

PENDLE CORE STRATEGY PLAN EXAMINATION

EXAMINATION GUIDANCE NOTE FROM THE INSPECTOR

Purpose of the Guidance Note

1. This note provides guidance to participants involved in the Examination into the Pendle Local Plan Core Strategy on how the overall Examination will be conducted, the list of Matters and Questions for the Examination, the programme for the hearing sessions, the form the hearing sessions will take and the requirements concerning the submission of further written evidence – i.e. hearing statements.
2. All participants should familiarise themselves with the contents of the note, in particular those who wish to submit hearing statements and/or take part in the hearing sessions.

Dates for Hearing Sessions

3. The hearing sessions (which are part of the overall Examination) will open on Tuesday 14 April 2015, taking place as follows:

**14, 15 and 16 April 2015 at 09.30 hours in The Wilson Room,
Nelson Town Hall, Market Street, Nelson BB9 7LG**

**27, 28 and 29 April 2015 at 09.30 hours in The Ace Centre, Cross
Street, Nelson BB9 7NH**

4. There will be a morning and afternoon session on each day. The programme indicating the matters to be discussed at each hearing session will be based on the attached Schedule of Matters and Issues, although you should be aware that the Matters and Issues may change. Information concerning the finalised programme is set out in paragraph 20 below.

The Inspector's role in the Examination

5. My task is to consider the soundness of the plan, i.e. the **Local Plan for Pendle: Core Strategy Pre-Submission Plan September 2014** document (Regulation 19). The National Planning Policy Framework (DCLG, March 2012) sets out the criteria for determining soundness; namely that the plan is **Positively Prepared; Justified, Effective and Consistent with National Policy**. The Appendix to this Guidance Note contains a list of useful publications and websites for advice.
6. I aim to work collaboratively with the Council and the Examination participants in a proactive and pragmatic manner to deliver a positive social, economic and environmental outcome for Pendle. However, this does not necessarily mean that the plan will be found to be sound.

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7. Following the close of the hearings I shall prepare a report to the Council with my conclusions. The Council has formally requested me to recommend any Main Modifications which are necessary to make the plan sound, if it is feasible that such modifications could make it sound. I will deal with broad issues in my report, and not with each individual representation.
8. Any Main Modifications are likely to need to be the subject of formal consultation and potentially considered as part of a revised Sustainability Appraisal. Should this be necessary more information will be provided at that stage.
9. The Programme Officer (the PO) for the Examination is Derek Thomas, who works independently of the Council under my direction in connection with the Examination. Derek can be contacted as follows:

Derek Thomas, Programme Office, Nelson Town Hall, Market Street,
Nelson BB9 7LG
Tel No: 01282 661658
Email: programme.officer@pendle.gov.uk

10. The main tasks of the PO are to act as a channel of communication between all parties and myself; to liaise with the parties to ensure the smooth running of the Examination; to ensure that all documents received are recorded and distributed; and to keep the Examination Library up to date. Copies of the Examination documents are on the Council's webpage (see below). Any participant who does not have access to the internet should contact Derek so that alternative arrangements can be made.
11. Any procedural questions or other matters that you wish to raise with me prior to the hearing sessions should be made through Derek. Please let him know if you have any specific needs in relation to attendance/participation at the hearing sessions.

Progressing your representations on the plan

12. At the time of making their representation many representors indicated whether their views should be dealt with in a written form or whether they feel that they need to come and discuss them orally at a hearing session. Both methods will carry the same weight and I shall have equal regard to views put at a hearing or in writing. Attendance at a hearing session will only be useful and helpful to me if you wish and need to participate in a debate.
13. Accompanying this note is a list of Matters and Issues/Questions for the Examination. I have identified 12 Matters on which the soundness of the plan depends and for each Matter there are a number of specific

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questions. These questions are likely to form the basis of the discussion at the hearing sessions and should also be the basis on which on written hearing statements, to be submitted in advance of the hearings, are prepared. The hearings are open to all to observe, but only those who have previously made representations relevant to the matters being considered, and have indicated that they want to participate, will be allowed to speak.

