

# **Acton Neighbourhood Plan (2022 – 2037)**

## **Independent Examination Correspondence Document**

**First published: 8 December 2023**

**Last updated: 8 December 2023**

### **Introduction**

This document will provide a written record of all relevant correspondence between the Examiner (Janet Cheesley), Acton Parish Council (the Qualifying Body or 'QB'), and Babergh District Council during examination of the Acton Neighbourhood Plan.

As required, specific documents will continue to be published on our Acton webpage:

<https://www.babergh.gov.uk/w/acton-neighbourhood-plan>

### **Copies of e-mails / letters etc. appearing on the following pages:**

- 1. E from Examiner dated 8 Dec 2023: Examination start, procedures, and questions for clarification.**
- 2. E to Examiner dated 8 Dec 2023: Responses to questions for clarification**

**1. E from Examiner dated 8 Dec 2023: Examination start, procedures, and questions for clarification.**

**Dated:** 8 December 2023  
**From:** Janet Cheesley  
**To:** Paul Bryant (BMSDC), Caileigh Gorzelak (BMSDC), Lee Adams (Chairman NP Steering Group), Graham Round (Chair Acton Parish Council), Anita Coe (Vice Chair NP Steering Group), Andrea Long (Compass Point Planning)  
**Subject:** Acton Neighbourhood Plan Examination  
**Attached:** [NPIERS Planning Guidance To Service Users And Examiners Rics.pdf](#)

I am writing to set out how I intend to undertake the examination of the Acton Neighbourhood Plan.

My role is to determine whether the Plan meets the Basic Conditions and other legal requirements. I intend to ensure that the Parish Council feels part of the process. As such, I will copy the Parish Council into all correspondence, apart from contractual matters that are dealt with directly with the local planning authority. Likewise, please can you ensure that any correspondence from you is copied to the other party. This will ensure fairness and transparency throughout the process.

Paul will be my main point of contact. Once I have read all the papers, I may ask for any missing documents or seek clarification on some matters. It may be appropriate for me to seek clarification on matters from the Parish Council. I must emphasise very strongly that this does not mean that I will accept new evidence. In the interest of fairness to other parties, I cannot accept new evidence other than in exceptional circumstances. If the Parish Council is unsure as to whether information it is submitting may constitute new evidence, may I suggest that you send it to Paul in the first instance for his opinion.

It may be that there is very little correspondence from me during the examination. I will endeavour to keep you both up to date on the progress of the examination. The default is for an examination to be conducted without a hearing. If I feel one is necessary, I will inform you both as early as possible, but this is likely to be near the end of the examination process. If I do intend to hold a hearing, I will inform you of the procedure at that time.

I will be visiting the Parish during the examination. I will not need to be accompanied during my visit. If I am 'spotted', I would appreciate it if I were not approached.

I will issue a draft report for fact checking by both parties. I will ask you both to check my report for factual errors such as dates, sequence of events, names and so on that might need to be corrected. The report will be confidential and must not be presented to a public meeting. I must emphasise that this is not an opportunity to make comments on the report other than those that relate to factual errors. In particular, I will not be inviting, and will not accept, comment on any suggested modifications. The draft report will only be published as the final version if there are no factual errors found and if there is no other reason, such as a sudden change in national policy, that could be significant to my recommendations. I will endeavour to issue my final report shortly after the fact checking stage.

I enclose the NPIERS Guidance to Service Users and Examiners, which may be of interest regarding the examination process.

I confirm that I have received the documents from Babergh District Council, including the Regulation 16 representations. I understand that Paul will give the Parish Council the opportunity to respond to those representations.

At this stage, I am seeking clarification with regard to the following matters:

- 1) Policy ACT11 refers to a Local Green Space 10 at De. Bures Walk. On Figure 35 the numbering from 10 onwards seems to be wrong and the De. Bures Walk site is missing. Do I assume it is the site identified on the Policies Map to the west of site 1 Lime Tree Green?
- 2) Is the Tamage Road development completed?

Please can this email be placed on the District Council's website. If there is future correspondence regarding matters of clarification, I will ask for those to be similarly made available.

Please can it be mentioned on the District Council's web site that I have started the examination.

At the end of the examination, I would welcome feedback as to whether the way the examination has been conducted has enabled the Parish Council to feel included in the process.

Regards

Janet Cheesley

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## 2. Emails to Examiner dated 8 Dec 2023: Responses to questions for clarification

**Dated:** 8 December 2023  
**From:** Caileigh Gorzelak (BMSDC)  
**To:** Janet Cheesley (Examiner), Paul Bryant (BMSDC), Lee Adams (Chairman NP Steering Group), Graham Round (Chair Acton Parish Council), Anita Coe (Vice Chair NP Steering Group), Andrea Long (Compass Point Planning)  
**Subject:** Acton Neighbourhood Plan Examination

Dear Janet, All

Thank you for your email signalling the examination is underway. We will update our [webpage](#) shortly.

In regard to your two questions, we note that Andrea has kindly confirmed on behalf of the parish council that your assumption of De Bures Walk is correct. [BDC note: See below]

Regarding the Tamage Road development, BDC believe the site to be 'under construction' with 13 dwellings not yet completed at 31/03/2023 as per our monitoring database. While we will be bringing our database up to date in the new year, there is some evidence that the site is now complete.

Kind Regards

Caileigh Gorzelak

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**Dated:** 8 December 2023  
**From:** Andrea Long (Compass Point Planning)  
**To:** Janet Cheesley (Examiner), Paul Bryant & Caileigh Gorzelak (BMSDC), Lee Adams (Chairman NP Steering Group), Graham Round (Chair Acton Parish Council), Anita Coe (Vice Chair NP Steering Group),  
**Subject:** Acton Neighbourhood Plan Examination

Dear Janet,

In terms of [your first question for clarification], I can confirm that ... LGS 10 De Bures Walk is west of LGS 1 Lime Tree Green as you correctly describe.

Best wishes

Andrea

[Ends]