



Planning Inspectorate

Councils of the London Boroughs of Barking & Dagenham, Havering, Newham and Redbridge

Examination of the East London Joint Waste Plan

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Examination webpage: <https://www.redbridge.gov.uk/planning-and-building/planning-policies/east-london-joint-waste-plan-examination/>

GUIDANCE NOTE FROM THE INSPECTORS

Purpose

1. Before a local plan can be formally adopted, it must be subject to an independent examination. The East London Joint Waste Plan (the Plan) was submitted for examination on 30 January 2026 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.

Inspector's 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 36). Plans are 'sound' if they are positively prepared, justified, effective and consistent with national policy.
4. 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 Boroughs withdraw 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 Boroughs. 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. A summary of the examination programme and some key sources of information are set out in the annex to this note.
9. 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)
 - our final report.
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 changes.
11. The starting point is that the Boroughs have submitted a plan which they consider to be ready for examination. The Boroughs 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.

National policy and the London Plan

12. The National Planning Policy Framework published in December 2024 forms the national policy basis for the examination. Paragraphs 5,6 and 36(d) of the National Planning Policy Framework are clear that other statements of national planning policy may be relevant to examinations. These can include such things as relevant Written Ministerial Statements and the National Planning Policy for Waste.
13. The Planning and Compulsory Purchase Act 2004 requires London Borough plans to be in general conformity with the London Plan, and this will form an important component of our examination. Prior to the Boroughs submitting the Plan, the Mayor of London provided a letter to them expressing his view on general conformity. The [Mayor's letter](#) is available in the examination library.

Changes to the Plan

14. 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 and legally compliant plan. The Boroughs have requested that we recommend any main modifications that might be necessary. 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 and finalising our report. They may also need to be subject to a sustainability appraisal and/or habitats regulations assessment.

Additional modifications – these are changes which do not materially affect the policies in the Plan. They are made by the Boroughs when they adopt the Plan and are not a matter for the examination. They are sometimes referred to as minor modifications. They could include formatting or typographical changes, for example, where these do not materially affect the Plan's policies.

15. The Boroughs have suggested a series of changes to the Plan as set out in their Schedule of Proposed Minor Modifications (CD11). We will consider those changes and they may be discussed in the hearing sessions, but it is important to recognise that the basis for our examination is the submitted Plan, not including these suggested changes. We will only recommend changes to the submitted Plan if they are required to ensure it is sound and/or meets the relevant legal requirements.
16. We will also take account of any other potential main modifications suggested by the Boroughs 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

17. The Boroughs have prepared a Regulation 22 Consultation Statement (CD11) which includes details of the consultation that has taken place on the Plan, and their summary of the main issues raised in the representations.
18. 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

19. Based on our initial assessment, we have identified a number of matters, issues, and questions we want to explore. 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 which has been issued at the same time as this guidance note.

Hearing statements

20. The Boroughs should produce a statement for each matter responding to all the related issues and questions.
21. Other participants should only submit hearing statements on topics they made representations about. However, if you feel that your Regulation 19 representation adequately answers the issues and questions we have raised, there is no need to submit a hearing statement.
22. 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 matters, issues and questions are being answered;
 - only answer the specific matters, issues and questions which are of direct relevance to your original representation;
 - not introduce new evidence or arguments;
 - make clear cross-references to any other examination documents that might be relevant to the points being made.
23. 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. Any appendices attached should be clearly referenced in the body text of the hearing statement they relate to.
24. Because the Boroughs must answer every question, it may be justified to go over the limit of 3,000 words per matter in some cases.

25. Please email electronic versions of your statement(s) to the Programme Officer in Word or PDF format by **1700 on Friday 29 May 2026**. If you are unable to email your statement, please contact the Programme Officer so that alternative arrangements can be made.
26. 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.
27. 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

28. The National Planning Policy Framework (in paragraphs 24 to 28) states that local authorities should demonstrate effective and on-going joint working with neighbouring authorities and other prescribed bodies by preparing one or more statements of common ground.
29. It is also helpful for statements of common ground to be agreed between the Boroughs and other participants - for example, with other local planning authorities, 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 statements should be used to resolve these problems. Failing that they should define any remaining unresolved disagreements that could affect soundness and could be usefully explored further in hearing discussions.
30. If any further statements of common ground are to be prepared (including any updates to those referenced in appendix 1 of the Boroughs' Duty to Cooperate Statement of Compliance (document reference: cd09)) then they should, wherever possible, be completed by **1700 on Friday 29 May 2026**. They will be published as examination documents so that other representors are aware of their contents before the hearings. This should not preclude the Boroughs from continuing to engage on outstanding issues with other bodies, which may then result in further updates to existing statements of common ground if this would help the examination.

Examination hearing sessions

31. The hearings are an important part of the examination and will start at **1300 on 15 June 2026**. The hearings will be held at **the Council Chamber, Barking Town Hall, Town Hall Square, Barking IG11 7LU**. The draft programme for the hearings is being issued at the same time as this guidance note and will be on the examination webpage.

32. Each hearing session will consider a specific topic based on our matters, issues and questions. The hearing sessions will be run as structured discussion which we will lead. There will be no formal presentation of cases or cross-examination of participants.
33. It is important to point out that the hearing programme that we have published alongside this note is in draft and may be subject to change. This is because at the time of writing we are unaware of the amount of hearing statements that may be received, or how many people are likely to request to attend the hearing sessions, and which specific topics they may wish to speak about.
34. Anyone may attend a hearing as an observer, but only those who made a representation during the Regulation 19 consultation 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 **1700 on Friday 29 May 2026** indicating which session(s) in the published hearing programme you wish to take part in and which 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.
36. Participants may choose to be represented by someone else, for example a professional expert.
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.
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 Boroughs should limit the number of its representatives to those needed to deal with the topic under discussion.
39. 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.
40. 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 material submitted during the examination will not be accepted. Threatening or aggressive behaviour of any kind will not be tolerated.

Site visits

41. We will decide which sites and which parts of the Plan area we will visit to help us to 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 the necessary arrangements through the Programme Officer.

After the hearings

42. During the hearings we will let the Boroughs know about any changes to the Plan (main modifications) we think may be necessary. We may also write to the Boroughs after the hearings have ended, for example, if we are unable to reach conclusions in the hearings on the need for some main modifications.
43. The Boroughs 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.
44. We will then prepare a report for the Boroughs 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.

Close of the examination

45. The examination will close when our report is submitted to the Boroughs. The Boroughs must then decide whether to adopt the Plan. However, the Plan can only be adopted if it includes any changes we have recommended to make it sound and/or legally compliant.
46. The Boroughs 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.

Thea L Davis and G J Fort

INSPECTORS

Annex

Summary of the examination programme

1700 on Friday 29 May 2026 - Deadline for submission of statements of common ground

1700 on Friday 29 May 2026 - Deadline to confirm with the Programme Officer whether you wish to exercise your right to appear and be heard at an examination hearing session

1700 on Friday 29 May 2026 - Deadline for submission of hearing statements

1300 on Monday 15 June 2026 - Hearing sessions begin

Further sources of information

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

National planning policy and guidance

- the government's planning policy - [National Planning Policy Framework](#)
- the government's [National Planning Policy for Waste](#)
- the government's [Planning Practice Guidance](#)
- the government's planning practice guidance specifically on local plans - [Plan-making](#)

The Local Plan examination process and the role the Planning Inspectorate plays in that - [local plans and the examination process](#). This page includes:

- the Procedure Guide for Local Plan Examinations
- a short guide to taking part in local plan examinations

Relevant legislation – is 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)