The hearing sessions and hearing statements

14. Each Matter will be the subject of separate discussion, although the discussion on some Matters may take place over several hearing sessions and at other sessions several Matters will be discussed consecutively. The hearings will take the form of a roundtable discussion which I shall lead. They will not involve the formal presentation of cases by participants or cross-examination. I shall take account of all written representations already submitted and it is not the purpose of the hearings for these to be repeated. The list of Matters and Questions will be refined by the end of February and will form the agenda for each session. **Preparation of statements should not commence until this stage when participants at each hearing will also be confirmed.**
15. The hearings will be inquisitorial, rather than adversarial. I shall endeavour to progress them in an effective and efficient manner. As part of that process, it is my aim to minimise the amount of material necessary to come to informed conclusions on the issues of soundness. In that way I will conduct a short, focussed series of hearings and, in turn, produce a short, focussed report.
16. The Council is required to produce a hearing statement for each of the 12 Matters in which it should seek to answer each of the individual questions set out in the list of Matters and Questions. Other representors may also submit hearing statements on the Matters/Questions of relevance to their original representation, although it is not a requirement.
17. Hearing statements should be a maximum of 3000 words for each Matter and I anticipate that many will not need to be as long as this. The word limit does not include Appendices but these should only be included where directly relevant and necessary and should also be as succinct as possible. Statements should be simply stapled rather than bound.
18. In preparing statements you should only answer the specific questions of relevance to your original representation whilst clearly identifying the number(s) of the question(s) you are seeking to answer. In addition to answering the relevant question(s) where a representor is seeking a specific change to the plan in order to make it sound it would be helpful for suggested wording for the change to be set out in the hearing

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statement. However, this is only likely to be possible/appropriate for representors seeking a limited and focussed change to the plan. In answering the questions, and insofar as it is relevant, participants may particularly wish to refer to the documents which the Council has submitted to the Examination.

19. One paper copy and an electronic version of each hearing statement should be submitted to the PO **by 17:00 on Friday 20 March 2015**. Unless there are exceptional circumstances it is unlikely that late submissions will be accepted. Apart from these hearing statements no other written evidence will be accepted unless I specifically request it. Hearing statements will be posted on the Examination webpage, so that they are available to all participants and anyone else who wishes to read them. Because they will be available in this way, they will not be circulated directly to participants. However, anyone who is unable to access them on the webpage may request copies from the PO.

The hearing programme

20. The programme for the hearings is likely to follow the order of the Matters and Issues. The programme will be finalised and circulated by the end of February. Detailed agendas will be circulated a few days in advance of each hearing. It will also be possible to check the programme, agendas and progress of the hearings on the web site or by contacting the PO, once details are published.
21. The hearings sessions will normally run between 9.30 and 13:00 and 14:00 and 17:00 each day. A short break will usually be taken mid-morning and mid-afternoon.

The Examination Website

22. The Examination Library is accessible from the Examination web site: <http://www.pendle.gov.uk/examination>
23. This contains Core Documents, the Council's evidence and documents which have been produced during the Examination. If you have difficulties accessing the Library please contact the PO. It is not necessary to attach extracts of these documents to hearing statements as they are already Examination documents.

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Site visits

24. Insofar as I consider it necessary to my assessment of the soundness of the plan I shall visit sites and areas referred to in the representations before, during, or after the hearings. I will do these on an unaccompanied basis unless I find that I need to go onto private land.

And finally...

25. I emphasise:
- I shall have equal regard to views put orally or in writing;
 - the need for succinctness; please respect the letter and spirit of the 3,000 word limit in hearing statements with only limited and directly relevant appendices;
 - that you must meet the 20 March 2015 deadline for the submission of hearing statement(s);
 - that your hearing statement(s) should focus on answering the questions I have posed in the *Schedule of Matters and Questions*.

Mark Dakeyne

INSPECTOR

January 2015

Attached:

Appendix – List of relevant guidance and evidence

Schedule of Matters and Issues

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Appendix - List of relevant guidance and evidence

A. Government Policy and Guidance

<http://planningguidance.planningportal.gov.uk/>

- National Planning Policy Framework
- Planning Practice Guidance

B. Guidance from the Planning Inspectorate

<http://www.planningportal.gov.uk/planning/planningsystem/localplans>

Examining Local Plans Documents: Procedural Practice, The Planning Inspectorate December 2013 (3rd Edition v.2)

C. Examination and Evidence Base Documents

The Examination web site can be found at:

<http://www.pendle.gov.uk/examination>