

EXAMINATION OF THE HYNDBURN 2040 : LOCAL PLAN (STRATEGIC POLICIES AND SITE ALLOCATIONS)

Guidance Note for Participants

Inspector : Helen Hockenhill BA (Hons) B.PL MRTPI

Programme Officer : Tony Blackburn

Introduction

1. This note is intended to assist those who have made representations in relation to the examination of the Hyndburn Local Plan as part of the pre submission consultation process and those who wish to appear in person.
2. Its purpose is to explain the procedural and administrative matters relating to the examination process.

Inspector and Programme Officer

3. The Plan was submitted to the Secretary of State for independent examination on 10 March 2025. I am the Inspector who has been appointed to carry out the examination.

4. The Programme Officer (PO) for the Examination is Tony Blackburn. His contact details are:

15 Ottawa Close
Blackburn
BB2 7EB

Telephone: 01254 260286.

Email: tony.blackburn@hyndburnbc.gov.uk.

5. The PO is independent of the Council and works as an impartial officer of the Examination under my direction. The main tasks of the PO are to liaise with all parties to ensure the smooth running of the Examination, to organise the hearings, and to ensure that all documents are recorded and distributed as necessary. Any documentation connected with the examination process should be forwarded to him. Any other procedural questions or other matters that you wish to raise with us prior to the hearings should be directed through the PO.

Examination hearings

6. Hearing sessions into the Hyndburn Local Plan will commence on Tuesday 16 September 2025 at 10am. The hearings will take place based on an agenda which will be available in advance of the event. Participants are advised to make use of the Examination website :

<https://www.hyndburnbc.gov.uk/hyndburn-local-plan-to-2040-examination>,

where further information including relevant documents can be found.

Inspector's Role and the Examination Process

7. My task is to consider the soundness and legal compliance of the Local Plan, on the basis of the relevant legislation and the guidance contained within the National Planning Policy Framework (NPPF). For clarity, the **Plan is being examined under the September 2023 NPPF** under the transitional arrangements set out in Annex 1 to the February 2025 NPPF. Considering soundness involves examining the Local Plan to determine whether it is positively prepared, justified, effective and consistent with national policy.
8. The starting point for the Examination is that the Council has submitted what it considers to be a sound Plan. Those seeking changes must demonstrate why it is unsound by reference to one or more of the tests of soundness. Representations will be considered insofar as they relate to soundness and legal requirements. My report will not refer to individual representations.
9. I will seek to address unresolved issues concerning soundness or legal compliance of the Plan through round table discussions at the Examination Hearings as well as through a consideration of the original written representations. It is important to stress that I would not be able to rectify non-compliance with the duty to co-operate. It should be emphasised that my role is not to improve the Local Plan or to make it "more" sound but to determine whether or not it meets the soundness tests as it stands. For example, if an alternative version of a policy is put forward, I cannot recommend it as an improvement if the Local Plan is already sound. It is possible that further work will need to be carried out by the Council. If that is the case, the timetable, when known, will be provided on the examination website.

The Matters and Issues for the Examination

10. I have identified a wide range of matters and issues which will need to be explored during the examination.
11. I sent the Council some initial questions on 22 April 2025 which can be seen on the Examination website. I have been provided with responses to this letter from the Council dated 12 May 2025 and 30 June 2025. These documents are also available on the Examination website.
12. Participants should be aware that the Council has produced additional documents in connection with the Local Plan examination. These documents can be found in the Council Items section on the Examination website and representors may wish to take account of these documents in preparing any written statements. Where necessary, my matters and issues take account of these additional documents.

Representations and written statements

13. 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, 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.
14. 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.
15. Separate statements should be submitted for each matter. Please only submit appendices to statements where they are essential. The statement should make it clear why they are relevant. Appendices should have a contents page and be paginated throughout. They should not contain extracts from any publication that is already before the examination, such as the Submission, Supporting and Examination Documents – a paragraph number or page reference will suffice.
16. Statements should be limited to no more than 3000 words per matter. They should include the appropriate Matter and Issue number, as well as the name of the representor, at the top of the front page. Unnecessary repetition should be avoided. Representors should also bear in mind that the Council has produced a Schedule of Proposed Minor Modifications to the Local Plan (HBC1.006) in light of the representations made. In some cases, these may satisfactorily address the comments or objections made. A flexible approach will be taken to the length of the Council's statements given that they are requested to respond to all points.
17. Any representor who intends to use artificial intelligence in preparing their statement should follow the Planning Inspectorate's guidance available here: <https://www.gov.uk/guidance/use-of-artificial-intelligence-in-casework-evidence>.
18. Electronic copies of any statements and associated appendices (where relevant) should be on A4 paper size. Participants should submit written statements either electronically or by post, no later than 5pm on Friday 29 August 2025. Late submissions and additional papers are unlikely to be accepted after the MIQs deadline since this can cause disruption and result in unfairness and may lead to the hearing being adjourned. In addition, I will not

accept any further representations or evidence after the hearing sessions have finished unless specifically requested. Any late or unsolicited material is likely to be returned by the PO.

