EXAMINATION OF THE MEDWAY COUNCIL LOCAL PLAN 2041

HEARING STATEMENT

THE INDEPENDENT GROUP (TIG) ON MEDWAY COUNCIL

MATTER

Matter 14 - Delivery and Monitoring

ISSUE

Whether the Plan sets out a clear framework for delivery and monitoring of its policies and proposals, and how their effectiveness will be measured and assessed.

Representor	The Independent Group (TIG) on Medway Council
Representor ID	E.37
Relevant MIQs	14.1, 14.2, 14.3, 14.4 and 14.5
Hearing session	26 November 2026 - AM (draft programme)
Statement date	29 October 2026
Word count	2,550 substantive words

Submitted on behalf of The Independent Group (TIG) on Medway Council
Councillor Michael Pearce, Planning Spokesman

1. PURPOSE AND STATUS OF THIS STATEMENT

1.1 This statement answers the Inspectors' Matter 14 questions (MLP/ED35, MIQs 14.1-14.5) insofar as they concern TIG's existing Regulation 19 objections to the scale, distribution and deliverability of development on the Hoo Peninsula, supporting infrastructure and environmental mitigation. It should be read with the representations identified in section 6.

1.2 TIG does not introduce new objections or rehear the merits of individual allocations addressed under other Matters. Its Regulation 19 case was that infrastructure and mitigation needed to support major Hoo Peninsula growth were insufficiently certain as to funding, timing and delivery. Matter 14 asks whether the Plan can monitor, manage and respond effectively to those dependencies.

1.3 The proportionate changes discussed below are advanced strictly without prejudice to TIG's primary objections and to its position that some underlying legal or soundness defects may not be capable of remedy through Main Modifications. The submission of suggested changes is not acceptance of the spatial strategy or of the adequacy of the HRA.

2. TIG'S POSITION AT A GLANCE

Overall answer to Matter / Issue

2.1 Not yet fully demonstrated. TIG acknowledges that A14 provides a substantive Monitoring Framework, B2 contains an Infrastructure Delivery Schedule (IDS), and Policy S24 addresses capacity, phasing and developer contributions. The concern is not the absence of documents or an intention to monitor, but whether their combined operation demonstrates that necessary measures will be in place when their benefits or protections are required.

Soundness test engaged (December 2024 NPPF)

2.2 The central issue is effectiveness under paragraph 36(c): is there a realistic link between the housing trajectory, necessary infrastructure, ecological outcomes, published indicators and timely corrective action? Monitoring a contribution or legal agreement is not the same as monitoring completed, operational infrastructure or an effective ecological outcome.

Main Modification / action sought

2.3 TIG seeks sufficiently precise, location- and phase-sensitive monitoring, identified delivery responsibilities, clear infrastructure milestones and an auditable response where vital dependencies fail. This is without prejudice to the primary position set out in section 4. The proposed amendments would be relevant only if deficiencies can lawfully be remedied without materially recasting the Plan.

3. RESPONSES TO THE INSPECTORS' MIQs

3.0 All proposed changes under this section are without prejudice to section 4. Where a defect cannot be remedied by limited further work and Main Modifications without materially recasting the submitted Plan, TIG seeks non-adoption and considers that withdrawal and re-preparation would be appropriate.

3.1 MIQ 14.1 - Monitoring, management and delivery of the strategy

TIG's answer: The submitted mechanisms do not yet demonstrate sufficiently clear control of the critical dependencies on which the Hoo Peninsula strategy relies.

Reasoning...

3.1.1 Policy S24 requires applicants to demonstrate sufficient capacity and appropriate phasing. It expresses a preference for on-site infrastructure before occupation, but also provides for phased delivery and financial contributions towards off-site works. A1 paragraphs 10.5.6 and 10.5.13-10.5.14 envisage iterative IDP review. B2 paragraph 2.7.5 links phased Hoo development to triggers identified in a Hoo Peninsula Infrastructure Plan, while paragraph 2.9.8 records ongoing work on masterplanning and infrastructure phasing. TIG asks where the operative triggers, responsibilities and delivery arrangements can be scrutinised against projected housing occupation. In particular, an off-site contribution does not itself confirm when a necessary project will become operational.

