

Response 643

Respondent Details

Information	
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]

PART A - About You

1. Please complete the following: Please note the email address (if provided below) will be sent a full copy of the submitted response and a unique ID number for future reference (pdf attachment).

Name of person completing the form: Tom Clarke MRTPI

Email address: [REDACTED]

2. What type of respondent are you? Please select all that apply.

A group or organisation

3. Please complete the following:

	Contact details
Organisation name (if applicable)	Theatres Trust
Agent name (if applicable)	-
Address 1	Theatres Trust
Address 2	22 Charing Cross Road
Postcode	WC2H 0QL
Telephone number	[REDACTED]

PART B - Representation Form 1

1. To which part of the Local Plan does this representation relate? From the drop down list please select one option.

Objective W3

2. Does your comment relate to a specific paragraph (s) or policy sub-number (s)? Please select one option.

None of the above

3. Do you consider the Draft Local Plan is: Please select one option in each row.

	Yes	No
Legally Compliant	X	
Sound	X	
Compliant with the Duty to Co-operate	X	

6. Please set out what modification(s) you consider necessary to make the Draft Local Plan legally compliant or sound, having regard to the test you have identified above where this relates to soundness. (NB please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It would be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

N/A.

We are supportive of this objective.

7. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination? Please select one option.

No, I do not wish to participate at the oral examination

You have just completed a Representation Form for Objective W3. What would you like to do now? Please select one option.

Complete another Representation Form (Part B)

PART B - Representation Form 2

1. To which part of the Local Plan does this representation relate? From the drop down list please select one option.

Policy TC1 Town Centre and Surrounding area

2. Does your comment relate to a specific paragraph (s) or policy sub-number (s)? Please select one option.

A policy sub-number (s)

If a paragraph or policy sub-number then please use the box below to list:

2

3. Do you consider the Draft Local Plan is: Please select one option in each row.

	Yes	No
Legally Compliant	X	
Sound	X	
Compliant with the Duty to Co-operate	X	

5. If you answered 'Yes' to any of the options in question 3 then please give details in the box below the reasons why you support the legal compliance or soundness of the Draft Local Plan or its compliance with the duty to co-operate. Please be as precise as possible.

We are supportive of the plan's positive support for additional cultural venues and specifically theatres, which reflects paragraphs 20 and 92 of the NPPF.

6. Please set out what modification(s) you consider necessary to make the Draft Local Plan legally compliant or sound, having regard to the test you have identified above where this relates to soundness. (NB please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It would be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

We would encourage the insertion of text into the supporting paragraphs which encourages the Council or other applicants to engage with Theatres Trust where performance venues are proposed.

7. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination? Please select one option.

No, I do not wish to participate at the oral examination

You have just completed a Representation Form for Policy TC1 Town Centre and Surrounding area. What would you like to do now? Please select one option.

Complete another Representation Form (Part B)

PART B - Representation Form 3

1. To which part of the Local Plan does this representation relate? From the drop down list please select one option.

Policy DEV5 Retail and Leisure Needs

2. Does your comment relate to a specific paragraph (s) or policy sub-number (s)? Please select one option.

A policy sub-number (s)

If a paragraph or policy sub-number then please use the box below to list:

3. Do you consider the Draft Local Plan is: Please select one option in each row.

	Yes	No
Legally Compliant	X	
Sound		X
Compliant with the Duty to Co-operate	X	

4. If you have answered 'No' to any of the options in the above question then please give details in the box below of why you consider the Draft Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

Although we are supportive of the premise of this policy, in terms of cultural facilities the terminology used ('viable') is problematic and introduces potential conflict with Policy INF4.2. The problem with using 'viable' as an assessment criteria is that without further definition there is the risk that facilities can be undermined and evidence manipulated. For example, a facility can be shown to be 'unviable' from a financial sense under one particular ownership or operating model. It may however thrive under different ownership, for example changing from private ownership to ownership by the community. Viability is also only one measure as to whether or not a facility should be retained, it should also be ascertained whether there is need or demand from the community. In any case, Policy INF4.2 also manages the potential loss of cultural facilities and we consider that to be more robust and better address paragraph 92 of the NPPF which seeks policies and decisions to guard against the unnecessary loss of facilities.

6. Please set out what modification(s) you consider necessary to make the Draft Local Plan legally compliant or sound, having regard to the test you have identified above where this relates to soundness. (NB please note that any non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why this modification will make the Local Plan legally compliant or sound. It would be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Either remove cultural facilities from this policy and leave potential loss to be managed by Policy INF4 or revise the wording of this policy/supporting text to give better clarification as to what is meant by viable.

7. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination? Please select one option.

No, I do not wish to participate at the oral examination

You have just completed a Representation Form for Policy DEV5 Retail and Leisure Needs. What would you like to do now? Please select one option.

Complete another Representation Form (Part B)

PART B - Representation Form 4

1. To which part of the Local Plan does this representation relate? From the drop down list please select one option.

Policy INF4 Community Facilities

2. Does your comment relate to a specific paragraph (s) or policy sub-number (s)? Please select one option.

If a paragraph or policy sub-number then please use the box below to list:

2

3. Do you consider the Draft Local Plan is: Please select one option in each row.

	Yes	No
Legally Compliant	X	
Sound	X	
Compliant with the Duty to Co-operate	X	

5. If you answered 'Yes' to any of the options in question 3 then please give details in the box below the reasons why you support the legal compliance or soundness of the Draft Local Plan or its compliance with the duty to co-operate. Please be as precise as possible.

We are supportive of this policy, we consider that it addresses the requirements of the NPPF in relation to community, cultural and social facilities and particularly welcome clarification that it applies to cultural facilities such as theatres, arts venues and pubs.

7. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination? Please select one option.

No, I do not wish to participate at the oral examination

You have just completed a Representation Form for Policy INF4 Community Facilities What would you like to do now? Please select one option.

Complete the rest of the survey (Part C)