

**Lea Neighbourhood Plan and Neighbourhood Development Order
Independent Examination
Information Note from the Independent Examiner**

Further to my appointment to undertake the independent examinations of the above Neighbourhood Plan, this note aims to clarify how I will conduct the examination.

1. Communications

It is important that the examination process is open and transparent to all interested parties. Any correspondence (other than that relating to contractual matters) should be published on the local planning authority's website and the Parish Council's website in a timely manner.

I will address all correspondence to the local planning authority with the expectation that the local planning authority will pass on any correspondence to the Parish Council in a timely way.

It would be helpful if the Parish Council could channel all communication to me through the local planning authority.

It would be helpful if the local planning authority copies in the Parish Council when getting in touch with me about any matter (other than contractual matters or simple administrative issues).

If anyone else who is not the designated point of contact gets in touch with me direct, for example a local resident, I will refer them to the designated local planning authority contact.

2. Examination documents

I am grateful that a printed version of the Neighbourhood Plan, the Basic Conditions Statement, the Consultation Statement and representations have already been sent to me.

It would be helpful if the local planning authority could confirm the adopted development plan and any saved policies. In addition if there is an emerging development plan details of the stage reached and future programme would be appreciated. In both cases, please let me know how I can access the documents that you identify.

Most other documents I can access electronically either from the local planning authority's website or on the Parish Council website or any dedicated Neighbourhood Plan website. If I have any trouble finding or accessing any documents, I will let you know.

3. Independence

From my initial review of the Neighbourhood Plan documents it would appear that there are no conflicts of interest that would call into question my independent status. I will review this when I have received the representations and will tell you promptly if, at any stage of the examination, I feel I may have a potential conflict of interest.

4. Late representations

As a general rule of thumb I will not accept late or additional representations. The only time when I will consider accepting a representation submitted after the consultation period has ended is in those cases where there has been a material change in circumstances since the six week consultation period has ended. For example national planning policy changes or a judgement may be handed down from the Courts. In these circumstances anyone wishing to introduce new evidence should fully justify why and in the case of substantial documents indicate which parts of the document are relevant and why.

However, if a meeting or hearing is held, there may be further opportunities for comments to be made at my request to assist me in ensuring adequate examination of an issue.

5. Visit to the Plan area

After I have reviewed the Neighbourhood Plan documents I will make a visit to the Plan area and any sites subject of policies in the Plan. The visit will help me to understand the nature of the Plan and the representations. It will also help me decide if there are any issues to be clarified. I will undertake this visit on an unannounced and unaccompanied basis. If however, I feel it is essential to gain access onto private land then I will be in touch to seek permission to do that and at that point that visit may need to be accompanied by representatives of each party so as to discourage any appearance of bias.

6. Clarification procedures

I may at any time during the independent examinations seek written clarification of any matters that I consider necessary. I will direct any request for clarification to the local planning authority, but with the expectation that the local planning authority will pass on any such request to the Parish Council and that both Councils will work together in replying to any such queries. The usual time for response to any clarification queries is one to two weeks.

Any request for clarification and any response should be published on the relevant Council websites.

If I find that there are significant issues which may prevent the Plan meeting the basic conditions I will let you know during the course of the examinations so that options on how to proceed can be considered. Whilst this situation can usually be dealt with through an exchange of correspondence, if I consider it would be helpful to hold a meeting between the local planning authority, the Parish Council and I, I will suggest this and be in touch to make suitable arrangements. Any meeting will be held in public.

7. The need for a hearing

I am proceeding on the basis that these examinations can be conducted without the need for a hearing as this is the 'default' position. At any time before I issue my final report I may call a hearing if I consider this is necessary to ensure adequate examination of any issue or to allow a person a fair chance to put a case.

I have found that it is usually only towards the end of an examination that it will become clear whether it is necessary to hold a hearing or not. As soon as I have reached a decision about the need for any hearing I will be in touch to make suitable arrangements.

The period of notice for hearings is not prescribed, but typically 21 days notice is given.

8. Examination timetable

The main determinants of how long the examination will take are firstly the number and complexity of the policies, the clarity of supporting documentation and evidence and the number and nature of any representations.

9. The 'Fact Check' stage

A confidential draft of my reports will be send to the local planning authority and Parish Council to allow an opportunity both parties to check whether there are any factual errors. This is not an opportunity for further representations to be made to me. A period of a week is usually set aside for this purpose.

I usually find it helpful if the local planning authority collates its own comments with those of the Parish Council into a single response.

10. Procedural questions

I hope this information is helpful. If the local planning authority or Parish Council have any questions relating to the examination process, please do not hesitate to get in touch and I will do my best to answer any such queries.

Ann Skippers MRTPI
Independent Examiner
Director, Ann Skippers Planning