

Shropshire Council

Examination of Shropshire Local Plan 2016-2038

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Examination webpage: <https://shropshire.gov.uk/planning-policy/local-planning/local-plan-review/>

GUIDANCE NOTE FROM THE INSPECTORS FOR THE ADDITIONAL DUTY TO COOPERATE HEARING SESSION

This guidance note should be read in conjunction with the guidance notes for stage 1 hearings (ID6 v2). That contains more details about the examination generally. This guidance note is intentionally short and focussed.

Examination hearing

1. The examination hearing to further consider Duty to Cooperate, will commence at **9.30am on 17th January 2023 and may continue on 18th January 2023**. The hearing will take place virtually. A link to the meeting will be sent to participants prior to the hearing and a link to the hearing for observers will be placed on the examination website. This guidance note should be read in conjunction with document ID16 which can be found on the examination website. This was issued in July this year and provides specific guidance for virtual hearings.
2. Discussion at the hearings will be based on our matters, issues and questions which have been issued alongside this guidance note. A more focussed agenda providing further guidance for the discussion will also be published in advance of the hearing session.

Attending the hearing

3. Anyone may attend the hearing as an observer, but only those who submitted a matter 2 statement and/or took part in the matter 2 hearing session in July this year will be permitted to submit a statement and/or take part in the hearing session in January.
4. Written representations carry the same weight as those made orally at a hearing session. Participation at the hearing is therefore only likely to be beneficial if you have specific points to contribute on the published matters, issues and questions. Normally you may only take part in the hearing session(s) that are relevant to your original representation(s).

5. If you have a right to be heard and you wish to exercise that right, you should contact the PO by **18 November 2022**. You must do this regardless of what you may have indicated in your original representation(s). Please note that if you do not contact the PO by that date, it will be assumed that you do not wish to appear and be heard and you will not be listed as a participant.
6. Representors who are not seeking changes to the Plan, including those who have made representations supporting it, do not have a right to take part in the hearing. However, we may invite additional participants to take part in the hearing if their participation would assist us in determining the soundness and legal compliance of the Plan.
7. Please let the Programme Officer know as soon as possible if you have any specific needs or requirements to enable your attendance at and/or participation in the hearing session.

Hearing statements

8. Please be aware that the Council have submitted further information and evidence, including in relation to the Duty to Cooperate, since it submitted the Plan for examination. This and letters from the Inspectors can be found on the examination website by following this link:

<https://shropshire.gov.uk/planning-policy/local-planning/local-plan-review/draft-shropshire-local-plan-2016-2038-examination/examination-library/examination-stage-documents/>
9. The Council should produce a statement for the hearing session responding to all the identified issues and questions.
10. Other participants in the hearing session should only submit a hearing statement if they have points to make on the identified issues and questions that were not covered in their original representations.
11. Statements should be concise and focussed, and in any event must contain no more than 3,000 words.
12. Statements should:
 - include your representor name and number
 - clearly identify which specific questions are being answered;
 - only answer the specific matters, issues and questions which are of direct relevance to your original representation(s);
 - not introduce new evidence or arguments, except where this relates to the additional post submission evidence submitted by the Council referred to in paragraph 8 above.
13. Appendices should only be included if they are directly relevant and necessary and should not be used as a means of increasing the word-count. If you need to refer to a large document that is not on the examination

webpage, please contact the PO as it may be more efficient for it to be added to the webpage rather than attached to a statement.

14. The Council's statement should also be focussed and succinct. However, because the Council has to answer every issue and question, it may be necessary to go over the limit of 3,000 words per matter.
15. Please email electronic versions of your statement(s) and any appendices to the PO in Word or PDF format by **16 December 2022**. If you are unable to email your statement, please contact the PO so that alternative arrangements can be made. In addition, you should send two paper copies of your statement(s) and of any appendices to arrive by **19 December 2022** to the PO at Pendragon House, 1 Bertram Drive, Meols, Wirral, CH47 0LG.
16. Hearing statements will be posted on the examination webpage after the submission date, 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. Anyone who is unable to access them on the webpage should contact the PO.
17. Once the date for submitting hearing statements has passed, no other written evidence will be accepted, unless we specifically request it. In fairness to other participants, the hearing sessions should not be used to introduce additional evidence.

Statements of Common Ground (SoCGs)

18. If any additional SoCGs are to be prepared then they should, wherever possible, be completed by **18 November 2022** and published as examination documents so that other representors are aware of their contents before submitting their hearing statements. This should not preclude the Council from continuing to engage on outstanding issues with other bodies and updating any SoCGs as necessary.

Conduct of the hearing sessions

19. The hearing sessions will be based on the identified issues and questions as further clarified and refined by the agenda issued before the hearing sessions. The hearing session will deal with these by way of a structured discussion which we will lead, taking an inquisitorial approach. There will be no formal presentation of cases or cross-examination. Participants may, if they wish, bring professional experts with them, although this is not essential.
20. Discussion at the hearing sessions will focus on the issues that we need to hear further discussion about, in order to reach conclusions on the soundness and legal compliance of the Plan, and on any potential need for main modifications. We will make a few brief introductory comments on the issues to be covered and then invite individuals to respond to specific questions. We will have read all the relevant representations and statements beforehand and will expect other participants to have done so as well. The hearing sessions

are not an opportunity to repeat a case already set out in written representations.

Hearing programme

21. Updates to the hearing programme, if required, will be available on the Council's webpage. It is the responsibility of individual participants to check the latest timetable and to ensure that they are present at the correct time.
22. The hearing session will start at 9.30am. Short breaks will be taken at convenient points and a lunch break will take place between 12.30pm and 1.30pm.

Summary of the hearing programme

18 November 2022 - Deadline to confirm with the PO whether you wish to exercise your right to appear at an examination hearing session

18 November 2022 - Deadline for submission of statements of common ground

16 December 2022 - Deadline for submission of hearing statements and any appendices by e-mail

19 December 2022 – Deadline for receipt of paper copies of statements (in addition to e-mailed statements)

17 January 2023 - Hearing sessions begin

Further information

Further information about the preparation and examination of Local Plans is available as follows:

Relevant guidance – available from <https://www.gov.uk/guidance/local-plans>

Procedure Guide for Local Plan Examinations
Short guide to taking part in local plan examinations
National Planning Policy Framework
Planning Practice Guidance, including the section on Plan-making

Relevant legislation – available at <http://www.legislation.gov.uk/>

Planning and Compulsory Purchase Act 2004 (as amended)
The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)

Louise Crosby, Carole Dillon & Nick Palmer

INSPECTORS
1st November 2022