

## **Burwash Neighbourhood Development Plan**

### **Examiner's Note**

#### **Examination Arrangements**

To:

Julia Edwards                      Senior Planning Officer, Rother District Council

Emma Neil                          Clerk, Burwash Parish Council

#### ***Purpose of this Note***

This Note sets out the basis on which the examination of the neighbourhood plan will be undertaken. It has two principal purposes:

- to ensure that the process complies with the MHCLG/NPIERS Guidance for service users and examiners (April 2018); and
- to provide guidance for the two councils on the key stages of the examination.

#### ***General comments on the Plan itself and the examination process***

The examination process should be open and transparent to all interested parties. In this context I would be grateful if the District Council could publish this note on its website and any further examination documents which are produced during the process.

All communication during the examination will be with the District Council. It would be helpful if the Parish Council could channel all communication to me through the District Council, and that the District Council sends a copy of any correspondence with me to the Parish Council.

I have looked at the main submission documents. Subject to my later detailed assessment of the Plan I have not identified any obvious fundamental procedural flaws in the submission documents that would lead me to advise the examination should not begin.

The District Council has sent me a copy of the submitted Plan itself, and copies of each of the Regulation 16 representations submitted during the publicity period. I will access all the other documents from the District Council's website. I will take all this information into account during the examination together with any further information which arises during the process.

#### ***The examination route map***

Different examinations raise their own issues. Nevertheless, the examination of the Burwash Plan will have the following key stages:

##### ***Stage 1: Background Reading***

This involves reading the submitted Plan, its supporting documents and the various representations.

I have made a start on this stage of the examination. It will be completed later this week.

### *Stage 2: Visit to the neighbourhood area*

The visit provides me with an opportunity to look at specific issues and locations in the neighbourhood area. Plainly not every component of the Plan needs to be viewed on the visit. Nevertheless, it will be focused on the issues that have arisen either from the background reading and/or which are fundamental to the Plan.

The visit will be unaccompanied. I will not meet with representatives of the Parish Council, the District Council or any of the parties who have commented on the Plan. To do so would have the potential to affect the independence of the examination process.

I will visit the neighbourhood area in the week beginning 15 February 2021. It will take account of the Covid:19 restrictions and social distancing arrangements.

### *Stage 3: Clarification Note*

Shortly after the visit I will prepare a clarification note. It will raise a series of questions on the submitted Plan. The answers to the questions will help me to understand the Plan better and, where necessary, to recommend modifications to ensure it meets the basic conditions.

The clarification note will suggest a timescale for responses based on the issues it addresses. The timescale is usually two weeks. However, this is a matter which I am happy should proceed at whatever pace is determined locally. This acknowledges that work on neighbourhood plans is carried out by parish councils and individuals on a voluntary basis.

### *Stage 4: Decision about the need for a hearing*

The combination of the background reading, the unaccompanied visit and the responses to the clarification note will allow me to come to a view about the need or otherwise for a hearing as part of the examination process. The legislation anticipates that the vast majority of examinations can proceed by way of written representations and without a hearing.

If a hearing is required, I will make separate arrangements with you. In the current circumstances any hearing would take place electronically.

### *Stage 5: The Examination Report*

My report will be prepared throughout the examination period. Its general parts can be written early in the process. The elements of the report which overlap with the questions included in the clarification note will not be prepared until the responses to the note are received.

I will prepare a fact check report before the final report. This will give an opportunity for the Parish Council and the District Council to comment on any factual inaccuracies and/or omissions within the report. It will not present an opportunity for the examination to enter another phase.

***Other related matters****The examination timetable*

Plainly different neighbourhood plans address different issues. Neighbourhood plan examinations are inevitably linear and directly affected by the number of policies in the plan itself, the complexity of the representations received and the extent to which the submitted Plan meets the basic conditions.

In the case of the Burwash Plan I anticipate being able to send the fact check report in March 2021. Plainly this will depend on the timeliness of the responses to the clarification note.

*Contact arrangements*

My principal contact throughout the examination will be Julia Edwards at the District Council.

*Further details and any questions*

A guide to neighbourhood plan examinations can be found at:

<https://www.rics.org/globalassets/rics-website/media/upholding-professionalstandards/regulation/drs/drs-services/npiers-planning-guidance-to-serviceusers-and-examiners-rics.pdf>

Please let me know if you any questions relating to the examination process which are not otherwise addressed in this note.

Andrew Ashcroft

Independent Examiner

Burwash Neighbourhood Development Plan

8 February 2021