

Examination of the Medway Local Plan 2041**Inspector Andrew McCormack BSc (Hons) MRTPI****Inspector Darren Hendley BA (Hons) MA MRTPI****Programme Officer: Louise St John Howe****Telephone: 07789 486419****Email: louise@poservices.co.uk****Address: PO Services, Unit 162298, PO Box 7169, Poole, Dorset BH15 9EL****Examination Website: <https://medway.oc2.uk>**

GUIDANCE NOTE FROM THE INSPECTORS

Purpose

1. Before a local plan can be formally adopted, it must be subject to an independent examination. The Medway Local Plan 2041 (the Plan) was submitted for examination on 18 December 2025 by Medway Council (the Council) 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' as are relevant to this examination are set out in paragraph 36 of the 2024 version of the [National Planning Policy Framework](#) (the Framework).
4. The potential outcomes of the examination are that:
 - the Plan is sound, meets the relevant legal requirements and does not need to be changed; or
 - the 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 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

5. The Programme Officer plays a key role in organising the examination and acts as the first point of contact for everyone. They work with the Inspectors and independently of the Council. The contact details for the Programme Officer are given above and any questions should be directed to them.

Examination webpage

6. This will provide information about the examination, including the hearings. It is maintained by the Programme Officer and will be updated regularly. A link is provided above.
7. 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

8. The examination will now move through the following stages, which are outlined in more detail in the Procedure Guide:
 - preparation of statements in advance of hearing sessions;
 - hearing sessions;
 - consultation on any main modifications (changes to the Plan); and
 - our final report.
9. 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 changes.
10. 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.
11. At this stage, it is intended to hold two phases of hearing sessions. The draft programme (version 1) for the hearings is being issued at the same time as this Guidance Note and will be on the examination webpage.
12. Some key sources of information are set out in the annex to this Guidance Note.

Changes to the Plan

13. 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.

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

Representations made on the Plan

15. The Council has prepared a Consultation Statement [A10.1, A10.2] which includes details of the consultation that has taken place on the Plan, a summary of the main issues raised in the representations and its response to the representations made.
16. A full set of the representations made on the submitted Plan has 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

17. Based on our initial assessment, we have identified a number of Matters, Issues, and Questions (MIQs) that we want to explore. Essentially, they are a series of grouped questions on specific topics, intended to give an ordered structure to the examination. These will be set out in our MIQs documents which will be issued in two stages (phases 1 and 2) to relate to the relevant topics being discussed at the phase 1 and phase 2 hearings. The phase 1 hearings MIQs document has been issued at the same time as this Guidance Note. The phase 2 MIQs will be published once the phase 1 hearings have been held and ahead of the phase 2 hearings, by Thursday 1 October 2026.

Hearing statements

18. The Council should produce a statement for each hearing session responding to all our MIQs.
19. Other participants should only submit hearing statements on topics they made representations about. However, if you feel that your representation adequately answers the issues and questions that we have raised, there is no need to submit a hearing statement.
20. Statements should be focussed and as short as possible, and in any event must contain no more than 3,000 words for each matter. They should
 - clearly identify (by reference number/letter) which specific MIQs are being answered;
 - only answer the specific MIQs which are of direct relevance to your original representation; and
 - not introduce new evidence or arguments.

21. Appendices should only be included exceptionally if they are directly relevant and necessary and should not be used as a means of increasing the word-count. You should not attach any document over a page long as an appendix without first contacting the Programme Officer to check whether the Inspectors are content to accept it.
22. Because the Council must answer every question, it may be justified to go over the limit of 3,000 words per matter in some cases.
23. Please email electronic versions of your statement(s) to the Programme Officer in Word or PDF format for the hearing sessions weeks commencing 14 and 21 September 2026 (phase 1 hearings) by **5pm on Thursday 27 August 2026**.
24. Please email electronic versions of your statement(s) to the Programme Officer in Word or PDF format for the hearing sessions weeks commencing 16 and 23 November 2026 (phase 2 hearings) by **5pm on Thursday 29 October 2026**. If you are unable to email your statement, please contact the Programme Officer in advance of the submission dates so that alternative arrangements can be made.
25. All hearing statements will be posted on the examination webpage after the submission date. They will not be circulated directly to participants. Anyone who is unable to access them on the webpage should contact the Programme Officer.
26. 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 hearings should not be used to introduce additional evidence.

