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Our ref: NEWBOLDNP-EXAMINERSNOTE-06042020
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Dear Newbold Verdon Neighbourhood Plan Group and Newbold Verdon Parish Council

Firstly, I hope you are well during these worrying times, and are staying safe. I am writing to inform you that we have received the first Examiners Note of 'High Level Findings' from the Independent Examiner for Newbold Verdon Neighbourhood Plan, Mr Andrew Ashcroft. This 'High Level Findings' note (attached) is the first formal note we have received from Mr Ashcroft during this Examination, however this is not the full Examiners Report, as explained later in this letter.

Mr Ashcroft has stated in his note that the Neighbourhood Plan provides "a clear vision for the neighbourhood area." Mr Ashcroft also highlighted that the plan is "thorough and comprehensive." He also praised the supporting documents, evidence base and the presentation of the document.

However, Mr Ashcroft has highlighted his concerns with the procedure followed during the development of the plan between May 2018 and Submission in January 2020, in particular the order in which the plan preparation and the Strategic Environmental Assessment (SEA) occurred. He notes that the events that occurred throughout the plans development were "out of sequence", in particular, the SEA screening and preparation of the SEA Environmental Report were completed after the Regulation 14 Pre-Submission consultation. Mr Ashcroft's concerns are that the plan has not been prepared and influenced by the SEA requirements. You will be aware the Borough Council raised similar concerns over the incorporation of the SEA in the development of the neighbourhood plan, and the timings of the SEA and consultation procedure.

If the plan was to continue through the rest of the Examination process, Mr Ashcroft has come to the conclusion that the plan would fail Basic Condition F, due to the reasons set out in his note. For reference, Basic Condition F is as follows: "*f. the making of the order (or neighbourhood plan) does not breach, and is otherwise compatible with, EU obligations*".

As a result of this he has suggested two different options for the Qualifying Body (the Parish Council) to consider, before he goes on to complete his full Examiners Report. I will elaborate on these two options below.

Option 1 is that the Parish Council withdraws the plan from Examination following the findings in the Examiners 'High Level Findings' note. This option allows the Parish Council to withdraw the plan out of the process and the Examination will not continue, ending Mr Ashcroft's work on the plan. In the event that the Parish Council withdrew the plan, but it wished to continue with the Neighbourhood Plan, such work would need to revert to the Pre-Submission (Regulation 14) phase of the Plan. If the Parish Council were to choose this option the Local Planning Authority are happy to advise on next steps and discuss how best to proceed.

Option 2 is that the Parish Council formally requests that the Examination continues, and for Mr Ashcroft to produce a full Examination Report, expanding on his 'High Level Findings' note. If Mr

Ashcroft was to produce the full Examiners Report, he would go through all of the policies and recommend modifications as required. Mr Ashcroft would then go on to discuss the basic conditions and procedure, and would recommend that the Borough Council does not allow the plan to advance to referendum as it does not meet the basic conditions. In these circumstances the Borough Council would then need to consider Mr Ashcroft's report and recommendations and come to its own view about the extent to which the Plan met the basic conditions. Following this the Borough Council would then publish their decision (Regulation's 12 and 13 of Schedule 4B of the Town and Country Planning Act 1990). This decision will outline whether the LPA agrees or disagrees with the Examiners conclusions, and the reasons for or against the plan proceeding to referendum.

Understandably you will be disappointed with the Independent Examiners findings, however the Examiner needs to know which of the two options outlined above you wish to pursue to determine if his work on the plans needs to continue.

Please can the Neighbourhood Plan Group and the Parish Council consider the contents of this letter and the Examiner's note and let the Borough Council know your decision so we can pass this on to Mr Ashcroft. We can then provide guidance on the next steps. If there are any questions in the meantime, please get in touch using the contact information at the top of this letter.

Yours sincerely



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