

Selsey Neighbourhood Plan

Submission Version

Final Report of the Independent Examiner

Prepared by

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Introduction

1. I was formally appointed by Chichester District Council in July 2015, with the agreement of the Town Council, to conduct the examination of the Selsey Neighbourhood Development Plan. My role is known as Independent Examiner. My selection has been facilitated by the Neighbourhood Planning Independent Examiner Referral Service which is administered by the Royal Institute of Chartered Surveyors (RICS)
2. In order for me to be appointed to this role, I am required to be appropriately experienced and qualified. I have over 37 years' experience as a planning practitioner, primarily working in local government, which included 8 years as a Head of Planning at a large unitary authority on the south coast, but latterly as an independent planning consultant. I am a Chartered Town Planner and a member of the Royal Town Planning Institute. I am independent of both Chichester District Council and Selsey Town Council and I can confirm that I have no interest in any land that is affected by the Neighbourhood Plan.

Preliminary Findings

3. Following my initial consideration of the Plan I decided that it would assist my examination of the Plan to hold a Public Hearing rather than the normal route of considering written representations. In particular, I wanted to receive representations on a number of issues which I set out in a document entitled "Initial Comments of the Independent Examiner", which I issued on 2nd September 2015. This was followed up with an invitation to the Hearing which set out the questions I specifically wished to see discussed as well as setting out the way the hearing would be carried out. That was issued on 7th October 2015. In the meantime, the Town Council responded by email to the points I had initially made on 12th October 2015.
4. The Hearing took place on 18th November 2015 and produced a really useful discussion, during the course of which I expressed my doubts that I would be in a position to recommend that the Plan met Basic Conditions and that I concluded that the extent of any alterations required would be beyond the scope of my role as Independent Examiner. It was suggested at the Hearing that it would be helpful if I were to articulate in writing, the reasons why I was coming to that conclusion. The Town Council representatives specifically requested that I should not publish a recommendation that the Plan should not go forward to referendum, without the Town Council as a whole first having an opportunity to consider whether they wished the Plan to go forward in its current form.
5. I agreed to this somewhat unusual approach and accordingly I issued, on 7th December 2015, my Interim Conclusions which explained why I was concluding that the Plan should not proceed to referendum and offered the

alternative option to publishing that recommendation the possibility of the Town Council deciding to withdraw the current version of the Neighbourhood Plan.

The Town Council's Position

6. I have now been advised by Chichester District Council that Selsey Town Council had considered the matter and in particular my report, at a meeting held on 18th February 2016 and it passed the following resolution: -
“Notify the Examiner that Selsey is withdrawing the current submission draft of the Plan. Using the Examiner’s comments and CDC suggested edits as a guide and with CDC officer support, re-write the current Plan with a clearly defined section on policies and an appendix containing the consultation history and aspirational design guidance and principles. Seek further funding as available. Take the revised Plan back out to pre-submission consultation using the Communications Strategy to reach the widest possible audience.”, be taken ensuring full use of free of charge assistance from CDC officers, that applications for additional grant funding be submitted to all appropriate third parties, including those already identified by the Clerk and that a maximum spend of £3500 be set from STC’s own resources.”

The Legal Position

7. Under the terms of Schedule 10 of the Localism Act, my examiner’s report must recommend that either the plan goes to referendum, the plan goes to referendum, if modified or should not go forward to referendum.
8. However, following the decision of the Town Council to withdraw the current version of the Plan, then there is now no plan now before me, upon which I need to make the final recommendation upon.

Concluding Remarks

9. I am pleased that the Town Council does not propose to abandon their Neighbourhood Plan and I hope that the comments set out in my preliminary conclusions will assist the Town Council with the preparation of a new document to consult on. I am sure that the offer of assistance from Chichester Planning Department will also help avoid some of the shortcomings of the original version of the Plan.
10. Following the decision of the Town Council to withdraw the Plan I now formally draw the examination to a close.

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