

# ST HELENS BOROUGH LOCAL PLAN 2020-2035 EXAMINATION

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## GUIDANCE NOTE FOR THOSE PARTICIPATING IN THE EXAMINATION

### Introduction

1. We are Mark Dakeyne and Victoria Lucas, Planning Inspectors appointed by the Secretary of State for Housing, Communities and Local Government to independently examine the soundness of the St Helens Borough Local Plan 2020-2035 (Local Plan).
2. The Programme Officer (PO) for the examination is Kerry Trueman. Her contact details are given below.

### Purpose of the Guidance Note

3. This note provides guidance on procedural and administrative matters for participants involved in the Examination into the Local Plan.
4. All participants should familiarise themselves with the contents of the note, in particular those who wish to submit hearing statements and take part in the hearing sessions.

### The role of the Inspectors and PO in the Examination

5. Our task is to consider the soundness of the plan. The National Planning Policy Framework sets out the criteria for determining soundness - namely that the plan is **Positively Prepared; Justified, Effective and Consistent with National Policy**. Appendix A to this Guidance Note contains a list of useful publications and websites for advice.
6. The starting point is that the Council has submitted what it considers to be a sound plan. We 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 St Helens. However, this does not necessarily mean that the plan will be found to be sound.
7. Following the close of the hearings we shall prepare a report to the Council with our conclusions. The Council has formally requested us to recommend any Main Modifications which are necessary to make the plan sound, if it is feasible that such modifications could make it sound. We will deal with broad issues in our 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 PO works independently of the Council under our direction in connection with the Examination. Kerry can be contacted as follows:  
**Email:** [KerryTrueman@sthelens.gov.uk](mailto:KerryTrueman@sthelens.gov.uk)  
**Telephone:** 07582 310364, **Address:** PO Box 229, PRENTON, CH26 9EY

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10. The main tasks of the PO are to act as a channel of communication between all parties and us; 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 Kerry so that alternative arrangements can be discussed.
11. Any procedural questions or other matters that you wish to raise with us prior to the hearing sessions should be made through Kerry. Please let her know if you have any specific needs in relation to 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 discuss them orally at a hearing session. Both methods will carry the same weight and we shall have equal regard to views put at a hearing or in writing. Participation at a hearing session will only be useful and helpful to us if you wish and need to take part in a debate and are seeking a specific change to the plan.
13. A Schedule of Matters and Issues for the Examination and on which the soundness of the plan depends will be prepared having regard to the Council's responses to our preliminary questions. For each Issue there will be specific questions. These questions are likely to form the basis of the discussion at the hearing sessions and should also be the basis on which any 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.
14. In relation to alternative (omission) sites put forward - pieces of land that representors consider should be allocated but which are not so allocated in the plan - the purpose of the examination is to consider whether the submitted plan is sound. The focus will be on whether or not the process followed by the Council in selecting the allocated sites is sound. This is likely to involve looking at both the process of site selection, including the underlying evidence base, and the soundness of individual sites including deliverability where they are challenged. Promoters of omission sites will be allowed to put arguments on these issues but not to promote the merits of their own site.

## **Dates for Hearing Sessions**

15. It is intended that the hearing sessions (which are part of the overall Examination) will open on **Tuesday 25 May 2021**, the first week of sessions taking place between 25-27 May and subsequent weeks taking place on 8-10 June, 15-18 June and 22-24 June.

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16. Depending on the extent of restrictions and safeguarding at the time, because of the Covid-19 pandemic, the hearing sessions are likely to be conducted either as solely virtual events by the video platform of MS Teams, or through a mix of virtual and blended sessions. With a blended event some participants would be present at the hearing venue whereas others would join by video link or telephone. The face to face element of any blended event would take place at the Town Hall, Victoria Square, Bickerstaffe St, Saint Helens WA10 1HP.
17. The programme indicating the matters to be discussed at each hearing session will be based on the Schedule of Matters and Issues. A provisional programme linked to the likely Matters and Issues is attached as Appendix B.
18. The first week of the hearings will deal with matters such as legal and procedural requirements; housing and employment needs and requirements; the spatial strategy; and strategic policies. The second, third and fourth weeks of the hearings will deal with allocations, housing and employment land supply, generic policies and infrastructure and implementation.
19. Hearings will be programmed to avoid sitting on Mondays. A couple of Fridays and a Wednesday will be kept for reserve sessions which will be used should discussion on an issue have not been completed or for dealing with additional evidence that we have asked the Council to prepare to support of the soundness of the Plan. Representors should keep the reserve days free albeit it is unlikely that they will be required.

