

## **EXAM 1 – Inspector’s Response to Request to Submit a Late Representation from Dr Angus Murdoch.**

I have carefully considered: the request by Dr Murdoch (on behalf of his client) to provide a representation in relation to gypsy and traveller matters within the Plan. As part of my examination of the Plan, I am able to use my discretion to allow a late representation and to allow a party to take part in the examination where there are exceptional circumstances. Having regard to the very specific circumstances of Dr Murdoch’s client, I consider that he could have been unaware of the Council’s consultation on the Plan. On this basis, I consider that there are exceptional circumstances to allow Dr Murdoch to take part in the examination and to provide a representation to the Council within the next 10 working days on behalf of his client. I will allow the Council the opportunity to provide a response to the representation in the same way that the Council has done so for representations already made during the consultation period. This will then inform my initial preparation.

The Council may be concerned that granting Dr Murdoch’s request would set a precedent for other late representations to be accepted and could potentially prejudice other parties. However, I can reassure the Council that I will continually take a robust approach to late representations, which will be strictly turned away unless there are exceptional circumstances. Further, other parties (who have provided a duly made representation) will have the opportunity to view Dr Murdoch’s representation on the examination website and will be able to partake in the examination process, including the hearing sessions. On this basis, I am not of the view that accepting the late representation would prejudice any party.

Jonathan Manning  
INSPECTOR

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**Subject:** Hart Emerging Local Plan November 2018  
**Date:** 17 July 2018 at 13:41:50 BST  
**To:** Ian Kemp <idkemp@icloud.com>

Good afternoon Ian

It was good to talk to you again this morning.

As you know I have specialised in representing Gypsies and Travellers in planning matters on a national level, with cases from Cornwall to Cumbria, for the last 20 years. I have recently been contacted by a local Traveller in Hart who lives on an unauthorised Traveller site in the area who is extremely concerned about the 2016 Hart GTAA produced by ORS because whilst that assessment **asserts** that there is no need for further Traveller sites in Hart, that is absolutely disputed by him. I concur with that because in the Turner Appeal (in which I was instructed in Hart and which is attached) an unmet need of 24 pitches was found (based on the 2013 GTAA) since when only 3 additional pitches have been provided, which leaves a

residual need of 21 pitches before we consider household formation or any other indicators of need.

Unfortunately as an illiterate Romany Gypsy he was unaware that there was an opportunity to make representations on the emerging Local Plan. This is perhaps unsurprising because as the CLG 2007 Good Practice Guide demonstrated, Gypsies and Travellers are one of those very hard to reach groups whose views are seldom heard in policy formation. As discussed I would be extremely grateful if Inspector Manning would consider allowing me to make representations to the EIP in relation to the evidence base and emerging policy so far as it relates to Traveller site provision please. I believe that I would bring added value to the issue because I have given evidence at EIPs in relation to Traveller sites since 2008 in front of (then Chief) inspector Burley. In my most recent such EIP which considered this matter (that in Newark in May 2018 also attached) the Inspector, having considered the Council's case and my rebuttal to it, found that the GTAA significantly under-estimated need:

*I have given careful consideration to the pre-hearing representations on provision in the CS Review for G&Ts (Matter 14), the discussion that took place at the hearing, and the post-event exchanges. Having done so, I have formed the view that the GTAA is very likely to have underestimated need which means that the number of pitches set out in Draft Core Policy 4, which is based on the GTAA, is insufficient.*

I have good working knowledge of both Hampshire in general as well as Hart in particular. I attach an Appeal Decision for neighbouring Winchester that was issued yesterday where the Council's argument that there was no unmet need and a 5 year supply of sites was rejected by Inspector Preston after having considered my evidence. I am also due to give evidence to the EIP into the Winchester Traveller DPD in September 2018.

In this case I note that the EIP is not sitting until November 2018 so if I were allowed an opportunity to make submissions, there would be ample time for the LPA and any interested persons to respond to any submissions made.

I look forward to hearing from you shortly.

Many thanks

Angus

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