



**Examination of the South Staffordshire Local Plan
Examination Guidance Note
March 2025**

1. Introduction

- 1.1 This Guidance Note outlines the procedural and administrative arrangements for the examination of the South Staffordshire Local Plan (Local Plan), submitted for examination on 11 December 2024 by South Staffordshire District Council.
- 1.2 Participants should familiarise themselves with the contents of this note, particularly those who wish to submit hearing statements and/ or take part in the hearing sessions.
- 1.3 Further information about the preparation and examination of Local Plans can be found in the Planning Inspectorate's 'Procedure Guide for Local Plan Examinations' which is available at <https://www.gov.uk/guidance/local-plans>.

2. Role of the Programme Officer

- 2.1 Louise St John Howe is the Programme Officer for the examination, working under our direction independently from the Council. The main tasks of the Programme Officer are to act as the channel of communication between us as the Inspectors, the Council and all the other participants, to liaise with all parties to ensure the smooth running of the Examination, to organise the hearing programme, and to oversee the publication of documents on the Examination webpage. Louise is the first point of contact for those with queries about the process.

The Programme Officer's contact details are:

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3. The Scope and Purpose of the Examination

- 3.1 We have been 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 Local Plan.
- 3.2 The purpose of the examination of the Local Plan is to determine whether it satisfies legal requirements under the Planning and Compulsory Purchase Act 2004 and associated regulations, whether the Council has complied with the Duty to Co-operate and whether the Local Plan is sound.
- 3.3 As part of this process, we will need to determine whether or not;
- The Council has complied with the Duty to Co-operate under Section 33A of the Planning and Compulsory Purchase Act 2004 (as amended).
 - The Local Plan has been subject to an adequate Sustainability Appraisal.
 - The Local Plan has been prepared in accordance with the Local Development Scheme and Statement of Community Involvement.
 - The requirements of the Conservation of Habitats and Species Regulations 2017 have been complied with, having regard to relevant national policy and guidance, and if an Appropriate Assessment has been carried out where necessary.
 - Relevant publicity and procedural requirements have been met.
- 3.4 To be sound the Local Plan must be:
- Positively prepared: providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreement with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development.
 - Justified: an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence.
 - Effective: deliverable over the plan period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by statements of common ground.
 - Consistent with national policy: enabling the delivery of sustainable development in accordance with the policies in the National Planning Policy Framework (NPPF).

4. Making Changes to the Local Plan

- 4.1 The basis for the examination is the submitted Local Plan. This is the South Staffordshire Local Plan Review Publication Plan of April 2024. Any main modifications that we subsequently recommend will be modifications to the submitted Local Plan.
- 4.2 The starting point is the assumption that the Council has submitted what it considers to be a sound Plan. We will take into account any potential main modifications suggested by the Council or others during the examination. Ultimately, if we conclude that main modifications are necessary for soundness or legal compliance, they will be included as recommendations in our report to the Council.
- 4.3 The Council would be able to make any other ‘additional modifications’ (sometimes referred to as minor modifications) to the submitted 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, we will not be considering such additional modifications during the examination and they will not form part of our report.
- 4.4 The Council has produced a list of what it considers to be minor modifications. We will review this list and any that are deemed main modifications will be considered in the hearing sessions. However, it is important to recognise that the basis of the examination is the submitted Plan, not including the suggested changes. We will only recommend changes to the submitted Plan that amount to main modifications if they are required to ensure the soundness and/ or legal compliance of the submitted Plan.
- 4.5 We will consider all of the representations made on the Local Plan by interested parties insofar as they relate to legal requirements or matters of soundness. However, we are not required to report on every point made. In some cases, the issues identified may not have been previously raised in representations. Nevertheless, anyone who has made a valid representation seeking a change to the 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 though that written representations carry as much weight as evidence given at the hearing sessions.
- 4.6 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 it is expected that it will be able to set out and justify its own position. It is not necessary for those who support the Local Plan to participate in the hearing sessions.
- 4.7 The examination will close when our report is submitted to the Council. The potential outcomes of the examination are that:

- a) The Council has complied with the Duty to Co-operate, the Local Plan satisfies legal requirements and it is sound. We would recommend that the Local Plan is adopted and would give reasons for this.
 - b) The Council has not complied with one or more of the above requirements. We would recommend that the Local Plan is not adopted and give reasons for this.
 - c) 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 us to recommend main modifications to address matters of legal compliance and/ or soundness. We would make such recommendations.
- 4.8 It is important to stress that we would not be able to rectify non-compliance with the Duty to Co-operate.
- 4.9 Those main modifications recommended by us to address soundness or legal compliance issues would be subject to public consultation and sustainability appraisal prior to the report being finalised.

