

BRIEFING NOTE – BEAUDESERT & HENLEY IN ARDEN NEIGHBOURHOOD DEVELOPMENT PLAN – 21.01.2019

The Clerk met with Matthew Neal, SDC, to discuss the NDP Legal processes, which are all statutory provisions and cannot be missed off.

As at the current time the Strategic Environmental Assessment (SEA) process is underway and the NDP needs to include a report by a consultant (Lepus Consulting, who have been instructed by SDC and they have also paid the fee). This includes a five-week consultation period with Historic England, Natural England and the Environment Agency.

The next stage is to go to the Regulation 14 Consultation (pre-submission), and the Clerk has met with David Jackson (DJ), the Chair of the NDP Steering Group to manage this process. It is further complicated because of the purdah period which is approaching due to the Elections in May. The cut off date if the JPC wishes to commence the Regulation 14 Consultation would be 4th February to meet the deadline in March, which includes the six-week consultation period. If the JPC decided not to commence the Regulation 14 Consultation process, it would have to wait until after the May Elections. I am looking for approval (or not) to commence the Regulation 14 Consultation.

Following the meeting with DJ, it was agreed that it would be possible to commence the Regulation 14 Consultation within the timeframe prior to 4th February and the NDP and all of the Reports (supporting documents, appendices and any other evidence) could be sent to all of the relevant PC's, Councillors and a generic list of over 120 consultees, such as Birmingham Airport and the Canal and River Trust. It is the responsibility of the JPC to administer this process.

Following receipt of all the comments to the Consultation, the JPC then needs to collate all the responses and write a Report. The NDP Steering Group/JPC need to evaluate the responses to the Consultation and make any amendments necessary. Any representations on the NDP made by SDC need to be endorsed by members and need to be reported to Cabinet before formal issue to the JPC.

The next process is for the NDP Steering Group/JPC to produce a Basic Conditions Statement and Consultation Statement which are necessary to accompany the NDP and all the Reports etc., to the Regulation 16 Consultation.

Note: Neil Pearce, Avon Planning has templates of the Basic Conditions and Consultation Statements and he is the only known specialist in NDP's in the Stratford Area, according to SDC. I know that some of you have had issues

dealing with Neil in the past, however, I believe that a good deal of the problems were due to timing and following a conversation that I have had recently with Neil he has advised me that he has now taken on more staff (who happens to be a lady that I know as well) and he also intends to employ an additional qualified planner to help him manage his workload. This, together with the fact that it will be only me liaising with Neil and I will be managing the timescales with him and he is the only known specialist in NDP's in the Stratford area and he already has the templates, suggests that there is not an awful lot of choice out there.

The JPC does need to employ a consultant to assist in managing the legal processes and to gain his/her expertise in planning, the Core Strategy and the NPPF, including the most recent changes (July 2018) to the amended policy.

Given all the above, I will be looking for approval (or not) to engage Neil Pearce. Neil charges £60 ph. Unfortunately, it is not possible to give you a definitive idea of how much Avon Planning will charge because there are a number of variables to take into consideration, such as whether he fills in the templates on our behalf – there are three to complete - how much time it will take to ensure that The NDP Steering Group/JPC has met all of the legal requirements and all of the supporting documents/evidence, together with the NDP itself, meet all of the statutory requirements.

If you would like any further information, please do not hesitate to either email me or ring me on 01926 814491.

Gill Peacock

Clerk