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Dear Mr. Cardnell,

Buckland Newton Neighbourhood Plan Examination

I write to you in connection with the above examination. I have made good progress with the examination, but various matters have arisen which require me to write to you in this way.

The first matter is that a number of representations have been made at Regulation 16 submission stage expressing concern about process including issues around transparency, openness and conflicts of interest. Many of the concerns expressed relate to the numbers of houses and sites selected. These are matters which I consider fall outside my remit as Examiner. However, I consider it is necessary for me to draw your attention to these concerns about the process and conduct of Working Group members and to ask you to consider whether these concerns should be subject of an investigation by West Dorset District Council and to take any action deemed necessary.

The second matter is in relation to the consultation that has taken place. You will be aware that the Neighbourhood Planning (General) Regulations 2012 indicate that a consultation statement must be submitted and that means a document that:

- contains details of the persons and bodies who were consulted about the proposed neighbourhood development plan;
- explains how they were consulted;
- summarises the main issues and concerns raised by the persons consulted; and
- describes how these issues and concerns have been considered and, where relevant, addressed in the proposed neighbourhood development plan.

A series of documents have been submitted which include the Consultation Summary that in turn refers to a number of separate documents. Some of these are included with the submission documents, but seem to be called different names?

The “Statutory Public Consultation on draft plan May- July 2015 Comments received by Policy” seems to summarise the main comments received at Regulation 14 stage, but does not describe how those issues have been considered.

The “Statutory Public Consultation on draft plan May- July 2015 Responses to comments received” appears to relate to the further period of consultation during 18 September to 31 October 2015.

I am uncertain whether the submitted documents include a consultation statement that accords with the Regulations referred to above. Furthermore it is not clear to me what the 18 September to 31 October 2015 period of consultation related to and whether this was the whole draft Plan or only the changes referred to in the Consultation Summary. If the further period of consultation was on the whole Plan why is this not regarded as the Regulation 14 consultation?

I am sure that you will appreciate it is necessary to be sure that the Regulation 14 period of consultation has been carried out in accordance with the relevant Regulations i.e. a period of six weeks on a complete draft plan without any options in it and that the submitted documents meet the requirements of the Regulations.

The third matter is some dispute about land ownership on what is described in the Plan as the 'Hountwell Pump'; this type of issue should ideally be resolved before the Plan reaches these latter stages.

I have also sent a list of what I term 'clarification questions' on matters of fact which you have already kindly responded to.

Unfortunately, the three matters above lead me to ask you to consider suspending the examination or withdrawing the Plan from examination to enable a full consideration of these matters to take place. In these particular circumstances my preference is for the Plan to be withdrawn.

Once the Council has decided on the proper course of action it wishes to take, please let me know how you wish to proceed.

I should of course point out that if the Plan is withdrawn from examination, there is no requirement to reappoint me again as the Examiner should the Plan then be submitted again for examination. Likewise there would be no requirement for me to accept any offer of appointment. The examination would start afresh. Although of course if the Plan remains the same or is similar to the submission version now, I have already progressed the examination to a certain point. If you wish to suspend the examination until investigations into both matters have been carried out, then I would re-start the examination on your further instruction to do so.

In either scenario, it would not be appropriate for me to share any of my considerations to date on the Plan and its policies with you or the Parish Council as this would fetter my further consideration of the Plan or that of another Examiner.

I look forward to hearing from you in due course.

Yours sincerely

Ann Skippers

Ann Skippers
Director

via email to Nick Cardnell, Senior Planning Officer – Planning (Community & Policy Development), West Dorset District Council