

Havering Local Plan Examination

Inspector's Guidance Notes

1.0 Introductions

- 1.1 I am Susan Heywood BSc(Hons) MCD MRTPI, the Inspector appointed by the Secretary of State under Section 20 of the Planning and Compulsory Purchase Act 2004 to carry out the independent examination of the Havering Local Plan. I shall refer to the document as "the Local Plan" during the examination.
- 1.2 Andrea Copsey is the Programme Officer for the examination, working under my direction independently from the Council. She is responsible for organising the administration of the examination, maintaining the document library, ensuring that all documents received are distributed, and acting as the channel of communication between myself, the Council and those taking part in the examination. She is the first point of contact for those with queries about the process.

The Programme Officer's contact details are:

Examination
PO Box 12607
Clacton-on-Sea
CO15 8GN

Tel: 07842 643988

E-mail: copseyandrea@gmail.com

2.0 The scope and purpose of the examination

- 2.1 The purpose of the examination of the Local Plan is to determine whether it satisfies legal requirements under the 2004 Act and associated regulations, whether the Council has complied with the duty to co-operate and whether the Local Plan is sound. To be sound the Local Plan must be positively prepared, justified, effective and consistent with national policy. The starting point is the assumption that the Council has submitted what it considers to be a sound plan. Those seeking changes to the Plan have to demonstrate why the document is not sound and how their suggested changes would make it sound.
- 2.2 The starting point for the examination is the submitted Local Plan. The Council, and other interested parties, will have the opportunity to put forward suggested changes to the submitted Local Plan during the examination in order to address matters of soundness or legal compliance. I will take these suggestions into account.
- 2.3 The Council would be able to make "additional modifications" to the Local Plan prior to adoption, provided these do not materially alter the policies i.e. they are of a minor nature dealing with factual updates or typographical errors for example. This would be a matter entirely for the Council, I will not be

considering such additional modifications during the examination and they will not form part of my report.

- 2.4 I will consider all of the representations made on the Proposed Submission Local Plan insofar as they relate to legal requirements or matters of soundness. I am not required to report on every point made however. In some cases, the issues I have identified may not have been previously raised in representations. Nevertheless, anyone who has made a valid representation seeking a change to the Proposed Submission Local Plan (an objection) has a right to make their case in person at the hearing sessions, if they have indicated their wish to do so. It is important to stress however that written representations carry as much weight as evidence given at the hearing sessions.
- 2.5 Those who have made representations supporting the Local Plan do not have a right to participate at the hearing sessions. The Council has submitted the Local Plan for examination and I expect it to be able to set out and justify its own position. I do not consider it necessary for those who support the Local Plan to participate in hearing sessions.
- 2.6 The examination will close when my report is submitted to the Council. The potential outcomes of the examination are that:
- a) I consider that the Council has complied with the duty to co-operate, the Local Plan satisfies legal requirements and it is sound – I would recommend that the Local Plan is adopted and give reasons for this.
 - b) I consider that the Council has not complied with one or more of the above requirements – I would recommend that the Local Plan is not adopted and give reasons for this.
 - c) I consider that the Council has complied with the duty to co-operate but that the Local Plan does not satisfy legal requirements and/or is not sound and the Council has asked me to recommend modifications to address matters of legal compliance and/or soundness – I would make such recommendations.
- 2.7 It is important to stress that I would not be able to rectify non-compliance with the duty to co-operate. In addition I can only make recommendations to modify the Local Plan to address matters of legal compliance and/or soundness if asked to do so by the Council.
- 2.8 Any modifications that I recommend would be limited to those required to address matters of legal compliance or soundness. These would be known as “main modifications”. The main modifications would be subject to public consultation and sustainability appraisal prior to my report being finalised.

3.0 The hearing sessions

- 3.1 I have identified a number of matters which I consider need to be explored during the examination. These are set out in the Matters and Issues Paper circulated with these guidance notes. The paper sets out a number of specific questions that will need to be addressed. The hearing sessions will allow me to explore these Matters and Issues further with the Council and other participants, taking into account relevant representations made and any additional

statements which I request. I will lead a discussion around a table asking questions of the Council and allowing other participants to contribute as the session continues. Those participants indicating a desire to speak will be given full opportunity to do so. The hearing sessions will be open to the public to observe but only those invited participants will be able to speak. An agenda for each hearing session will be circulated to participants in advance.

