

Kirklees Local Plan

EXAMINATION GUIDANCE NOTE

3 January 2017

Inspector – Ms Katie Child BSc. (Hons) MA MRTPI
Assistant Inspector (minerals and waste) – Ms Elizabeth Hill BSc. (Hons) BPhil MRTPI

Programme Officer – Yvonne Parker
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Purpose of the Guidance Note

1. This note provides guidance to participants on the procedural and administrative arrangements for the examination.

The Inspector's role in the examination

2. Ms Katie Child has been appointed by the Secretary of State for Communities and Local Government to examine the soundness of the Kirklees Local Plan and whether it meets the requirements of the Planning and Compulsory Purchase Act 2004 and associated regulations.
3. An Assistant Inspector, Elizabeth Hill, has been appointed to cover the minerals and waste aspects of the Plan.
4. The *National Planning Policy Framework* (DCLG, March 2012) <https://www.gov.uk/government/publications/national-planning-policy-framework--2> sets out the criteria for determining soundness; namely that the plan is positively prepared, justified, effective and consistent with national policy.
5. There are three possible outcomes to the examination:
 - the submitted plan is sound
 - the submitted plan is not sound but could be made sound by changes (known as *main modifications*), if necessary following additional work
 - the submitted plan is not sound and could not be made sound by changes
6. The Council is able to make minor modifications to the Plan on adoption. These are changes that do not materially affect the policies in the Plan¹ and they do not fall within the scope of the examination.²
7. Following the close of the hearings the Inspectors will produce a report to the Council, setting out conclusions. The report will deal with broad issues rather than specifically with each individual representation.

¹ S23(3)(b) of the PCPA 2004 "... if the additional modifications (taken together) do not materially affect the policies ..."

² 2.4 & 4.7 of *Examining Local Plans Procedural Practice*

Dates for hearing sessions

8. The Local Plan hearings will take place in four stages, as set out below.

Stage 1	Initial hearings on legal/procedural matters and strategic issues	10 – 18 October 2017 *COMPLETED*
Stage 2	Minerals and waste policies and allocations (Elizabeth Hill)	15 – 18 January 2018 at the John Smith's Stadium, Huddersfield
Stage 3	Other policies in Part 1 of the Plan	5 – 13 December 2017 *COMPLETED*
Stage 4	Other site allocations	20 – 23 Feb 2018 at the Hudawi Centre, Great Northern Street, Huddersfield 27 Feb – 2 March 2018 at Batley Town Hall 13 – 16 March 2018 at the Hudawi Centre

9. The Inspectors have published a series of '**Matters, Issues and Questions' (MIQs)** relating to Stages 2 and 4. These will form the basis of the discussion at the forthcoming hearing sessions, which the Inspectors will lead.

10. The detailed **Hearings programme** can be viewed on the Council's website. The hearings programme is subject to periodic change and participants should check the website for regular updates.

The Programme Officer

11. The Programme Officer (the PO) for the examination is Yvonne Parker. She is working under the Inspector's direction and is independent of the Council. Her contact details are as follows:

Yvonne Parker, 2 Priory Court, Burnley BB11 3RH

Tel. 01282 450522 / 07813 334305

Email: yvonne.parker@kirklees.gov.uk

12. The PO is responsible for the administrative arrangements and organisation of the examination and hearing sessions.

13. Copies of examination documents can be found on the Examination website <http://www.kirklees.gov.uk/beta/planning-policy/local-plan.aspx>. Any participant who does not have access to the internet should contact the PO so that alternative arrangements can be put in hand.

Stage 4 hearing statements

14. The Inspector's MIQs for Stage 4 are due to be published on Wednesday 3rd January 2018. The Council and representors will be invited to submit hearing statements on the MIQs. The preparation of a hearing statement is not a requirement, and representors may wish to rely on previous submissions.

15. Hearing statements should:

- Be prepared separately on each site. [except for General Matters 26-29]
- Be as short as possible, with a maximum of 3000 words per site.
- Clearly identify the Site Number and the Matter Number. Failure to do so may result in your Statements being returned.
- Indicate whether any changes are needed to make the Plan sound (with detailed suggested wording for the change).

16. An electronic version and three paper copies of each hearing statement should be submitted to the Programme Officer. The deadlines for receipt of Statements are set out in the table below. Unless there are exceptional circumstances it is likely that late submissions will not be accepted.
17. Electronic versions should be emailed to the Programme Officer at Yvonne.parker@kirklees.gov.uk. You are requested to send each statement separately, and to include the site number and matter number in the email title.
18. Hard copies should be sent to **9A Priory Court, Burnley BB11 3RH**. Please note that this address is different to the PO address listed above. Please mark the site number(s) and matter number(s) on the outside of the envelope.

Hearing Statements	Date for final submission
General Matters (Matters 26 – 29)	Electronic copies – by Thursday 25th January 2018 (by 6pm)
Huddersfield Sub-Area (Matters 30-33)	Hard copies – by Friday 26th January 2018 (by 1pm)
Dewsbury and Mirfield Sub-Area (Matters 34-36)	
Batley and Spenneth Sub-Area (Matters 37-39)	
Kirklees Rural Sub-Area (Matters 40 – 45)	Electronic copies – by Thursday 1st February 2018 (by 6pm)
	Hard copies – by Friday 2nd February 2018 (by 1pm)

19. In preparing statements you should be aware of the Council's updated list of evidence documents on the Examination webpage.
20. Submitted hearing statements will be posted on the Examination webpage, and will therefore not be circulated directly to participants. However, anyone who is unable to access them on the webpage may request copies from the PO.
21. Aside from hearing statements no other written evidence will be accepted, unless specifically requested by the Inspectors. The hearing sessions should not be used to introduce new evidence or arguments.

Stage 4 hearing sessions

22. **If you wish to appear at the Stage 4 hearing sessions** you should confirm your attendance with the Programme Officer as soon as possible, and no later than **Tuesday 9th January 2018**. Please note that:
 - only those who have previously made representations relevant to the matters being discussed and are seeking to change the Plan have a right to participate at hearing sessions.³ However, the sessions are open for anyone to observe.
 - written representations and oral representations will carry the same weight, and equal regard will be had to views put at a hearing or in writing.
 - attendance at a hearing session will only be useful and helpful if you wish to participate in the discussion.

³ S20(6) of the Planning and Compulsory Purchase Act 2004
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Site visits and close of the examination

23. The Inspectors will visit sites and areas before, during, or after the hearings where this is necessary to the assessment of the soundness of the Plan. Visits will be unaccompanied unless there is a need to go on to private land.
24. The examination will remain open until the Inspector's report has been submitted to the Council. However, further representations or evidence after the hearing sessions have ended will not be accepted unless specifically requested by the Inspectors. Late or unsolicited material may be returned.

Further information

25. Further information about the preparation and examination of Local Plans can be found in the *National Planning Practice Guidance* <http://planningguidance.communities.gov.uk/> and the Planning Inspectorate's *Procedural Practice in the Examination of Local Plans – June 2016 (4th Ed v.1)* <https://www.gov.uk/government/publications/examining-local-plans-procedural-practice>