3.1.2 The IDS in B2 Appendix 1 identifies significant schemes, indicative timing, costs, possible funding and priorities. But material uncertainties remain. The Strood-Hoo Bus Rapid Transit scheme is classed as critical with an indicative 0-10-year delivery window, yet its delivery body, cost and funding are all TBC (p.97). The Hoo Peninsula Integrated Community Hub is classed as essential but has a TBC delivery date, with funding to be identified (p.102). The relevant issue is not whether these schemes might eventually be delivered, but whether their timely delivery is sufficiently evidenced and secured to support the proposed scale and phasing of development.

3.1.3 TIG is particularly concerned that homes in one Hoo growth area could be occupied well before services and facilities associated with another are operating. An effective phasing framework should identify the relationship between the level and location of occupation and available school, healthcare, community, transport and environmental mitigation capacity. It should explain contingencies if a scheme is delayed and distinguish what is an aspiration from what is secured by policy, condition, obligation or delivery agreement.

3.1.4 The Council's proposed strategic policy in MLP/ED31 introduces stepped housing monitoring requirements and says Hoo infrastructure will accompany growth; it is a proposed Main Modification, not settled policy. MLP/ED38 identifies early mitigation needs at the A228 Peninsula Way/Main Road Hoo and Sans Pareil junctions, and explains that Four Elms is also constrained by committed development independently of the Plan. It recognises that major works require design, funding and approvals and proposes further monitoring and management work. If the stepped requirement is pursued, B2, A14 and any deliverable occupation triggers should be reconciled with the revised trajectory and transport evidence.

Regulation 19 basis: TIG Main Representation, sections 2.2, 3.3.2 and 8.3(4)-(5).

Change necessary: Publish and secure an integrated, site/phase-based schedule for critical infrastructure and housing delivery, linked to the final trajectory and implementation mechanisms.

3.2 MIQ 14.2 - Regular monitoring and assessment of indicators

TIG's answer: Regular reporting is envisaged, but the connection between reported activity and delivery or mitigation outcomes requires further explanation.

Reasoning...

3.2.1 A14 states that its indicators were selected for reliable annual compilation. For Bird Wise/SAMMS, it records planning obligation and programme information alongside visitor surveys and disturbance monitoring at five-year intervals. It also identifies progress and monitoring of the Hoo Peninsula Strategic Environmental Programme, drawing on partnership reports and monitoring data. These are substantive monitoring provisions and TIG does not contend that no monitoring is proposed.

3.2.2 The question is whether reporting detects emerging harm before the assumptions underlying the HRA are overtaken by actual development. TIG's objection to the efficacy and certainty of Bird Wise/SAMMS and additional Hoo mitigation is already made in its earlier representations. TIG seeks an explanation of how monitoring outcomes will be assessed against defined ecological objectives, how adverse results will trigger reassessment or intervention, and whether targeted or more frequent checks are necessary in phases of concentrated occupation. Appropriate ecological measures must be informed by specialist evidence and Natural England's advice.

3.2.3 Housing, transport and infrastructure reporting also needs a common delivery record. The Authority Monitoring Report, updated IDS and Section 106 records should distinguish measures planned, obligations agreed, contributions collected, works constructed and infrastructure actually open or operational. Without those distinctions there is a risk of reporting apparent progress while residents experience unmet service needs.

Regulation 19 basis: TIG Main Representation, sections 2.2, 6 and 8.3(4)-(5); TIG's environmental representations.

Change necessary: Set out frequencies, outcome measures, responsibility for assessment and reporting pathways for critical works and mitigation.

3.3 MIQ 14.3 - Precision of performance indicators and targets

TIG's answer: Some measures are clear, but strategic delivery and environmental indicators are not uniformly precise enough to support intervention.

Reasoning...

3.3.1 A14 has useful identified data sources and a mixture of quantitative and directional targets. For example, it uses "Gain" for energy-performance trends, "Uplift" for biodiversity net gain and "No deterioration" for SSSI condition. Directional targets are not inherently inappropriate; however, for the most consequential Plan assumptions, monitoring should identify a baseline, expected result, relevant deadline and a threshold or circumstance requiring review. A14 itself says some transport targets expressed by direction only will be developed and refined during the Plan period.

3.3.2 For the Hoo Peninsula, the decisive measures should include the point at which particular facilities must operate relative to occupied homes; the capacity available to

serve them; the status of mitigation identified as necessary; and the party responsible if a milestone is missed. TIG asks the Council to identify which indicators currently allow those comparisons to be made and what happens when performance is outside the expected range.

Regulation 19 basis: TIG Main Representation, sections 2.2 and 8.3(5).