Statements of Common Ground

27. The Framework states that local authorities should demonstrate effective and on-going joint working with neighbouring authorities and other bodies by preparing one or more Statement(s) of Common Ground (SoCG).
28. It is also helpful for SoCG to be agreed between the Council and other participants - for example, with other Councils, public bodies and those promoting the development of particular sites. This is particularly desirable where there are significant unresolved issues relating to soundness or compliance with legal requirements. Wherever possible, SoCG should be used to resolve these problems. Failing that, they should define any remaining unresolved disagreements that could affect soundness.
29. If any further SoCG are to be prepared then they should, wherever possible, be completed and submitted by no later than 5pm on **Thursday 13 August 2026**. They will be 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, which may then result in an update to an existing SoCG, if that would help the examination.

Artificial intelligence

30. It is understood that Artificial Intelligence (AI) could be used to support the process. However, if AI is to be used, such as in the writing of documents, or creation of plans and images, this should be declared when the information is submitted. Such a declaration should include what system or tools you have used, the source of the information that the AI system has based its content on, and what information or material the AI has been used to create or alter.

Examination hearing sessions

31. The hearings are an important part of the examination and will start at **10am on Tuesday 15 September 2026**. Thereafter, the hearings will take place that same week and then the week commencing 21 September 2026 (phase 1 hearings). These hearing sessions will take place at St John's Chatham, 18 Railway Street, Chatham ME4 4JT. At this stage, it is intended that the phase 2 hearings will take place during the weeks commencing 16 and 23 November 2026 and that they will be held at the same venue. Any changes to this will be published on the examination webpage.
32. In terms of the running of the hearing sessions, the first session will start at 10am on the first day, then 9:30am on each subsequent day, with the aim to adjourn at 1:00pm. The second session will start at 2:00pm (so there will be a break in between). The latter session of each day will aim to finish by no later than 5:00pm. The hearings will not sit on Mondays. Where the hearings take place on a Friday, the sessions will aim to finish no later than 12 noon.
33. Each hearing session will consider a specific topic based on our MIQs. The hearing sessions will be run as structured discussions which we will lead on by taking an inquisitorial approach. We will make a few brief introductory comments on the issues to be covered and then invite participants 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.
34. Anyone may attend a hearing as an observer, but only those who 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 made or if you want to take part in the hearing. However, the hearing sessions are not an opportunity to simply repeat a case already set out in written representations. All representations will be taken into account, regardless of whether they are made verbally at a hearing or in writing.
35. If you have a right to take part and wish to do so, please contact the Programme Officer by **5pm on Thursday 20 August 2026** for the phase 1 hearings indicating which session(s) in the published hearing programme you wish to take part in and which are relevant to your representations. Similarly, by **5pm on Thursday 22 October 2026** for the phase 2 hearings - any changes to this will be published on the examination webpage. 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.**

36. Participants may choose to be represented by someone else, for example a professional expert. Legal representatives can take part as a member of the team, but not in a traditional advocate's role, as no cross-examination or opening/closing statements will be permitted, although we will give the Council an opportunity to introduce the Plan on the opening day of the hearing sessions.
37. 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 hearings. However, we may invite additional people to take part if this would help us assess the Plan.
38. 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.
39. Where several representors or organisations wishing to take part in the hearings have similar points, it will help us if they can arrange to be represented by one or two spokesperson(s). Please contact the Programme Officer to discuss this.
40. Please also 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.
41. The issues considered in a local plan 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 material submitted during the examination will not be accepted. Threatening or aggressive behaviour of any kind will not be tolerated.

