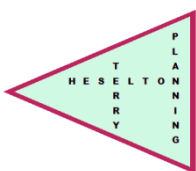


Independent Examination of the Roecliffe and Westwick Neighbourhood Plan

Examination Procedure Note

Terry Raymond Heselton BA (Hons), Dip TP, MRTPI

Independent Examiner



Terry Heselton Planning

28 January 2021

I have been appointed by Harrogate Borough Council, with the consent of Roecliffe and Westwick Parish Council, to undertake the independent examination of the Roecliffe and Westwick Neighbourhood Development Plan.

My role is to determine whether the Plan meets the 'basic conditions' and other legal requirements, and to recommend whether or not the Plan should proceed to referendum, with or without modifications.

The independent examination will formally commence on Monday 08 February 2021, and will be undertaken in accordance with the guidance to service users and examiners published by NPIERS¹.

1 Examination Documents

I have received hard copies of the following Submission Plan documents

- Roecliffe and Westwick Neighbourhood Development Plan (Submission Draft)
- Consultation Statement (November 2019)
- Basic Conditions Statement (January 2020) incorporating a Strategic Environmental Assessment and Habitats Regulations Assessment Screening Report (January 2020)
- Boundary Map of the Roecliffe and Westcliffe Neighbourhood Area.

I have also been provided with a copy of the current development plan for the area, namely the adopted Harrogate District Local Plan (2014-2035), and I have access to a number of digital evidence files which were published as part of the Regulation 16 Publicity.

Should I require hard copies of other evidence documents which I cannot access electronically, I will notify Harrogate Borough Council during the course of the examination.

2 Representations

The Regulation 16 Publicity period closed at 4.30 pm on Friday 15 January 2021 and valid representations submitted during the Publicity period will be considered as part of the examination. I have requested Harrogate Borough Council to provide me with a copy of all valid representations received during the Publicity period and in the interests of openness and transparency to publish these on their website.

In line with NPIERS guidance I am also providing Roecliffe and Westwick Parish Council the opportunity to comment on any representations submitted by other parties at the Regulation 16 Publicity stage, provided such comments do not include new evidence. However I emphasise that there is no obligation on them to make any comments should they not wish to do so.

¹ Neighbourhood Planning Independent Examiner Referral Service.

If I do not receive any comments from the Parish Council (forwarded to me via Harrogate Borough Council) within 10 working days from the start of the examination I will assume the Parish Council do not wish to offer any comments and continue with the examination. Any comments submitted by the Parish Council should be published on Harrogate Borough Council's website.

3 Late Representations

The general rule in development plan examinations and inquiries is not to accept late or additional representations unless there exceptional circumstances such as a material change in circumstances since the close of the Publicity period.

4 The Need for a Hearing

The default position is for examination of the issues to be undertaken through consideration of written representations, unless the examiner considers that a public hearing is necessary to ensure adequate examination of an issue (or issues) or to ensure that a person has a fair chance to put a case.

Based on an initial high-level assessment of the relevant documentation, including the Regulation 16 responses, I will provide a preliminary opinion as to whether the examination is to be solely by way of written representations or whether a hearing will be required.

However if I decide to proceed with the examination by way of written representations I will keep the need for a hearing under review as the examination progresses and advise you further should it be necessary to arrange a hearing.

5 Visit to the Plan Area

I intend as part of the examination to visit the neighbourhood plan area in order to better understand the nature of the Plan and the neighbourhood area, including issues raised through representations. This will be undertaken unaccompanied to ensure impartiality unless I require access to private land in which case I will contact Harrogate Borough Council in advance to arrange an accompanied visit.

However before visiting the area I will review how and when this may be undertaken in the light of any travel restrictions and social distancing requirements in operation at the time as a result of the Coronavirus pandemic, particularly if it is necessary to hold an accompanied site visit.

6 Communication during the Examination

During the course of the examination I will direct any questions or points of clarification which arise to my single point of contact at Harrogate Borough Council, Liz Payne, who may in certain circumstances need to consult Roecliffe and Westwick Parish Council in order to provide a fully considered written

response. It would be helpful if all communication/responses from the Parish Council could be directed to me via the Borough Council. In the interests of impartiality I would request that no other party attempts to contact me direct.

7 'Fact Checking' stage

On completion of the examination I will send a confidential draft of my report to Harrogate Borough Council to check whether there are any factual errors such as dates, sequence of events, names and so on.

The fact check should be undertaken in consultation with Roecliffe and Westwick Parish Council, and I emphasise that this is not an opportunity to make further representations.

I would request the Borough Council to provide a co-ordinated response. Ten working days are normally considered sufficient for this process.

I will endeavour to issue my final report within 5 working days of the receipt of any identified factual errors.

8 Openness and Transparency

It is important that the examination process is open and transparent to all interested parties and that relevant documentation and correspondence is placed in the public domain. I therefore request that this note and future correspondence between myself and Harrogate Borough Council concerning the examination, including any requests for clarification on specific points and the Council's response, should be published on the Council's website.

If further clarification is required about the examination process I would be pleased to address questions raised by any of the parties with a direct interest in the examination.

Terry Heselton BA(Hons), Dip TP, MTRPI

Independent Examiner

28 January 2021