

Minutes of the Over Hulton Neighbourhood Plan Informal Examiner Meeting

The meeting was held on Tuesday 15 October 2024 at 10:30am in Bolton Town Hall.

Attendees

- David Kaiserman (Examiner)
- Carolyne Bevis (Over Hulton Neighbourhood Forum)
- Diane Parkinson (Over Hulton Neighbourhood Forum)
- Jon Herbert (Planning Advisor to Over Hulton Neighbourhood Forum)
- Andrew Chalmers (Bolton Council)
- Thomas Godley (Bolton Council)
- Iona Macdonald (Bolton Council)
- Ian Morgan (Bolton Council)

One member of the public came to view proceedings (Nick Graham – Peel Land)

Agenda

1. Introductions
2. Any clarification required about the examiner's role in general or the scope and purpose of the meeting
3. Any questions about the "basic conditions" and the examiner's conclusions on this relating to the submitted OHNP
4. Any other matters which might help the Forum in particular to decide on the next steps

Purpose of Meeting

The meeting took the form of an informal discussion. DK (Examiner) explained that his statutory role was to assess whether the Plan satisfies certain "basic conditions" which must be met before it can proceed to a local referendum, and whether it is generally legally compliant. The meeting had been arranged to help the Forum understand why in his view the OHNP in its current form would not satisfy two of the five conditions.

The discussion was restricted to procedural issues. DK emphasised that he had not considered the detailed policies of the plan; he also explained that given the nature and scale of modifications to the Plan needed to satisfy the basic conditions, it would not be appropriate for him to suggest amendments of his own (and would in any event be beyond his brief).

Concerns Raised by Examiner

DK introduced the two [basic conditions](#) which he considers the plan did not presently meet:

1. Condition (a): that the plan should have proper regard to national policy and guidance

He did not suggest that the OHNP conflicted in any way with national planning policy; however, national guidance requires all plans to have a clear purpose: the fact that the

OHNP does not acknowledge the Hulton Park planning permissions, which are very significant, would cause users of the plan to question its purpose. It must take this permission into account, despite questions which some may have over its deliverability.

2. Condition (e): The plan must be in general conformity with the strategic policies in the development plan for the area.

The OHNP does not refer to Places for Everyone, which is the strategic development plan for nine Greater Manchester districts and was adopted in March 2024. It forms part of the development plan for Bolton and the OHNP is required to demonstrate that it is “in general conformity” with it. It was noted that Places for Everyone contains explicit policy support for the restoration of Hulton Park, including the development of a golf course.

Options for the Examiner

DK explained that he is required to recommend that the OHNP either be submitted to a local referendum; or that it should proceed to referendum, but as modified in the light of his recommendations; or that it not be permitted to proceed to referendum, on the grounds that it does not satisfy the basic conditions.

DK suggested that there are three options for the Forum:

1. ask for the examination to proceed, despite the risk that it is likely to find that the plan does not meet the basic conditions; or
2. ask for a suspension of the examination to allow the Forum to redraft the Plan in a way which meets the present concerns; or
3. withdraw the submitted plan from examination to consider the next steps. This would not preclude the submission of a revised plan at a later date.

DK asked that the Forum aim to reach a conclusion on their preferred way forward within about two months. All parties agreed that this was a reasonable timescale.

For informal guidance, DK added that it was often the case that neighbourhood plans were more complicated than they needed to be – the emphasis should be on seeing what could add real value to the various planning policies that were already in place.

Forum Response and Further Questions

DP (OHNF) - Stated that they had reviewed everything that had been sent by email. The Forum’s objective for today was to gain some clarity over their options and then go away and have a think; it has been a huge learning curve for them. It was clear that to go ahead with the existing plan was not an option and they would have to consider the scale of work and cost for the other options.

DP (OHNF) - Questioned that if they were to suspend the plan, how much time would that take?

- DK said that the extent of the work involved in rethinking the Plan in order to satisfy the two conditions should not be underestimated, and that it would

clearly mean a new round of public consultation. A long drawn-out process was not in anyone's interests.

- JH stated that it was clear what the possible options are and that the timeframe within which to decide on them was more than reasonable. A refocus of the plan would be very helpful, and if there are key areas that the community all wants to focus on then they will proceed in that direction, providing they choose to suspend.

CB (OHNF) - Questioned that if the forum was to resubmit the Neighbourhood Plan, how would it take into account any new changes in national policy? (The context being complicated by the recent national consultation on NPPF changes which is likely to result in significant changes soon, coupled with Bolton Council having approved commencement of its own Local Plan review on 14 October).

- DK responded that it was unrealistic for neighbourhood plans to keep fully up to date with the complexity of changing national policy and local plan reviews. Any examination would simply take into account the wider planning context as it stood at the time. He explained that the weight given to emerging local plan policies is limited at draft stage and especially where the plan has a long way to go, and policies and sites may change. It is not unusual for neighbourhood plans to be adopted while the local plan process is still underway. So, this should not be too much of an issue.

Conclusions and Next Steps

All parties found the session very helpful, and the Over Hulton Neighbourhood Forum and its consultant achieved clarity as to what their realistic options are and how they can proceed.

Bolton council will prepare a meeting note to be circulated to the examiner within 2 weeks for his clearance prior to publishing it on the council's examination website.

The Forum will reflect on the meeting and write to the examiner within two months setting out how it wishes to proceed and notes the general advice about perhaps simplifying the range of issues the plan could cover.