



## Solihull MBC Local Plan Publication Stage Representation Form

Ref:  
  
(For  
official  
use only)

Name of the Local Plan to which this representation relates:

Regulation 19

Please return to [psp@solihull.gov.uk](mailto:psp@solihull.gov.uk) or Policy and Engagement, Solihull MBC, Solihull, B91 3QB BY Monday 14<sup>th</sup> December 23:59

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This form has two parts –

Part A – Personal Details: need only be completed once.

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

### Part A

#### 1. Personal Details\*

*\*If an agent is appointed, please complete only the Title, Name and Organisation (if applicable) boxes below but complete the full contact details of the agent in 2.*

#### 2. Agent's Details (if applicable)

Title	<input type="text"/>	<input type="text" value="Mr"/>
First Name	<input type="text"/>	<input type="text" value="Michael"/>
Last Name	<input type="text"/>	<input type="text" value="Robson"/>
Job Title (where relevant)	<input type="text"/>	<input type="text"/>
Organisation (where relevant)	<input type="text" value="Kler Group Ltd c/o agent"/>	<input type="text" value="Cerda Planning Ltd"/>
Address Line 1	<input type="text"/>	<input type="text" value="5-7 High Street"/>
Line 2	<input type="text"/>	<input type="text" value="Sutton Coldfield"/>
Line 3	<input type="text"/>	<input type="text"/>
Line 4	<input type="text"/>	<input type="text"/>
Post Code	<input type="text"/>	<input type="text"/>
Telephone Number	<input type="text"/>	<input type="text" value="B72 1XH"/>
E-mail Address (where relevant)	<input type="text"/>	<input type="text" value="[REDACTED]"/>

## Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph	<input type="text"/>	Policy	P21 Developer Contributions and Infrastructure Provision	Policies Map	<input type="text"/>
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4. Do you consider the Local Plan is:

4.(1) Legally compliant	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4 (3) Complies with the Duty to co-operate	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

Please tick as appropriate

5. Please give details of why you consider the 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.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

We support the provisions of Policy P21 and the need for developer contributions and infrastructure provision in principle.

However, these provisions can only be promoted where the developer contributions and infrastructure provision meets the three CIL tests, specifically;

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development.

As drafted, whilst the policy makes passing reference at various points to the provisions of the CIL tests, these are not explicit. As a result, the policy is imprecise and it is not clear whether its operation would be discordant and at variation with the CIL provisions.

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The policy should be modified to expressly refer to the three CIL tests in regulation 122 of the 2010 Regulations as set out above, and furthermore make clear that developer contributions and infrastructure provision will only be required where each of the three tests are demonstrably met.

**Please note:** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

**After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.**

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

**No**, I do not wish to participate in hearing session(s)

**Yes**, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We raise serious issues which go to the heart of soundness. We consider that our submissions are best reviewed orally, along with other participants who will no doubt be making similar representations, to best assist the Inspector(s) in coming to a view as to whether the Local Plan Review should proceed to adoption, modified or not.

**Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

9. Signature:

Date:

14.12.20