Participation at hearing sessions

19. Only those who have made representations seeking to change the Local Plan have a right to appear before, and be heard by, the Inspector. However, I must stress that written representations carry the same weight as those made orally at a hearing session. As a result, participation at a hearing session is only necessary if, in the light of the MIQs, you have specific points you wish to contribute.
20. To confirm, people who are able to participate in the forthcoming hearing sessions are those who made representations seeking to change the Local Plan under Regulation 20 (i.e. when the Council invited representations before submitting the Local Plan for Examination) where their representation relates to a point among the MIQs to the Examination.
21. The right to participate in a hearing extends only to those who propose changes to the Local Plan in order to make it sound and legally compliant and is limited to those policies or matters which were the subject of the original representation. This strictly excludes those who have simply commented on a policy in the Local Plan. So, although anyone can attend, the ability to speak is not available to all but is limited to either those with a legal right or those specifically invited. There is no need for those supporting the Local Plan to take part in the hearing.
22. All those that are seeking a change to the Local Plan and wishing to participate in the hearing session(s) should inform the PO no later than 5.00pm on Friday 22 August 2024. Please indicate which Matter(s) you are seeking to participate in. If you do not contact the PO by that date, it will be assumed that you do not wish to appear to be heard and you will not be listed as a participant. A draft programme and list of participants will be prepared which will be regularly updated and available on the Examination website. The hearing session will be open for anyone to observe.

Hearing Arrangements

23. I have drawn up a draft hearing programme which reflects the main topics for discussion. The PO will invite participants on each date. Please check the Programme on the Examination website regularly for the full details of times and sessions. It is the responsibility of participants to keep themselves up to date with the arrangements and programme including being available at the reserve time indicated on the programme. Whilst every effort will be made to keep to the draft timetable, late changes may be unavoidable.

24. The hearing sessions for the Examination will commence at 10am Tuesday 16 September 2025. The morning sessions will start at 10am each day. Afternoon sessions will usually start at 2pm. Any change to start times will be highlighted on the examination webpage. There will be roughly an hour break for lunch and short breaks mid-morning and afternoon. The sessions will usually finish by 5.00pm although they may continue later if necessary.

25. Please advise the PO as soon as possible if you have any specific needs in relation to attendance and participation at the hearing sessions.

Availability of Information

26. The PO will maintain the Examination Library online at the Examination website. This contains all of the core documents, copies of the evidence base, associated documents and representations. The library will also include further written statements and related correspondence as it is received. The PO will also maintain a record of all documents submitted.

Closing the Examination and my Report

27. After all hearing sessions have closed, I will prepare a report for the Council with my conclusions and recommendations. During the final hearing session, I will explain the next steps in the Examination process.

28. If I find the submitted Local Plan to be legally compliant and sound in all respects, my report will recommend its adoption. If I find the Local Plan non-compliant or unsound in any respect, I can, subject to the Council's formal notification and agreement, recommend main modifications to make it compliant and sound. My report will deal with the main issues concerning the soundness of the Plan, taking into account the representations received.

29. If main modifications are proposed by the Council, adequate consultation will need to take place on them where necessary, so that the rights of interested parties are not prejudiced. Where appropriate, main modifications may also need to be covered by a revised Integrated Impact Assessment. The Council may then, if it so wishes, formally adopt the Plan, incorporating the recommended main modifications.

30. The Examination will remain open until my report is submitted to the Council. However, no further representations or evidence will be accepted after the hearings close, unless I specifically request it. Any late unsolicited material will be returned.

Key dates	
Notification of wish to participate	5pm Friday 22 August 2025
Submission of Hearing Statements	5pm Friday 29 August 2025
Commencement of Hearing	10am Tuesday 16 September 2025

H Hockenfull
INSPECTOR

25 July 2025