

## **Kelbrook and Sough Neighbourhood Development Plan**

### **Examination Arrangements**

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

This Note sets out the basis on which the examination of the neighbourhood plan will be undertaken. Its ambitions are two-fold:

- to comply with the MHCLG/NPIERS Guidance for service users and examiners (April 2018); and
- to provide guidance for the Parish Council on the key stages of the examination.

Based on an initial assessment of the submitted documents, there are no procedural matters which would otherwise prevent the examination from starting. On this basis, the remainder of this Note sets out the key stages of the examination.

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

The examination of the Kelbrook and Sough Plan will have the following the key stages:

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

This stage involves reading the submitted Plan, its supporting documents and the various representations. I will take all this information into account when preparing my report.

Stage 1 will take place next week.

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

The visit will provide 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 Borough 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 16 May 2022.

##### ***Stage 3: Clarification Note***

I will prepare a clarification note shortly after the visit. It will raise a series of questions for the Parish Council 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 to three 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.

In the event that a hearing is required, I will ask the Borough Council to make the necessary arrangements.

#### *Stage 5: The Examination Report*

The report will be prepared throughout the examination period. Its general parts can be written early in the process. The elements of the report that overlap with the clarification note will not be prepared until the responses to the note are received. These arrangements would also apply if a hearing was required.

I will prepare a fact check report before the final report. This will give an opportunity for the Parish Council and the Borough 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 timing of the examination*

Plainly different plans cover different issues. Their examinations are directly affected by the range of policies in the plan concerned and the number and complexity of the representations received.

In the case of the Kelbrook and Sough Plan, I anticipate being able to send the fact check report in the middle of June 2022. Plainly the anticipated programme may be affected by the timing of the responses to the clarification note and/or the organisation of any required hearing.

##### *Documents*

I have asked Pendle Borough Council to display all examination-related documents on its website.

##### *Contact arrangements*

My principal contact throughout the examination will be Jill Bailey at Pendle Borough Council. In most cases, I will ask the Borough Council to send documents to the Parish Council on my behalf.

Andrew Ashcroft

Independent Examiner

Kelbrook and Sough Neighbourhood Development Plan

6 May 2022