Change necessary: Define verifiable baselines, milestones and intervention triggers for critical infrastructure and mitigation, while retaining proportionate treatment of less critical indicators.

3.4 MIQ 14.4 - Clear measurability of Plan performance

TIG's answer: The Council has not demonstrated that its monitoring indicators will adequately measure infrastructure delivery and environmental mitigation outcomes at the geographical and development-phase level necessary for the Hoo Peninsula.

Reasoning...

3.4.1 Authority-wide completions and transport measures cannot alone reveal whether development on the Hoo Peninsula is being occupied in advance of its own services. Monitoring should distinguish the relevant Hoo allocations and, where necessary, the component development phases. The relevant outputs include homes occupied, accessible education/health/community capacity, operating highway and sustainable transport measures and the implementation and effectiveness of environmental mitigation.

3.4.2 A14 includes indicators concerning the vitality of centres. TIG's existing infrastructure objection also has a local service dimension: where strategic development is phased across Hoo, a borough-wide total of new facilities or retail floorspace would not show whether residents in an occupied neighbourhood have access to the facilities assumed to serve it. Monitoring therefore needs to distinguish the availability and timing of the relevant local provision without reopening the merits of the centre allocations.

3.4.3 For internationally designated sites, money paid or actions completed cannot by themselves establish ecological effectiveness. TIG asks how the Council will assess whether the outcomes upon which the HRA relies are being achieved, and how any adverse results would be escalated. Appropriate ecological thresholds should be established through competent specialist assessment and supported by adequate evidence.

Regulation 19 basis: TIG Main Representation, sections 2.2, 6 and 8.3(4)-(5), and TIG's Hoo-specific environmental representations.

Change necessary: Report meaningful local and outcome-based measures at the spatial scale and delivery stage needed to detect failure.

3.5 MIQ 14.5 - Frequency, review and necessary updates

TIG's answer: Annual review is a starting point, but the means by which failure prompts corrective action are not sufficiently transparent.

Reasoning...

3.5.1 B2 paragraph 1.2.7 commits to annual review of the IDP through the Authority Monitoring Report, and A14 anticipates annual collation. TIG acknowledges those arrangements. For major infrastructure and mitigation dependencies, however, the Council must explain how an identified shortfall becomes a decision: who assesses it, when it is reported, how outstanding obligations are enforced, what alternative measures are available, and whether development may lawfully proceed before a necessary safeguard is effective.

3.5.2 Appropriate actions may include working with delivery partners, reviewing funding and phasing, enforcing obligations, bringing forward alternatives, amending projections and, where required, considering a Plan update. The legal and procedural requirements of any policy change must be followed. Where an HRA integrity conclusion depends on mitigation being secured and effective, later monitoring cannot substitute for the necessary assessment and certainty before adoption or implementation.

3.5.3 TIG seeks a published annual exceptions and actions schedule, updated more promptly where a critical trigger is reached, showing the unmet dependency, risk, responsible body, remedial response and timescale. The Council should explain how this schedule will inform decisions about the need for review of the Plan and how monitoring will be kept consistent with any housing and policy changes emerging from this Examination.

Regulation 19 basis: TIG Main Representation, sections 2.2 and 8.3(4)-(5).

Change necessary: Set out a timely, transparent escalation and review mechanism, with responsibility for each unresolved critical dependency.

4. OVERALL CONCLUSION ON THIS MATTER

4.1 TIG recognises the existing IDP, IDS, Monitoring Framework and Policy S24. The outstanding issue is effectiveness: will they detect and prevent a disconnect between the number and timing of occupied homes and the services, transport capacity and environmental safeguards on which sustainable delivery depends? Reliance on future detailed arrangements, unconfirmed funding or eventual monitoring does not itself answer that question.

4.2 TIG's primary position, expressly maintained without prejudice, is that the Plan cannot presently be found sound or, where relevant, legally compliant insofar as unresolved infrastructure and environmental dependencies are material to the justification and effectiveness of the Hoo Peninsula strategy. Its answers to the MIQs are not concessions that the submitted allocations, policy framework or mitigation package are acceptable.

4.3 TIG does not exclude the possibility that the Inspectors may consider whether limited Main Modifications could address identified deficiencies. However, TIG does not concede that the deficiencies affecting the submitted Plan can be lawfully or

satisfactorily remedied through that process. Any suggestions in section 5 remain strictly conditional and without prejudice to paragraph 4.2.