Representations proposing alternative site allocations (omission sites)

42. Some representations objecting to the Plan have proposed that different sites from those in the submitted Plan should be allocated for development. These are sometimes referred to as 'omission sites'. However, 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 objecting to the Plan should focus on what they consider makes the submitted Plan unsound.
43. Should it be the case that additional sites need to be included in the Plan (for example, because an allocated site is found to be unsound), we will look to the Council to decide which alternative or additional sites should be brought forward for examination.

Site visits

44. 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 hearings. 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 hearings

45. The Council has indicated that it is preparing a schedule of proposed changes (or modifications) to the Plan, which will be maintained throughout the examination. We will let the Council know about any changes to the Plan (main modifications) we think may be necessary. We may write to the Council after the hearings have ended, for example, if we are unable to reach conclusions in the hearings on the need for some main modifications.
46. The Council will then draft the main modifications and agree them with us, before making them available for public consultation. We will consider any representations about them before reaching our final conclusions.
47. We will then prepare a report for the Council setting out our conclusions and our recommendations on any main modifications that are needed. Our report will deal with the main issues of soundness and any procedural and legal issues. We will consider all the points made during the course of the examination. However, we will not be reporting on every issue, question or representation.
48. Unless we specifically request them, no further representations or evidence will be accepted after the hearing sessions have finished. Late or unsolicited material may be returned.

Close of the examination

49. The examination will close when our report is submitted to the Council. The Council must then decide whether to formally adopt the Plan. However, the Plan can only be adopted if it includes any changes we have recommended to make it sound.
50. The Council should publish our report as soon as they reasonably can after receiving it. Once the report has been issued our involvement in the Plan is over.

Summary/ key points

- The MIQs document sets out the key questions which we will be considering at the phase 1 hearings. The phase 1 hearings MIQs document has been issued at the same time as this Guidance Note. The MIQs document for the phase 2 hearings will be issued by Thursday 1 October 2026, following the end of the phase 1 hearings.
- The phase 1 hearings will commence at 10am on Tuesday 15 September 2026. At this stage, the phase 2 hearings are scheduled to commence at 10am on Tuesday 17 November 2026.
- A provisional programme for the hearing sessions has been published alongside this Guidance Note, but this may be subject to change.
- Participants at the hearing sessions will be confirmed in due course.
- All of those wishing to speak at the hearing sessions must confirm this in writing with the Programme Officer by **5pm on Thursday 20 August 2026** for the phase 1 hearings and by **5pm on Thursday 22 October 2026** for the phase 2 hearings.

- Statements for the hearing sessions should be based on the MIQs documents and must be submitted to the Programme Officer for the phase 1 hearings by **5pm on Thursday 27 August 2026**, and for the phase 2 hearings by **5pm on Thursday 29 October 2026**.
- All documentation relevant to the Examination is available on the Council's website.
- Any queries should be directed to the Programme Officer – Louise St John Howe.

Andrew McCormack
INSPECTOR

Darren Hendley
INSPECTOR

30 July 2026

Annex A - Sources of relevant documents and advice

The Examination website

All documents and information for the Local Plan Examination are available on the website at:

<https://medway.oc2.uk>

If you do not have access to the internet, the documents and other information can be made available to view by arrangement through the Programme Officer.

Government Policy and Guidance

National Planning Policy Framework:

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

Planning Practice Guidance:

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

Relevant legislation

Planning and Compulsory Purchase Act 2004

The Localism Act 2011

The Town and Country Planning (Local Development) (England) Regulations 2012

These documents can be searched for and found on: <http://www.legislation.gov.uk/>

Guidance from The Planning Inspectorate

Procedure Guide for Local Plan Examinations

The above document is available at:

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