- 3.2 The hearing sessions for the examination of the Local Plan will commence at **10am on Tuesday 9th October 2018**. They are currently scheduled to run until Friday 19th October 2018. They will be held at:

London Borough of Havering
Town Hall
Main Road
Romford
Essex
RM1 3BB

- 3.3 The morning sessions will start at 10am each day. Afternoon sessions will start at 2.00pm. There will be a break for lunch and short breaks mid-morning and afternoon. The sessions will usually finish by 5pm although they may continue later if necessary.
- 3.4 A provisional timetable for the hearing sessions has been produced and circulated with these guidance notes. It is likely that the detailed timetable will change closer to the start of the hearing sessions. Whilst the Programme Officer will endeavour to keep people informed, it is the participants' responsibility to keep in contact and ensure that they attend the appropriate sessions. The participants for each session will be those who made relevant representations on the Proposed Submission Local Plan and have confirmed to the Programme Officer that they wish to speak.
- 3.5 All those who wish to speak at the hearing sessions should confirm this in writing or by e-mail to the Programme Officer **by 5pm on 11th September 2018**, stating which session or sessions they wish to speak at (referring to the Matter number and /or the specific policy and quoting the respondent ref. no.). This includes those who had previously indicated a desire to attend the examination hearings when submitting representations. **If you do not contact the Programme Officer by this date, it will be assumed that you do not wish to speak at the hearings.** The finalised timetable and list of participants will be confirmed before the hearing sessions commence. Only those who indicate their wish to speak in advance of the hearing sessions and make prior arrangements with the Programme Officer will be able to do so.
- 3.6 Depending on the number of requests to speak, for practical reasons it may be necessary to seek to identify representatives where common viewpoints are being expressed.
- 3.7 Details of public transport services and car parking facilities can be obtained on request from the Programme Officer. The hearing venue is fully accessible. Any requests for assistance in attending the hearings should be made to the Programme Officer.

4.0 The examination library and the availability of documents

4.1 A library containing paper copies of all documents associated with the examination is being maintained, this is available to view subject to prior appointment. The library will be updated to include any additional documents produced during the course of the examination. An up to date list of documents with their reference numbers is available from the Programme Officer. The Council has produced further information at my request prior to the start of the hearings. It may be that further documents will be produced to assist the examination. All documents are available via the Local Plan Examination pages of the Council's website and this will be kept up to date.

5.0 The submission of statements and further material

- 5.1 The Council should produce an individual written statement for each of the matters identified; addressing all of the issues and specific questions set out in the Matters and Issues Paper. They should include specific references to supporting evidence where appropriate. For a number of the matters, the Council is asked to address key points raised in representations.
- 5.2 Other participants may, if they wish, submit written statements addressing the issues and questions set out for the sessions they are attending which are relevant to their particular representations. There is no need to repeat points already made in representations however and participants may wish to rely on these earlier representations. Others who have made relevant representations but are not participating in the hearing sessions may also submit statements addressing the issues and questions. Although again, there is no need to repeat points already made.
- 5.3 Statements for the hearing sessions should be succinct, concentrating on responding to the particular questions raised. There is no need to include extracts from the Local Plan, other examination documents or those in the public domain such as the National Planning Policy Framework (NPPF), clear cross referencing will suffice.
- 5.4 The statements should be sent to the Programme Officer. For both the Council and other participants, the deadline for receipt of written statements for all matters is **5pm Friday 14th September 2018.**
- 5.5 This is a strict deadline which must be adhered to in order for the hearings to proceed as planned. Three paper copies of the statements should be sent along with an electronic version, if possible. It should be made clear who is submitting the statement (quoting the respondent ref. no.) and which matter it relates to. Statements should be no more than 3,000 words long, in A4 format. A flexible approach will be taken to the length of the Council's statements where the matters relate to a large number of individual policies or questions. Separate statements should be submitted for each matter.
- 5.6 Other than the statements referred to above, no further information or documentation should be submitted to the examination unless specifically asked

for. There is no scope to produce rebuttal statements and additional statements and information should not be presented at the hearing sessions.

6.0 Site visits

6.1 I have familiarised myself with the area and have visited sites and key locations. Further visits may take place during the remainder of the examination. It is envisaged that my visits will be on an unaccompanied basis. If there is a need to make a visit accompanied by the Council and other interested parties, arrangements will be made via the Programme Officer.

Summary/ key points

- The Matters and Issues Paper sets out the key questions which I will be considering at the second phase of the hearing sessions
- The hearing sessions will start on **10am on Tuesday 9th Oct 2018**
- A draft timetable for the hearing sessions has been published but this is likely to be subject to change
- Participants at the hearings will be confirmed in due course
- All of those wishing to participate (speak) at the hearings must confirm this in writing with the Programme Officer by **5pm on 11th September 2018**
- Statements for the hearing sessions should be based on the Matters and Issues Paper and must be submitted to the Programme Officer by **5pm Friday 14th September 2018**
- All documentation relevant to the examination is available on the Council's website
- Any queries should be directed to the Programme Officer – Andrea Copsey.

Susan Heywood

INSPECTOR

24 August 2018