4.4 If lawful and effective remediation instead requires substantial new assessment, material redistribution or reduction of strategic development, or other changes which would in substance create a materially different Plan, TIG considers the deficiencies beyond the proper scope of Main Modifications. In those circumstances, TIG seeks non-adoption and considers withdrawal and re-preparation appropriate. This preserves TIG's Regulation 19 position and is consistent with its Matter 1 hearing statement.

5. MAIN MODIFICATIONS / CHANGES SOUGHT

5.1 The following requests are expressly without prejudice to paragraphs 4.2-4.4. They apply only if the outstanding defects can be remedied without materially recasting the submitted Plan. "EX" denotes an examination action or supporting-document change rather than proposed Main Modification wording. Any Main Modification must follow the applicable statutory procedures and consultation requirements.

Reference	Policy / text	Defect identified	Modification / action sought	Why necessary
MM-TIG-M14-01	S24 and, if needed, relevant allocation policies	Timing of necessary infrastructure against occupation may depend on later negotiation.	Secure clear, enforceable phase/occupation triggers for critical works and facilities, tailored to demonstrated effects.	Prevents delivery after the impact it is intended to address.
EX-TIG-M14-02	B2 IDS / Hoo Infrastructure Plan	Some critical schemes have TBC delivery/funding information; definitive dependencies are unclear.	Publish an integrated site/phase schedule: scheme, cost, funding status, responsible body, milestone, occupation link and contingency.	Tests whether growth is realistically supported.
EX-TIG-M14-03	A14 Monitoring Framework (including ecological measures)	Strategic targets can be directional or too aggregated; outcome and intervention measures require clarification.	Specify proportionate baselines, phase/area milestones, operational outcomes, and evidence-led ecological indicators and action triggers consistent with the final HRA.	Makes consequential delivery and environmental failures measurable and actionable.
MM-TIG-M14-04	Policies S2 / S3, where required by the completed HRA	Policy safeguards must match mitigation necessary to support any lawful integrity conclusion.	Include any necessary, clear policy requirements securing the timing, effectiveness, funding and maintenance of HRA-dependent mitigation, informed by the completed assessment.	Ensures that essential mitigation is secured, not merely monitored after harm occurs.

EX-TIG-M14-05	Annual Monitoring Report / IDP review	Reporting does not sufficiently explain corrective action for critical shortfalls.	Publish exceptions, responsible parties, action and deadlines; align monitoring with final housing trajectory and Plan changes.	Makes review capable of producing a response.

6. TIG REGULATION 19 REPRESENTATIONS AND EXAMINATION DOCUMENTS

Reference	Document	Particularly relevant
TIG Regulation 19	TIG Main Representation; TIG NPPF paragraph 11(b) and 400m/1km buffer representations	Main: sections 2.2, 3.3.2, 6 and 8.3(4)-(5); environmental mitigation objections
A1	Submission Medway Council Local Plan 2041	Policy S24; paragraphs 10.5.4-10.5.14; Policy SA8
A14	Medway Local Plan Monitoring Framework	Environmental, infrastructure, transport and centre indicators
B2	Infrastructure Delivery Plan (December 2025)	Paragraphs 1.2.7, 2.7.4-2.7.7, 2.9.5-2.9.9; Appendix 1 pp.96-97, 102
MLP/ED31	Council's proposed stepped housing requirement and strategic policy	Proposed policy paragraphs 1 and 3; subject to examination
MLP/ED35-36	Phase 2 MIQs and draft programme	MIQs 14.1-14.5; provisional hearing on 26 November
MLP/ED38	Jacobs technical memorandum on the stepped housing requirement	Early junction constraints and timing of transport mitigation

7. APPENDIX

7.1 No appendix is proposed.

SUBMITTED ON BEHALF OF THE INDEPENDENT GROUP (TIG) ON MEDWAY COUNCIL

Councillor Michael Pearce

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Planning Spokesman
29 October 2026

**For the avoidance of any doubt, Councillor Michael Pearce is an Independent Councillor representing Hoo & High Halstow Ward on Medway Council, which is also the Local Planning Authority (LPA). He serves as the Leader and Planning Spokesman for The Independent Group (TIG) on Medway Council - an unwhipped group of Independent councillors representing the Hoo Peninsula (Strood Rural Ward, Hoo & High Halstow Ward, All Saints Ward), formed for administrative purposes and committee entitlement.*

While Councillor Pearce is a Medway Councillor and member of the LPA's Planning Committee, he does not speak or act on behalf of Medway Council or the LPA, either generally or at formal planning inquiries.