place reliance upon the funding shown from KCC, and it is hoped that this matter will be clarified at the Hearing.

**Question f)**

At the foot of page 2 of my Statement, under point 5., I referred to the fact that many of the increases in bus frequencies on routes serving Canterbury, which the VISUM Model assumes will occur in the period to 2026, in fact have already happened, which casts doubt on their ability to assist modal shift further during the period to 2026, as the Transport Strategy appears to assume.

Unfortunately I omitted to state the page numbers in the District Transport Strategy (CDLP 8.6) which give details of the increases in bus frequencies that have already occurred. These are **pages 2 & 3 of the main document** (not Addendum 1, which precedes the main document). The pages within the pdf version of CDLP 8.6 are pages 17 & 18.

**Question t)**

At the top of page 4 of my Statement, I wrongly referred to Regulation 122. This reference should have been to **Regulation 123**.

I would like to apologise to the Inspector, the Council and other parties to the Examination for these two errors.

**J.D.I. Baker**

**27th July 2015**