INTRODUCTORY NOTE

1. Highworth Neighbourhood Plan - Examination

The Borough Council has requested information on the examination process. I will confirm the commencement date for the examination of the Revision to the Highworth Neighbourhood Plan (Neighbourhood Plan) once I have been appointed. Secondly, it is helpful if I set out the process I intend to follow in terms of the communication with the Borough Council and the Town Council.

This note sets out how I intend the examination process to be completed in accordance with the NPIER's guidance for service users and examiners.

2. Commencement of the Examination

The examination of a Neighbourhood Plan formally commences once the Examiner has been appointed and received the draft Neighbourhood Plan and accompanying documents.

I ask that the Borough Council provide me with hard copies of the Highworth Neighbourhood Plan; the Modifications Statement, the Basic Condition Statement; the Consultation Statement and the Strategic Environmental Assessment Report.

I would also ask that the Borough Council provide me with web links to the evidence-base referred to in the Neighbourhood Plan and relevant documents associated with the adopted Swindon Local Plan. I will also need hard copies or links to the representations made in response to the two Regulation 16 consultations. I wish to ensure that I have access to the necessary and relevant documents which I will take into account in reaching my recommendations on the Neighbourhood Plan.

3. Principal Contact with Borough Council

My principal contact at the Local Planning Authority is Toby Voak, Planning Policy Officer at Swindon Borough Council. I will liaise directly with Toby in the first instance.

4. High-Level Assessment of the Neighbourhood Plan

Section 38A(11A) of the 2004 Planning and Compulsory Purchase Act (as amended) provides that Schedule A2 applies provisions for the modification of a neighbourhood development plan.

The relevant provisions of Schedule A2 are as follows - Paragraph 1 provides that a qualifying body can submit a proposal to the local planning authority for the modification of a neighbourhood development plan. Paragraph 7 provides that it applies if:-

'(c) the authority consider that the modifications contained in the draft plan to which it relates are so significant or substantial as to change the nature of the neighbourhood development plan which the draft plan would replace.'

If that is the position, the authority must consider the plan under the provisions of Schedule 4B that apply to an original neighbourhood plan (including referendum). Paragraph 10(1) provides that the matter referred to above is the first matter that the examiner must determine. Paragraph 11 provides that if the determination is made that the modifications are not such as to change the nature of the plan, then -

'...the examiner must consider the following –

whether the draft plan meets the basic conditions (see sub-paragraph (2));

whether the draft plan complies with the provision made by or under sections 38A and 38B;

such other matters as may be prescribed."

In reaching decision on whether the revisions are so significant or substantial as to change the nature of the Neighbourhood Plan, I am required to consider the nature of the existing Neighbourhood Plan and the statements prepared by the Town Council and the Borough Council.

I am aware that of the Preliminary Comments made by the Examiner in April 2025 and the consequent additional Regulations 14 and 16 consultations which included the consultation on a Modifications Statement.

Can the Borough Council ensure that I have a copy of its consideration as to whether the modifications to the Neighbourhood Plan are so significant or substantial as to change the nature of the neighbourhood plan, giving reasons for these opinions.

5. Response by the Town Council to Regulation 16 representations

The Town Council will normally be given the opportunity to comment on the representations made by other parties at the Regulation 16 stages. The NPIER's guidance suggest comments should be made by the Town Council within two weeks of the close of the Regulation 16 stage. However, I would be pleased to receive any response by the Town Council to the Regulation 16 representations no later than 23rd January 2026.

6. Visit to the Neighbourhood Area

I am required to visit the relevant neighbourhood area. The site visit will help me understand the nature of the plan area and give me a better appreciation of representations. It will also help me understand whether there are any issues that need further clarification and decide whether a hearing is necessary.

The visit will be unaccompanied. I will not meet with representatives of the Town Council, the Borough Council or any of the parties who have commented on the plan.

7. **Clarification Note**

If required, I will send a clarification note to the Borough Council shortly after the site visit and following receipt of any comments by the Town Council. I anticipate this will be available in the week commencing 26th January 2026.

The questions will focus on issues that will assist me to address whether the Neighbourhood Plan meets the basic conditions, and help me to understand the intention of a policy or the background evidence. The responses to these questions will help me recommend any necessary modifications to the plan to ensure it means the basic conditions.

The note will set out a time scale for the responses, but I will be guided by the Borough Council and the Town Council on the time required to respond appropriately.

8. **Examination Hearing**

Following the receipt of the response to any response to the Clarification Note, I will come to view on whether a hearing is necessary as part of the examination process. In most cases I anticipate that the Neighbourhood Plan examination can proceed by written representations.

9. **The Examination Report**

Depending upon the initial review, the site visit and the timescales required to answer any clarification questions, I intend to send a fact check report to the Borough Council no earlier than the week beginning 9th March 2026. The exact timing would of course reflect the complexity of the plan; the scope of the issues raised in the clarification note and the time scale needed to enable responses by the Town and Borough Council.

I recommend that the Borough Council publish this note on the Borough Council's website.

EDWARD COUSINS

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9th January 2026