5. Matters, Issues and Questions and Conduct of the Hearing Sessions

- 5.1 We have identified a number of matters and issues which need to be explored during the examination. These are set out in the Matters, Issues and Questions document published alongside these guidance notes. This sets out a number of specific questions that will need to be addressed.
- 5.2 The hearing sessions will allow us to explore these matters and issues further with the Council and other participants, taking into account relevant representations made and any additional statements which we request. We will lead a discussion asking questions of the Council and allow other participants to contribute as the session continues. Those participants indicating a desire to speak will be given full opportunity to do so. An agenda for each hearing session will be circulated to participants in advance.
- 5.3 It is proposed to conduct the hearings virtually online with ourselves, Council representatives and all invited participants. The first set of hearing sessions will commence at **9.30 on Tuesday 27 May 2025 and run until Friday 30 May 2025**. A second set of hearings will take place during the **weeks commencing 21 and 28 July 2025**.
- 5.4 The hearings programme will be published by mid-April 2025 and will set out the proposed times and dates for sessions dealing with each of the matters that have been identified. The detailed programme may be subject to change nearer the time and participants should ensure they check for any updates.
- 5.5 The participants for each session will be those who made relevant and valid representations seeking a change (an objection) to the Draft

Submission Local Plan document published in April 2024 and have subsequently confirmed to the Programme Officer that they wish to speak.

- 5.6 All those who wish to speak (participate) at the hearing sessions should confirm this in writing with the Programme Officer by **12:00 midday on 26 March 2025** stating which session or sessions they wish to speak at (referring to the matter number and quoting their respondent reference number). 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.

6. The Submission of Statements and Further Material

- 6.1 The Council should produce an individual written statement for each of the matters identified; addressing all the issues and specific questions set out in the Matters, Issues and Questions document. They should include specific references to supporting evidence where appropriate. The Council is asked to address key points raised in relevant representations when answering the questions.
- 6.2 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 representations. However, there is no need to repeat points already made in representations. Participants may wish to rely on their 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. Again though, there is no need to repeat points already made.
- 6.3 Statements for the hearing sessions should be succinct, concentrating on responding to the 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 NPPF. Clear cross referencing will be sufficient.
- 6.4 The statements should be sent to the Programme Officer. For both the Council and other participants, the strict deadline for receipt of written statements is **12:00 midday on Friday 11 April 2025**. Statements must be submitted by this deadline at the latest to enable us and others involved to fully digest them and prepare for the hearing sessions. Statements received after this deadline will not be accepted. Statements should be sent electronically. There is no need to provide paper copies.
- 6.5 It should be made clear who is submitting the statement (quoting the respondent reference number) and which matter it relates to. Statements

should be no more than 3,000 words long. A flexible approach will be taken to the length of the Council's statements where the matters relate to a large number of policies. Separate statements must be submitted for each matter.

- 6.6 Other than the statements referred to above, no further information or documentation should be submitted to the examination unless specifically asked for. We will consider requests from the Council to produce additional Topic Papers or technical notes which would assist with the examination. There is no scope to produce rebuttal statements and additional statements or information should not be presented at the hearing sessions.

7. Council Evidence Post Submission

- 7.1 Since submission of the Plan, we have invited the Council to provide further documents to the examination, including missing Statements of Common Ground and Housing Land Supply evidence. These can be viewed on the Examination Documents page of the Examination website. Representors who have previously made representations relating to those matters may wish to refer to these additional documents when responding to the Matters, Issues and Questions.

8. The Examination Library

- 8.1 The Examination webpage can be accessed via the Council's website. The content of the webpages is controlled by us and the Programme Officer. All documents for the Examination, including the evidence base and the procedural material, are published on the Examination webpage.
- 8.2 If you do not have access to the internet, please contact the Programme Officer so that alternative arrangements can be put in place.

9. Site Visits

- 9.1 We will carry out site visits as necessary to inform our assessment of the submitted Plan. They will be unaccompanied unless it is necessary to go on to private land. In which case we will make the necessary arrangements through the Programme Officer.

Summary/ Key Points

- The Matters, Issues and Questions document sets out the key questions that we will be considering.

- The Hearings programme sets out the proposed detailed timetable for hearing sessions. It will be published by mid April 2025 and the content may be subject to change.
- All those wishing to participate (speak) at the hearings must confirm this in writing with the Programme Officer by 12:00 midday on 26 March 2025.
- Participants at the hearings will be confirmed in due course.
- Statements for the hearing sessions should be based on the Matters, Issues and Questions document and must be submitted to the Programme Officer by 12:00 midday on Friday 11 April 2025.
- All documentation relevant to the examination is available on the Council's website and this will be kept up to date.
- Any queries regarding the hearings or examination generally should be directed to the Programme Officer – Louise St John Howe.

K Ford and C Dillon

INSPECTORS