## **The hearing sessions and hearing statements**

20. Each matter will be the subject of separate discussion, although the discussion on some Matters may take place over more than one hearing session and at other sessions several Matters may be discussed consecutively. The hearings will take the form of a roundtable discussion which we shall lead. They will not involve the formal presentation of cases by participants or cross-examination. We shall take account of all written representations already submitted and it is not the purpose of the hearings for these to be repeated. The Schedule of Matters, Issues and Questions will be prepared by the end of March and will form the basis of the agenda for each session. **Preparation of statements should not commence until this stage when participants at each hearing will also be confirmed.**
21. The hearings will be inquisitorial, rather than adversarial. We shall endeavour to progress them in an effective and efficient manner. As part of that process, it is our aim to minimise the amount of material necessary to come to informed conclusions on the issues of soundness. In that way we will conduct a focussed series of hearings and, in turn, produce a short, focussed report.
22. The Council is required to produce a hearing statement for each of the Matters in which it should seek to answer each of the individual questions set out in the list of Matters and Issues. Other representors may also submit hearing statements on the Matters, Issues and Questions of relevance to their original representation,

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although it is not a requirement.

23. Hearing statements should be a maximum of 3000 words for each Matter but we anticipate that most 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.
24. 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 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.
25. An electronic version only of each hearing statement should be submitted unless the PO subsequently contacts you requesting paper copies. The statements should be sent to be received by the PO **by 17:00 on Friday 7 May 2021** for Week 1 sessions, **by 17:00 on Friday 21 May 2021** for Week 2 sessions, **by 17.00 on Friday 28 May 2021** for Week 3 sessions, and **by 17.00 on Friday 4 June** for Week 4 sessions. 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 we 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**

26. The programme for the hearings will be finalised and circulated by the end of March. 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.
27. On most days there will be morning and afternoon hearings with sessions starting at 09.30, 11.30 and 14.00 hours. There will be a comfort break mid-morning and a lunch break of a minimum of 45 minutes.

## **The Examination Website**

28. The Examination Library is accessible from the Examination web site:  
<https://www.sthelens.gov.uk/planning-building-control/planning->

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<policy/local-plan/local-plan-examination-news/>

29. This contains the Council's evidence base comprising Submission and Supporting Documents, and documents produced during the Examination, including our questions to the Council and the Council's responses. If you have difficulties accessing the Library please contact the PO. It is not necessary to attach extracts of documents from the evidence base to hearing statements as they are already Examination documents.

## **Site visits**

30. We will carry out a familiarisation visit to the Borough. Insofar as we consider it necessary to our assessment of the soundness of the plan we shall visit sites and areas referred to in the representations again during the examination. We will do these on an unaccompanied basis unless we find that we need to go onto private land.

## **And finally,.....**

25. We emphasise:
- We 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 deadlines for the submission of hearing statement(s);
  - that your hearing statement(s) should focus on answering the questions we will pose in the *Schedule of Matters, Issues and Questions*.

*Mark Dakeyne and Victoria Lucas*

INSPECTORS

(December 2020)

Attached – Appendices A and B

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## **Appendix A**

### **List of relevant guidance and evidence**

#### **A. Government Policy and Guidance**

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

<https://www.gov.uk/government/collections/planning-practice-guidance>

- National Planning Policy Framework
- Planning Practice Guidance

#### **B. Guidance from the Planning Inspectorate**

<https://www.gov.uk/government/publications/examining-local-plans-procedural-practice>

Procedural Practice in the Examination of Local Plans: The Planning Inspectorate June 2016 (4<sup>th</sup> Edition v.1)

#### **C. Examination and Evidence Base Documents**

The Examination web site can be found at:

<https://www.sthelens.gov.uk/planning-building-control/planning-policy/local-plan/local-plan-examination-news/>

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## **Appendix B**

### **Provisional Hearings Programme**

#### **Tuesday 25 May 2021**

Matter 1 - Legal Compliance, Procedural Requirements and the Duty to Cooperate

#### **Wednesday 26 May 2021**

Matter 2 - Housing and Employment Needs and Requirements

#### **Thursday 27 May 2021**

Matter 3 - Spatial Strategy and Strategic Policies

#### **Tuesday 8 June 2021**

Matter 4 - Allocations

#### **Wednesday 9 June 2021**

Matter 4 - Allocations

#### **Thursday 10 June 2021**

Matter 4 - Allocations

#### **Tuesday 15 June 2021**

Matter 5 - Housing Land Supply

#### **Thursday 17 June 2021**

Matter 6 - Employment Land Supply, Employment Policies and Town Centres

Matter 7 - Specific Housing Needs and Standards

#### **Friday 18 June 2021**

Matters 8 and 9 - Minerals and Waste Policies/Generic Policies (combined session)

#### **Tuesday 22 June 2021**

Matter 10 and 11 - Infrastructure and Delivery/Monitoring and Implementation  
(combined session)

#### **Friday 28 May 2021, Friday 11 June 2021 and Wednesday 23 June 2021**

Reserve days

#### **Thursday 24 June 2021**

Potential review session (virtual)