

**Strategic Planning,
Sustainability and
Transportation Committee**

12 July 2016

Is the final decision on the recommendations in this report to be made at this meeting?

Yes

**Staplehurst and Headcorn Neighbourhood Plan
Examinations Update**

Final Decision-Maker	Strategic Planning, Sustainability and Transportation Committee
Lead Head of Service	Rob Jarman, Head of Planning & Development
Lead Officer and Report Author	Cheryl Parks, Project Manager, Local Plan
Classification	Public
Wards affected	Staplehurst, Headcorn

This report makes the following recommendations to this Committee:

1. That the Committee notes the progress made in relation to the re-examination of the Neighbourhood Development Plans of both Staplehurst and Headcorn

This report relates to the following corporate priorities:

- Keeping Maidstone Borough an attractive place for all -
- Securing a successful economy for Maidstone Borough -

Timetable

Meeting	Date
Strategic Planning, Sustainability and Transportation Committee	12 July 2016

Staplehurst and Headcorn Neighbourhood Plan Examinations Update

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 This report updates the current position in relation to the re-examination of the Neighbourhood Development Plans of both Staplehurst and Headcorn, as requested by this Committee at its meeting of 14 June 2016.

2. INTRODUCTION AND BACKGROUND

- 2.1 At its meeting of 14 June 2016 this Committee considered a report relating to issues experienced with the examinations of both the aforementioned Neighbourhood Development Plans.
- 2.2 Having noted the officer's report and discussed the position as reported, the Committee resolved to request a further update from officers at the next meeting of the Committee.
- 2.3 Since the last meeting considerable progress has been made in relation to both plans and this is set out in this report.

Staplehurst:

- 2.4 Because delays had been experienced in seeking candidate examiners from the Council's preferred provider, NPIERS, an alternate provider, Intelligent Plans, had been approached. Having discussed the Council's requirements, Intelligent Plans were able to provide a candidate examiner for consideration.
- 2.5 NPIERS also provided a further candidate following the Council's concern about the previously supplied examiner, Mr Lockhart-Mummery, as set out in the June Committee report.
- 2.6 Staplehurst Parish Council was therefore presented with a choice of two candidate examiners, the first from Intelligent Plans (Mr Derek Stebbing) and the second from NPIERS (Mr Jeremy Edge). Following consideration of the merits of each examiner, the Parish Council requested that Mr Derek Stebbing be appointed.
- 2.7 Officers' view was that both the candidate examiners would be suitable and so Mr Stebbing was formally appointed to carry out a new examination of the Staplehurst Neighbourhood Development Plan, and commenced the examination starting 15 June.
- 2.8 It is understood that as part of the examination process Mr Stebbing carried out an unaccompanied site visit to Staplehurst in the week commencing 20

June 2016. At the time of writing, officers have heard nothing further from the examiner, and await his findings in due course.

Headcorn:

- 2.9 Both Mr Derek Stebbing and Mr Jeremy Edge were also suggested to carry out the re-examination of the Headcorn Neighbourhood Development Plan.
- 2.10 Headcorn Parish Council had been keen for Mr Lockhart-Mummery to undertake the examination, but accepted the Council's decision in regard to his perceived conflict of interest. Having considered both suggested examiners the Parish Council expressed a preference for Mr Jeremy Edge to carry out the new examination.
- 2.11 Mr Edge was keen to explain that he had no direct conflicts of interest, but that he had represented Gladmans on Community Infrastructure Levy matters in a different part of the country several years ago. (Gladmans had made representations to the Headcorn Neighbourhood Plan consultation at Regulation 16). It was felt that this would not impede a transparent examination of the Neighbourhood Plan, and so Mr Edge has been appointed to examine the Headcorn plan with the agreement of the Parish Council.
- 2.12 Because of existing commitments relating to other plan examinations, Mr Edge has indicated that he will be unable to start immediately, but will commence the examination towards the end of July 2016. Whilst frustrating for the Parish Council, it will be unlikely that another examiner could be found that could start any sooner than Mr Edge.
- 2.13 Both appointed examiners are aware of the position in regard to the previous incomplete examinations and are also aware of the examiner's interim reports published on the Council's website. Both will undertake initial examination of the plans and supporting documentation on their own merits and as consulted on at Regulation 16, before any consideration of the previous examiner's interim conclusions.
- 2.14 Consultees who made representations to the consultations on both plans have been notified in writing of the current situation and of the appointment of new examiners.
- 2.15 In due course, the outcomes of the new examinations will be notified to consultees, and reported to this Committee. In the interim, continued support will be provided to both Parish Councils including updating them on progress with the examination process.

3. AVAILABLE OPTIONS

- 3.1 The Committee is asked to note the content of this report.
- 3.2 A further written update could be requested by the Committee. However, it is felt that the matter is now in hand and can next be reported according to the agreed protocols and once the examiners findings are available for each Neighbourhood Development Plan.

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 The Committee is recommended to note this report and await the examiners' findings on each of the Neighbourhood Development Plans in due course.
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5. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 5.1 Following receipt of the examiners' findings, a report will be produced for each Neighbourhood Development Plan setting out the recommended next steps.
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6. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	A Neighbourhood Development Plan, once made, will be part of the Development Plan for the borough, directly impacting on the Corporate Priorities through the determination of planning applications in the plan area.	Rob Jarman, Head of Planning and Development
Risk Management	There is reputational risk to the Borough Council relating to this report. Whilst officers have endeavoured to work proactively with both Parish Councils, there is still a view that some fault lies with the Borough Council, which is not the case. The view externally, in both Parishes but more strongly evident in Headcorn is that the Borough Council is actively delaying Neighbourhood Plans in order to give greater priority to the Local Plan and to push through higher housing numbers for rural settlements. This is refuted in the strongest terms.	Rob Jarman, Head of Planning and Development
Financial	There were costs related to the original failed examinations. The proposed new examinations described here will involve	Director of Finance & Business Improvement

	further costs.	
Staffing	There are no staffing implications relating to this report and its recommendations.	Rob Jarman, Head of Planning and Development
Legal	Statute sets out the procedures to be followed with regard to Neighbourhood Planning. The Borough Council is obliged to follow statutory requirements, which it has done.	Kate Jardine, Team Leader (Planning), Mid Kent Legal Services
Equality Impact Needs Assessment	The needs of different groups are considered throughout the development of the plans.	Anna Collier, Policy & Information Manager
Environmental/Sustainable Development	Plans must have regard to sustainability and the natural environment including heritage assets as part of their policies. An assessment for the need for Strategic Environmental Assessment is carried out at an early stage and repeated at key stages of the plans development.	Rob Jarman, Head of Planning and Development
Community Safety	N/A	Rob Jarman, Head of Planning and Development
Human Rights Act	N/A	Rob Jarman, Head of Planning and Development
Procurement	There are no particular procurement requirements or considerations that are not already in place at this stage.	Rob Jarman, Head of Planning and Development & Paul Riley, Section 151 Officer
Asset Management	N/A	Rob Jarman, Head of Planning and Development

7. REPORT APPENDICES

There are none

8. BACKGROUND PAPERS

There are none
