

INDEPENDENT EXAMINATION OF SOMERFORD NEIGHBOURHOOD PLAN

EXAMINER: Mary O'Rourke BA (Hons) DipTP MRTPI

Tom Evans
Neighbourhood Planning Manager
Cheshire East Council

Julie Mason
Clerk to Somerford Parish Council

Examination Ref: 01/ MOR/SNP

Via email: Tom.Evans@cheshireeast.gov.uk

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10 October 2017

Dear Mr Evans and Ms Mason

SOMERFORD NEIGHBOURHOOD PLAN EXAMINATION

Following the submission of the Somerford Neighbourhood Plan for examination, I would like to clarify several initial procedural matters.

1. Examination Documentation

I can confirm that I am satisfied that I have received a complete submission of the draft Plan and accompanying documentation, including the Basic Conditions Statement, the Consultation Statement and the Regulation 16 representations (subject to the comments below), to enable me to undertake the examination.

Subject to my detailed assessment of the draft plan, I have not at this initial stage identified any very significant and obvious flaws in the plan itself that might lead me to advise that the examination should not proceed.

However, in response to the Cheshire East email of 27 September and mindful of the requirements of Regulation 16(a) of the Neighbourhood Planning (General) Regulations 2012, I do have serious concerns about the delay in the Council's automatic notifications from its online consultation system. This meant that those notified had only three days to respond before the consultation closed, and I consider that there was substantial prejudice as a result of this. I appreciate that the consultation was publicised elsewhere but those who signed up for updates would not have been looking elsewhere for information as they reasonably would have expected to be directly notified of the Regulation 16 consultation on the Plan. To remedy this prejudice, the Council should carry out a further period of consultation, indicating that I would be most grateful to receive any further comments within the next 3 weeks but if it was not possible to meet that deadline, to advise me at their earliest convenience as to when representations would be made. It should be made clear in the re-notification that representations already made will be considered as part of the examination.

2. Site Visit

I intend to undertake a site visit to the neighbourhood plan area during the week commencing 9 October 2017. This will assist in my assessment of the draft Plan, including the issues identified in the representations.

The site visit will be undertaken unaccompanied. It is very important that I am not approached to discuss any aspects of the Plan or the neighbourhood area, as this may be perceived to prejudice my independence and risk compromising the fairness of the examination process.

3. Written Representations

At this stage, I consider the examination can be conducted solely by the written representations procedure, without the need for a hearing. However, I will reserve the option to convene a hearing should a matter(s) come to light where I consider that a hearing is necessary to ensure the adequate examination of an issue, or to ensure that a person has a fair chance to put a case.

4. Further Clarification

I may have a number of questions seeking clarification on various matters, which I will wish to put to the Somerford Parish Council and/or Cheshire East Council. If this is necessary, I will set the questions out in a separate letter.

5. Examination Timetable

As you will be aware, the intention is to examine the plan (including conduct of the site visit) with a view to providing a draft report (for 'fact checking') within 4-6 weeks of submission of the draft plan. However, in view of my request for additional consultation to be carried out, the examination timetable will be extended. Please be assured that I will seek to mitigate any delay as far as is practicable. The IPE office team will seek to keep you updated on the anticipated delivery date of the draft report.

If you or the qualifying body have any process questions related to the conduct of the examination, which you would like me to address, please do not hesitate to contact the office team in the first instance.

In the interests of transparency, may I prevail upon you to ensure a copy of this is placed on the local authority's and Parish Council's websites.

Thank you in advance for your assistance.

Your sincerely

Mary O'Rourke

Examiner