

**MEETING OF THE BURNHAM-ON-CROUCH TOWN COUNCIL (BTC)  
TUESDAY 17 JANUARY 2017**

**AGENDA ITEM 15 B) - PROGRESS OF THE BURNHAM-ON-CROUCH  
NEIGHBOURHOOD PLAN (NP).**

**REPORT OF THE FORMER TOWN CLERK & RFO.**

**Introduction**

Pursuant to the previous reports submitted to the meetings of the Town Council in September, October, November and December 2016 Members are aware that the Regulation 16 Consultation (R16Con) for the NP concluded on Thursday 15 December 2016.

All responses received (21) were forwarded to me on Thursday 22 December 2016 and subsequently copies were forwarded to all Members and the NP Review Group (NPRG).

**Schedule of Responses to the R16Con**

The NPRG met on Friday 30 December 2016 to agree the format/timing of the schedule and a further meeting took place on Thursday 5 January to review and consider the draft schedule that I had prepared. The NPRG reviewed all the responses in detail and a copy of the schedule, annotated accordingly, has been attached to this report.

**It is important that Members understand and accept that the schedule they have received is a "working document" and whilst it is substantially complete, up to and including the week following this meeting it will be necessary to "dot some i's and cross some t's".** All Members will receive a copy of any amendments – if there were to be a "significant" amendment this would be reported to BTC in February 2017.

A copy of the non-annotated schedule has been forwarded to Leonie Alpin, Planning Policy Officer of MDC, as agreed at the meeting between Officers and Members of MDC and BTC in December 2016, prior to the completion of the R16Con.

**Referral to MDC**

**Members are requested to formally approve and adopt the "Response/recommended action" column of the schedule.**

Thereafter, subject to the "i's and t's" mentioned above, the Town Clerk/RFO or the Town Clerk will need to forward the schedule to MDC for its consideration and inclusion in the documentation for the Independent Examiner. During the ensuing period, until a date or dates for the examination have been agreed, I anticipate that MDC will be referring comments/suggestions to BTC for its consideration. As previously, **I recommend that, initially, the NPRG consider any comments/suggestions from MDC.**

## **Procurement of an Independent Examiner**

As reported to the December 2016 meeting MDC had instigated the prescribed procedure to appoint an Independent Examiner and it was hoped that BTC would have been able to make a selection in January 2017 - the week commencing Monday 24 at the latest is the realistic date given the pressures on MDC as a result of the Examination in Public (EiP) of its Local Development Plan (LDP) that commences on Tuesday 10 January 2017. However there has been a negative response to the process and MDC will not be able to revisit the procurement process until 20 January 2017 at the earliest. Both the Town Mayor and I have conveyed our concern to MDC at this delay in the process.

## **Examination and Referendum**

I have repeated below my previous comments as apart from the inevitable time issues the information is still relevant: -

*"There are time scales that are prescribed by NP Regulation and these cannot be reduced in any way. Also MDC has to formally adopt the Examiner's report and recommendations and this may require a Special meeting of the Planning and Licensing Committee (MDC's calendar for 2017/2018 had not yet been agreed).*

*Upon receipt of the Examiner's report, hopefully in February 2017 and assuming it is positive subject to modifications, prior to MDC's formal consideration MDC and BTC will have a five week opportunity to consider and agree a joint response to the Examiner's recommendation. It may well be that the Examiner's recommendations are supported by both MDC and BTC.*

***This will be the most crucial part of the process because it is likely that both MDC and BTC will have to agree to make compromises in response to the Examiner's recommendations. The choices will be an amended NP or no NP at all and "back to the drawing board"!***

*The Referendum must take place within 56 working days (8 weeks) of MDC's formal adoption and this is likely to include Easter 2017. Given the foregoing, taking into account the considerable cost of a referendum and the opportunity to maximise the participation of residents, Thursday 4 May 2017 (the date of the Essex County Council Elections) would be an appropriate date upon which to hold the NP Referendum."*

## **Conclusion**

Whilst it is disappointing not to have a positive result on the Independent Examiner BTC has virtually completed all it can do to move the NP forward and I record my thanks to all concerned in BTC and the NPRG who have contributed considerable time and effort to reach this point in the process.

**David J McNeill,  
Former Town Clerk & RFO, on Behalf of the NP Review Group.  
13 January 2017.**