

# INDEPENDENT EXAMINATION OF THE PARTIAL REVIEW OF THE FYLDE LOCAL PLAN TO 2032

## EXAMINATION GUIDANCE NOTE

**Inspector:** Mrs Yvonne Wright BSc (Hons) DipTP DMS MSc MRTPI

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### Summary of key dates

- Representors to confirm their participation at the Hearing by **noon on Wednesday 10 February 2021.**
- Written statements and any statements of common ground to be received by **noon on Wednesday 24 February 2021.**
- The Hearing **starts at 0930 on 17 March 2021.**

### **Purpose of this note**

1. This note provides guidance to participants on the procedural and administrative arrangements for the Hearing as part of the Examination of the Partial Review of the Fylde Local Plan to 2032 (hereafter called the Partial Review).

### **Dates of the hearing sessions**

2. The Examination hearing sessions will be held on **17-18 March 2021** and will **commence at 0930 on Wednesday 17 March 2021**. They will be held virtually using Zoom hosted by the Council. A separate note explaining the running of the virtual event will be published in due course.
3. Two documents are available with this note:
  - ***A draft Hearing timetable for the hearing sessions*** which sets out the matters to be discussed on each day.
  - ***Inspector's Matters, Issues and Questions (MIQs)*** which will form the basis for the discussions in the hearing sessions.

### **Programme Officer**

4. Tony Blackburn is the Programme Officer and is responsible for the administration of the Examination. He is working under my direction, is impartial and is independent of the Council. The role of the Programme

Officer is to provide an effective channel of communication between all parties to ensure the smooth running of the Examination, to ensure that all Examination documents received are appropriately managed and published on the Examination webpage, and to act as the main point of contact for all procedural and administrative matters. The Programme Officer's contact details are set out above.

5. All programming queries, practical and procedural points should be addressed to the Programme Officer.
6. Copies of all Examination documents are available to view on the Examination website. Any participant who does not have access to the internet should contact the Programme Officer so that alternative arrangements can be made for viewing documents.

### **Scope of the Examination and the Inspector's role**

#### Inspector's role

7. My role is to assess whether the Partial Review has been prepared in accordance with legal and procedural requirements and assess whether it is sound. The purpose of the Hearing is to focus on the main issues for discussion, to enable me to obtain the information I need so that I can make necessary conclusions and recommendations.
8. My starting point for the Examination is that the Council has submitted a Partial Review which they consider is sound and legally compliant. I will therefore be considering whether this complies with the legal requirements and is sound. I will not be considering any other aspects of the adopted Plan as these are not being revised under the Partial Review and therefore do not form part of this Examination.
9. The National Planning Policy Framework, February 2019, (the Framework) states that in order to be sound, a Local Plan should be positively prepared, justified, effective and consistent with national policy.
10. There are three possible outcomes to the Examination of the Partial Review:
  - the submitted Partial Review is sound;
  - the submitted Partial Review is not sound but could be made sound by making changes (main modifications), if necessary following additional work; or,
  - the submitted Partial Review is not sound and could not be made sound by any changes.
11. Following the close of the Hearing I will prepare a report to the Council with my conclusions.

#### Changes to the Partial Review

12. There are two ways by which changes can be made to the Partial Review:
  - (a) *Main modifications* which are recommended by the Inspector; and
  - (b) *Additional modifications* which can be made by the Council on adoption.
13. However, I can only recommend *main modifications* if they are necessary to resolve problems that would otherwise make the submitted Partial Review unsound or not legally compliant. *Main modifications* are changes which

alone or in combination with others, would materially alter the Partial Review or policies and must be subject to consultation.

14. *Additional modifications* are those changes which do not materially affect the policies in the Plan. The Council is accountable for these changes and they do not fall within the scope of the Examination.

### **Hearing sessions**

15. The hearing sessions for the Examination will be held virtually using Zoom and are being hosted by the Council. A separate note explaining how representors will participate and how others can observe the events will be issued shortly. The aim is to make the virtual hearing sessions as similar as possible to physical hearing sessions in the way they are run.
16. The hearing sessions will normally run between 1000 (or 0930) and 1300 and 1400 and 1600, unless stated otherwise on the programme or during the hearing sessions. There will also be mid-morning and mid-afternoon breaks.
17. The Hearing will be in the form of structured round table discussions which I shall lead. There will be no formal presentation of evidence or cross-examination. Barristers and solicitors, if present, will be treated as part of the respective organisation, team, or person they are representing.
18. The discussion will focus on the issues in the programme together with any additional points or supplementary questions I wish to ask arising from any further written statements.
19. The programme is currently in draft form and may be subject to change. An updated version will be issued before the start of the Hearing and this version will include a list of participants invited to attend each session.

