



**Broxtowe
Borough
COUNCIL**

**CHETWYND: THE TOTON AND CHILWELL NEIGHBOURHOOD PLAN
INDEPENDENT EXAMINATION**

**BROXTOWE BOROUGH COUNCIL'S RESPONSE TO THE
INDEPENDENT EXAMINER'S INITIAL REQUESTS FOR
INFORMATION**

SEPTEMBER 2022

1.0 Introduction

- 1.1 Broxtowe Borough Council has appointed an Independent Examiner, Jill Kingaby BSc (Econ) MSc MRTPI, to undertake the Independent Examination of the Chetwynd: The Toton and Chilwell Neighbourhood Plan to assess whether this Neighbourhood Plan meets the basic conditions and other matters set out in paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990 (as amended).
- 1.2 On the 6th September 2022, the Independent Examiner sent Broxtowe Borough Council and the qualifying body, the Chetwynd: The Toton and Chilwell Neighbourhood Forum, a copy of a letter relating to procedural matters. This letter has been published on Broxtowe Borough Council's website at the following link: <https://www.broxtowe.gov.uk/media/9859/examiner-procedural-matters-and-hearing-toton-and-chilwell.pdf>.
- 1.3 Within this letter, the Independent Examiner made three initial requests for information from the Borough Council and asked that this information be supplied by 19th September 2022, at the latest.
- 1.4 The Borough Council has set out its response to these requests within this document.

2.0 Initial Requests for Information

- 2.1 The Borough Council's responses to the information requests from the Independent Examiner are set out below.

(i) Please would the Council confirm how many persons and parties responded at the Regulation 16 stage?

- 2.2 The Borough Council can confirm that a total of 114 representations were received to the Regulation 16 public consultation (Regulation 16 of the Neighbourhood Planning (General) Regulations 2012 (as amended)). 85 of these were submitted online via an online response form on the Borough Council's website and a further 29 were received by email.
- 2.3 Some 23 organisations, including statutory consultees, local community groups, businesses, and landowners and their agents, responded to the consultation by email. Two further organisations responded using the Council's online response form (Bramcote Neighbourhood Forum (two different members) and Chilwell School). These representations are included within the figures set out within paragraph 2.2.

- 2.4 Some members of the public and organisations submitted more than one representation. It would appear that at least 56 different members of the public responded to the consultation via the online response form and a further 6 responded by email. It is not clear how many of these may or may not be members of local community organisations. Two anonymous responses were also received via the Council's online response form, and so it is not known whether or not these also submitted responses 'by name'.
- 2.5 Therefore, the Borough Council estimates that 62-64 different members of the public and 25 different organisations, businesses, landowners or agents made a total of 114 representations to the Regulation 16 consultation.

(ii) Could the Council confirm that the Regulation 16 consultation has been carried out in accordance with the Neighbourhood Planning (General) Regulations 2012 (as amended) and relevant advice in the Planning Practice Guidance? In particular, the Council's Notice of Consultation states, 'A paper copy of the Neighbourhood Plan and related documents is also available to view at the Reception of Broxtowe Borough Council's Council Offices, Foster Avenue, Beeston, Nottingham, NG9 1AB (during normal opening hours). Copies of the response form are also available at the same location'. A representor, upon visiting the Broxtowe Council office in Foster Avenue during working hours, has advised that they were told that the Plan proposal was not available to view.

- 2.6 Broxtowe Borough Council can confirm that the Regulation 16 consultation was undertaken in accordance with the Neighbourhood Planning (General) Regulations 2012 (as amended) and relevant advice within Planning Practice Guidance. Relevant documents were made available both online on the Borough Council's website and also in the reception of Broxtowe Borough Council's Council Offices in Foster Avenue in Beeston.
- 2.7 Unfortunately, inspection copies of any documents may from time to time go missing (for example, they may be removed by members of the public or be incorrectly filed). The Borough Council was made aware of an issue in relation to the inspection copy and replacements were provided accordingly. In addition, a printed copy of the Neighbourhood Plan was sent out by post to a member of the public who had experienced difficulties. The Borough Council apologised for any inconvenience caused. The Chetwynd: The Toton and Chilwell Neighbourhood Forum published the Borough Council's apology on its website. This is available to view at the following website link: <https://cttcnf.org.uk/home/>. (The post is dated 16th July 2022).
- 2.8 The Borough Council would like to note that, separately, it made the decision to extend the period of the Regulation 16 public consultation by a period of two weeks. The Regulation 16 consultation commenced on Wednesday 8th June 2022 and was due to finish on Friday 22nd July 2022 (which would have been a period of over 6 weeks), but it was extended until Friday 5th August 2022. All contacts on the Council's Joint Local Plan Consultation Database were sent an email informing them of this extension to the consultation period.

2.9 The Borough Council is therefore of the view that it ensured that it provided members of the public, businesses and other interested parties with the best possible opportunity to respond to this consultation and that the high response rate to the consultation reflects this. Therefore, the Borough Council believes that the public consultation was undertaken entirely in accordance with the Neighbourhood Planning (General) Regulations 2012 (as amended) and relevant advice within Planning Practice Guidance.

(iii) As part of my site visit, I consider it necessary to visit the Chetwynd Barracks site. Could the Council therefore initiate preliminary enquiries into the arrangements that will be necessary to allow me access to the site?

2.10 The Borough Council is in the process of liaising with the Ministry of Defence (MOD) to confirm the arrangements for accessing the Chetwynd Barracks site, which, as an operational MOD base, is not publicly accessible. In light of potential security concerns, this information will be shared in confidence with the Independent Examiner, as it may not be appropriate for this information to be placed in the public domain, through this document.

3.0 Further Information

3.1 For further information in relation to this document or the Independent Examination process, please contact the Borough Council's Planning Policy Team on 0115 917 3452 or 3015 or by email at policy@broxtowe.gov.uk.

Broxtowe Borough Council
September 2022