By email:
Sandra Mitcham
Clerk to Higham Ferrers Town Council
clerk@highamferrers-tc.gov.uk

Please ask for Tel Our Ref. Your Ref. Date:
Michael Burton 01 32 742221 MB HFNP-Reg16 15 June 2015

Dear Sandra


write to you on behalf of East Northamptonshire Council ENC to confirm our receipt of the submission version of your draft neighbourhood development plan the Higham Ferrers Neighbourhood Plan, along with accompanying supporting documentation. Firstly, would like to wholeheartedly congratulate your neighbourhood planning group on successfully reaching the submission stage in the neighbourhood planning process.

As you may be aware, under Paragraphs 5 and 6 of Schedule 4B of the Town and Country Planning Act TCPA 1990 there is now a requirement for ENC, as the local planning authority, to undertake a check of the compliance of the plan along with its process to date. The relevant legal tests are set out in the 1990 TCPA and relevant sections of the Planning and Compulsory Purchase Act PCPA 2004. It is then an obligation of the local planning authority to issue a written statement clarifying the compliance or otherwise of the plan. Accordingly, this letter comprises the formal view of ENC and recommends whether it should be made available for independent examination.

At this stage it is not a duty of the local planning authority to consider the plan proposal against the basic conditions tests set out under Paragraph 2 of the TCPA 1990 this is the role of the independent examiner. However, for the purposes of added certainty and as a result of our close working with Higham Ferrers Town Council throughout the plan making process, can confirm that ENC is comfortable that the Higham Ferrers Neighbourhood Plan accords with all relevant national and local strategic policy as well as relevant E obligations.

note that your submissions include the Basic Conditions Statement, which provides your detailed consideration of the plan submission against the requirements of the TCPA 1990 and the PCPA 2004. In a similar manner, am pleased to confirm the following on behalf of ENC:

The plan accords with all relevant provisions of the PCPA 2004 in that it: specifies a plan period does not include any provision for excluded development and does not relate to more than one neighbourhood area
The plan NOT comprise a repeat proposal as defined under Paragraph 5 of the TCPA 1990
The plan HAS been prepared by a qualifying body Higham Ferrers Town Council who are authorised to deliver a neighbourhood plan
The submission comprise the relevant documentation required under Paragraph 1 of Schedule 4B of the TCPA 1990 and as prescribed by Regulation 15 of the Neighbourhood Planning General Regulations 2012 the Regulations

Council for the District of East Northamptonshire
The statutory consultation undertaken to date DOES comply with the requirements and regulations set out under Paragraph 4 of the TCPA 1990 and as prescribed by Regulation 14 of the Regulations and
The plan DOES comply with all other provisions under section 61E 2, 61J and 61L of the TCPA 1990.

The Higham Ferrers Neighbourhood Plan will now be publicised under Regulation 16 of the Regulations with a view to then making the plan available for independent examination.

ENC is now required to publicise the Higham Ferrers Neighbourhood Plan along with details of how to make representations to it on our website for a minimum of 6 weeks. Provisionally, we are looking to undertake the consultation over the period Friday, 3 July – Monday, 17 August 2015 inclusive. Alongside this we may contact you to consider the ways in which the Town Council can assist in publicising the plan and the current consultation to ensure as a local authority we fulfil the spirit of the regulations and the Statement of Community Involvement. Furthermore, in due course we will need to discuss further with the Town Council the appointment of an examiner along with the arrangements for the examination itself.

Finally, on behalf of ENC this letter represents my formal view that the draft Higham Ferrers Neighbourhood Plan, as submitted, complies with all of the relevant statutory requirements. Please do not hesitate to contact me if you have any further queries regarding the neighbourhood planning process from hereon.

Yours sincerely

Michael Burton
Senior Planning Policy Officer