

EXAMINATION OF THE WOLVERHAMPTON LOCAL PLAN

GUIDANCE NOTE FROM THE INSPECTORS

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Examination website - Please click on this link:
[Wolverhampton Local Plan Examination](#)

Purpose

1. Before a local plan can be formally adopted, it must be subject to an independent examination. The Wolverhampton Local Plan has been submitted for examination and we have been appointed by the Secretary of State to examine it. This note provides guidance on how the examination will be run.
2. More information on the examination process can be found in the Planning Inspectorate's [Procedure Guide for Local Plan Examinations](#). There is also a [short guide](#), which may be helpful, especially if you have not previously been involved in an examination.

Inspectors' role and purpose of the examination

3. Our task is to examine whether the plan is 'sound' and if it meets some legal and procedural requirements. The 'tests of soundness' are set out in the government's [National Planning Policy Framework](#) (in paragraph 35). Plans are 'sound' if they are positively prepared, justified, effective and consistent with national policy.
4. The Plan is being examined under the December 2023 version of the National Planning Policy Framework (the NPPF) and the associated version of the Planning Practice Guidance (PPG).
5. The potential outcomes of the examination are that:
 - the submitted Plan is sound, meets the relevant legal requirements and does not need to be changed;
 - the submitted Plan is not sound and/or it does not meet the relevant legal requirements, but it could be made to do so by changing it (these changes are known as main modifications). If necessary, this may follow the preparation of additional evidence; or

- the submitted Plan is not sound and/or it does not meet the relevant legal requirements, and it could not be made sound by changes. If so, we would recommend that the Council withdraws the Plan.

Programme Officer

6. The Programme Officer, Ian Kemp, plays a key role in organising the examination and acts as the first point of contact for everyone. He works with us and independently of the Council. The contact details for the Programme Officer are given above and any questions should be directed to him.

Examination webpage

7. This provides information about the examination, including the hearing sessions. It is maintained by the Programme Officer and will be updated regularly. A link is provided above.
8. If you do not have access to the internet, please contact the Programme Officer so that alternative arrangements can be put in place.

The examination process

9. The hearing sessions will be carried out in two stages:
 - Stage 1 will consider legal and procedural compliance and strategic matters.
 - If we decide to proceed to Stage 2 we will consider all other matters.
10. The timing and nature of the process is subject to variation depending on how the examination proceeds. For example, there may be additional stages if we conclude that more evidence needs to be prepared to help justify the Plan or to inform any necessary changes.
11. The starting point is that the Council has submitted a plan which it considers is ready for examination. The Council should rely on the evidence put together while preparing the plan to show that it is sound. Anyone wanting to change the plan should explain why they think it is not sound and how their suggestion would put it right.

Changes to the Plan

12. Once the plan has been submitted for examination there are only two ways in which it can be changed:

Main modifications – these are any changes that are necessary to achieve a sound Plan. During the examination we will say if we think any are needed. They would then be subject to public consultation, and we will consider any comments, before concluding on them. They may also need to be subject to a sustainability appraisal.

Additional modifications – these are changes which do not materially affect the policies in the Plan. They are made by the Council when they adopt the plan

and are not a matter for the examination. They are sometimes referred to as minor modifications.

13. We will also take account of any other potential main modifications suggested by the Council or others during the examination. However, please note that if the Plan is already sound it is not the purpose of the examination to improve it.

Representations made on the Plan

14. Representations made on the submitted Plan have been provided to us and we will take them all into account. These are sometimes referred to as responses to the 'Regulation 19' consultation, after the legal regulation relating to this stage. We will not consider representations made on any earlier draft versions of the Plan (which are sometimes referred to as the Regulation 18 stage).

Matters, issues and questions

15. Based on our initial assessment and responses to our initial questions to the Council, we have identified a number of matters, issues, and questions we want to explore at stage 1. Essentially they are a series of grouped questions on specific topics, intended to give an ordered structure to the examination. They are set out in our Matters, Issues and Questions document (MIQs) which has been issued at the same time as this guidance note.

