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Dear Astrid and Richard,

Examination of the Eynsham Neighbourhood Plan

Following on from the clarification meeting held today in Eynsham about the Neighbourhood Plan (NP), I felt it would be useful to write setting out the options available to the Parish Council and to do so quickly given I understand the Parish Council has a meeting tomorrow.

First of all I would like to thank you both very much on behalf of your respective Councils for ensuring the meeting was organised well and ran smoothly.

I am most grateful for the assistance given and courtesy extended to me from everyone participating around the table in addressing the points on the previously published agenda. Notes of the meeting will be made available on the websites of both Councils in due course.

In the interim period, I would like to confirm the options open to the Parish Council as I see them following on from today's meeting. There may be others to consider too and it might be useful for independent advice to be sought.

As I indicated at the meeting, in many respects the NP is ambitious and innovative in its approach. In some areas/policies though, there is a lack of clarity and precision needed for planning policies.

As you know my role as independent examiner is limited to making a recommendation as to whether the NP can proceed to referendum, can proceed to referendum subject to modifications (which are not binding) or should not proceed as it does not meet the requisite legislative and regulatory requirements. I am mindful that many of those involved in neighbourhood planning have spent a great deal of time and effort on their NPs and that modifications can come as a significant disappointment. I would therefore, as far as possible, like to ensure the Parish Council is comfortable with the way forward.

The options for the Parish Council seem to be:

1. Allow the examination to continue which may mean that if I conclude the NP can progress to referendum, it can only do so subject to a series of modifications including some deletion of, what seem to me, to be key policies. It should be noted that I may also have some additional queries and questions and I cannot, at this stage, say whether a hearing would be needed or not should I continue with the examination. I would however seek to continue with the examination in a timely manner.

In this scenario, if the Parish Council felt unable to support the recommended modifications and did not want the NP to progress on that basis, it would have the option of withdrawing the NP before the District Council made any decision on the examiner's report.

Alternatively, the Parish Council could ask the District Council to progress the NP to referendum, but then undertake an early review of the NP, perhaps tying in with progress and hopefully more certainty on the Local Plan later next year.

Of course the District Council may or may not agree my modifications and will take a decision on whether to progress the NP on receipt of my report. Consultation may also need to be undertaken again and sometimes re-examination if new or different modifications to those I put forward are agreed between the Councils. There is more information about this on the Planning Practice Guidance website.

2. Withdraw the NP from examination to allow the Parish Council to reconsider and rework/rewrite some of the policies in the NP; this would require new periods of Regulation 14 and Regulation 16 consultation, but often these stages can be executed quite quickly given the Plan is being revised with a view to reaching examination stage again as quickly as possible. This option puts the ball in the Parish Council to reconsider some of its policies and gives the opportunity to work with the District Council as much as possible on any revisions if desired.
3. Pause the examination to await the outcome of the emerging Local Plan to give the NP more certainty and then rework/rewrite some of the policies to reflect what will be a more certain Local Plan scenario; this would also mean that new periods of consultation would be required for the NP.

I confirm I will not undertake any further work on the examination until I hear back from you as to the preferred way forward.

This letter is a matter of public record and should be placed on the Council's websites.

Yours sincerely

Ann Skippers

Ann Skippers MRTPI
Director

via email to Astrid Harvey, Community Planning Officer for West Oxfordshire & Cotswold District Councils and Richard Andrews, Eynsham Parish Council (via Astrid Harvey)