### **Progressing your representations on the Partial Review**

#### Participation at the hearing sessions

20. Only those who have duly made representations and seek changes to the Partial Review, have a right to be invited to and participate in relevant hearing sessions. However, others may be invited to attend sessions where it would help the discussions. The virtual sessions will be live streamed to enable others to watch the proceedings, including those supporting the Partial Review. Details on this will be issued shortly.
21. It is not a requirement to participate in a hearing session, but if you wish to do so, and your representations are relevant to my **matters, issues and questions (MIQs)**, please contact the Programme Officer **by noon on Wednesday 10 February 2021** at the latest, to confirm your wish to attend. Please clarify which matters and issues are relevant to your representations and on which questions you wish to speak. Anyone who does not confirm their wish to appear on or before that date may not be included in the programme, so please respond promptly. Please note that I will give equal regard to views put at the hearing sessions and those set out in writing.
22. Where several people or organisations wish to speak on the same issue and/or wish to make the same point, you should consider appointing a single

spokesperson or persons, as I will not be allowing points to be repeated. This will ensure that time is effectively used in the sessions. The Programme Officer will assist you with such arrangements.

23. An updated version of the Hearing Programme will be published on the Examination website around two weeks before the start of the Hearing. It will be for individual participants to ensure that they attend the right sessions and at the right time.
24. If anyone is unsure as to which session their representations relate to please contact the Programme Officer to discuss.

Further written statements

25. My list of MIQs forms the basis for discussion at the hearing sessions. As participants should have already set out their full cases within their existing representations there should ordinarily be no need to produce further written statements in response to the MIQs.
26. However, if participants do wish to produce further written hearing statements to supplement their original representations, they should be limited to the issues and questions set out in the MIQs and must be relevant to their original representation. Please do not repeat what is in previous representations, except to provide a brief summary where necessary, as these will be considered.
27. As the Examination documents are available on the internet, participants should not attach extracts of these documents to any statements. However, it would be useful within any statements when referring to any of these documents, to include the examination document number and page numbers where possible.
28. To assist the conduct of the hearing sessions, any additional statements produced by participants should please accord with the following:
  - Only answer the specific questions in the MIQs which are of relevance to your original representation.
  - Separate statements should be produced for each Main Issue, as clearly identified in the MIQs under each Matter.
  - Statements should be succinct, to the point and no longer than 3000 words for each main issue. It is the quality of the reasoning that carries weight, not the scale of the documents.
  - Do not include appendices – all pertinent points must be set out within the main statement. If you consider it is critical for you to submit additional information in an appendix please contact the Programme Officer to discuss this first.
  - Statements should be produced in A4 format where possible. Along with the electronic version, one paper copy should be provided, (stapled, not bound) with any A3 tables/plans/diagrams folded to A4.
29. Please note that any statements that are of excessive length and/or contain irrelevant or repetitious material may be returned.
30. Unlike other participants, the Council is required to respond to each question and therefore the 3,000 word limit does not apply to them. However, any

statements should still be as succinct as possible. References to existing evidence should be used wherever possible to avoid repetition.

31. Electronic versions of statements and the one paper copy, including those from the Council, should be sent to the Programme Officer to arrive **no later than noon on Wednesday 24 February 2021**. Late statements may not be accepted.

### **Statements of common ground**

32. Whilst not a requirement, the Council and representors may wish to consider whether agreed statements of common ground can be produced to assist the Examination process. If any are produced they must be submitted to the Programme Officer **by noon on Wednesday 24 February 2021**. Electronic copies need only be submitted for these documents.

### **Site visits**

33. Due to the limited extent of the Partial Review, I do not at this stage consider it necessary for me to undertake any site visits. However, if, during the course of the Examination, I consider it necessary for my consideration of the soundness of the Partial Review to visit the area, I will do so after the hearing sessions, and unaccompanied by any parties to the Examination.

### **Close of the Examination**

34. Following the hearing sessions the Examination will remain open until my report is submitted to the Council. I will not accept any further representations or evidence from any party during this time, unless I have specifically requested it.

### **Further information**

35. Further information about the preparation and examination of Local Plans can be found using the following links:
  - The *National Planning Policy Framework* February 2019 available at: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/810197/NPPF\\_Feb\\_2019\\_revised.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/810197/NPPF_Feb_2019_revised.pdf)
  - The national *Planning Practice Guidance* available at <https://www.gov.uk/government/collections/planning-practice-guidance>
  - The Planning Inspectorate's *Examining Local Plans Documents: Procedural Practice – June 2019 (5th edition v.1)* available at: <https://www.gov.uk/government/publications/examining-local-plans-procedural-practice>

*Yvonne Wright*  
INSPECTOR