Statements of Common Ground

16. The evidence includes a number of existing statements of common ground (SoCG). If any further SoCG are to be prepared then they should, wherever possible, be completed by **Wednesday 29 October 2025**. They will then be published as examination documents so that other representors are aware of their contents before submitting their hearing statements by the November deadline.
17. This should not preclude the Council from continuing to engage on outstanding issues with other bodies, which may then result in updates to existing SoCG, if that would help the examination.

Examination hearing sessions

18. The hearing sessions are an important part of the examination and will start at **10.00 am on Tuesday 16 December 2025**. The stage 1 hearing sessions will be held face-to-face in **Committee Room 3 at the Civic Centre, St Peter's Square, Wolverhampton WV1 1SH**. Participants should therefore attend the hearing sessions in person. However, facilities may be made available to allow some online participation if this is unavoidable. Please discuss this with the Programme Officer in the first instance.
19. The programme for the stage 1 hearing sessions has been issued at the same time as this guidance note and is on the examination webpage. The hearing sessions will consider specific matters, issues and questions as set out in the programme.

20. The hearing sessions will be run as structured discussions which we will lead. There will be no formal presentation of cases or cross-examination of participants.
21. The sessions will start at 10.00 am each day with an hour lunch break from 1.00 pm to 2.00 pm and short mid-morning and mid-afternoon breaks. We aim to finish around 5.00 pm each day.
22. Anyone may attend a hearing session as an observer, but only those who have made a representation seeking to change the Plan have a right to speak and take part. The right to be heard only applies to the sessions relevant to the original representation. It is up to you whether you want to rely on the consultation response you have already made or if you want to take part in a hearing session. However, the hearing sessions are not an opportunity to simply repeat a case already set out in written representations. We will take all representations into account, regardless of whether they are made verbally at a hearing session or in writing.
23. Anyone may also observe the hearing sessions by watching the live stream. Please note the sessions will not be recorded.
24. If you have a right to take part and wish to do so, please contact the Programme Officer **by 5.00 pm on Wednesday 29 October 2025** indicating which session(s) in the published draft hearing programme you wish to take part in and that are relevant to your representations. You must do this regardless of what you may have indicated in your original representations. Please note that if you do not contact the Programme Officer by that date, it will be assumed that you do not wish to take part, and you will not be listed as a participant in the hearing sessions. Participants may choose to be represented by someone else.
25. If anyone is unsure as to which session their representations relate to please contact the Programme Officer for advice.
26. Where several people or organisations wish to participate or speak on the same issue or wish to make the same point, you should consider appointing a single spokesperson or persons, as we will not be allowing points to be repeated during the hearing sessions. This will ensure that effective use is made of available time in the sessions. The Programme Officer will assist you with these arrangements.
27. Where several representors or organisations wishing to take part have similar points, it will help the efficient running of the hearing sessions if they can arrange to be represented by one spokesperson. We will not be allowing points to be repeated. Please contact the Programme Officer to discuss this further.
28. Those who made representations which did not seek changes to the Plan, including those supporting it, do not have a right to take part in the hearing. However, we may invite people to participate if this would help us assess the Plan.
29. The updated version of the Hearing Programme will be published on the examination webpages at least 2 weeks before the start of the Hearing. It will be

for individual participants to check this and to ensure that they attend the right sessions and at the right time.

30. Please note that we will give equal regard to views put at the hearing sessions and those set out in the written representations. Participating in a hearing session will only be useful and helpful to us if you can engage in a debate and focus on our specific questions.
31. To ensure that there is sufficient space, organisations participating in the hearing sessions will normally be allocated one seat at the table, with members of their team “hot-seating” as necessary. Similarly, the Council should limit the number of its representatives to those needed to deal with the topic under discussion.
32. Please let the Programme Officer know as soon as possible if you have any specific needs or requirements to enable your attendance at or participation in the hearing sessions.
33. The issues considered in local plans examination can be controversial, sometimes leading to strong and conflicting views. At all times during the examination participants and observers are expected to act in a courteous, respectful and helpful manner towards each other. We will ensure that all participants are given a fair opportunity to express their views. Inappropriate behaviour of any kind will not be tolerated.

