

Colne 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 Town 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 Colne 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.

I have started this stage of the examination with an initial focus on the submitted documents. I will then relate those documents to the representations received.

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 Town 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 January 2023.

Stage 3: Clarification Note

I will prepare a clarification note shortly after the visit. It will raise a series of questions for the Town 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 local 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 most examinations can proceed by way of written representations and without a hearing.

If 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 Town 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 Colne Plan, I anticipate being able to send the fact check report in February or March 2023. I will send an update to this timetable once I have read the representations received and visited the neighbourhood area (Stage 2). 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 Town Council on my behalf.

Andrew Ashcroft

Independent Examiner

Colne Neighbourhood Development Plan

21 December 2022