Hearing statements

34. Our MIQs will form the basis for discussion at the hearing sessions. As participants should have already set out their full cases within their existing representations there should ordinarily be no need to produce further written statements. Representors may therefore choose to rely on their original responses.
35. However, if participants do wish to produce further written hearing statements, these must relate to their original representation and respond to the issues and questions set out in our MIQs. Statements must not repeat what is in previous representations as these will be taken into account.
36. As the examination documents are available on the internet, participants should not attach extracts to any statements. Instead, please reference relevant examination documents, paragraphs and page numbers.
37. To assist the conduct of the hearing, any additional statements produced by participants must:
 - clearly identify which specific matters, issues and questions are being answered;
 - only answer the specific matters, issues and questions which are of direct relevance to your original representation;
 - clearly indicate what changes are necessary to make the Plan sound or legally compliant and set out the precise wording;

- respond to each matter (set out in the MIQs) in separate statements;
 - be succinct and no longer than 3000 words for each matter;
 - not introduce new evidence or arguments; and
 - not include appendices as all pertinent points should be set out within the main statement.
38. Please note that any statements that are of excessive length and/or contain irrelevant or repetitious material may not be accepted.
39. Unlike other participants, the Council is required to respond to each of our questions and therefore the 3,000 word limit per matter does not apply to them. However, any statements should still be succinct.
40. Please email electronic versions of any statement(s) to the Programme Officer in Word or PDF format by **5.00 pm on Wednesday 26 November 2025**. If you are unable to email your statement, please contact the Programme Officer so that alternative arrangements can be made.
41. All hearing statements will be posted on the examination webpage after the above deadline. Please note that they will not be circulated directly to participants. Anyone who is unable to access them on the webpage should contact the Programme Officer.
42. Once the date for submitting hearing statements has passed, no other written evidence will be accepted throughout the examination, unless we specifically request it. To be fair to all participants, the hearing sessions must not be used to introduce new evidence.

Representations proposing alternative site allocations

43. There will be no discussions on alternative site allocations, often referred to as 'omission sites'. Our role is to examine the soundness of the submitted Plan, not the soundness of sites that are not in it. Consequently, we do not propose to hold a hearing session dealing with these sites or to discuss their merits at other sessions. Instead, those seeking changes to the Plan need to demonstrate why the submitted Plan is not sound, rather than highlight an alternative or omission site.
44. If during the Examination there appears to be a need for additional development sites to be allocated, it will be a matter for us to raise this with the Council to decide what it would propose in order to meet such a need.

Site visits

45. We will decide which sites and which parts of the Plan area we will visit to help us reach our conclusions. We may carry out these visits, before, during and after the hearing sessions. We will visit unaccompanied, unless it is necessary to go

onto private land, in which case we will make arrangements through the Programme Officer.

After the stage 1 hearing sessions

46. We will make a decision on whether to proceed to stage 2 of the examination as soon as we are able after consideration of the stage 1 matters. Should we decide that stage 2 hearing sessions will proceed we will issue further matters, issues and questions on the rest of the Plan, set dates for additional hearing sessions and update this guidance note.
47. We will also let the Council know about any changes to the Plan (main modifications) we think may be necessary during the hearing sessions or shortly after they have ended.

Summary of timescales

- 2 October 2025 - Inspectors' MIQs, programme and guidance note published
- 29 October 2025 – Deadline for any further SoCG
- 29 October 2025 – Deadline for participation requests to the Programme Officer
- 26 November 2025 - Deadline for written statements on the Inspectors' MIQs
- 16 December 2025 – Stage 1 hearing sessions commence

Victoria Lucas and Yvonne Wright

INSPECTORS

1 October 2025