

INTRODUCTORY NOTE

1. Shearsby Neighbourhood Plan - Examination

This Introductory Note is intended to provide information on the examination process. First, I can confirm that the examination of the Revision to the Shearsby Neighbourhood Plan (Neighbourhood Plan) has commenced. Secondly, it is helpful to all parties if I specify the process I intend to follow in terms of communications with the District Council and the Parish 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 would request that the District Council provide me with hard copies of the Shearsby Neighbourhood Plan; the Modifications Statement, the Basic Condition Statement; the Consultation Statement and the Strategic Environmental Assessment Screening Report.

I would also request that the District Council provide me with web links to these documents and the evidence-base referred to in the Neighbourhood Plan and the adopted and emerging Harborough Local Plan which I understand is at Examination. The District Council has provided me with the representations made in response to the Regulation 16 consultation. I wish to ensure that I have access to the necessary and relevant documents which I will consider in reaching my recommendations on the Neighbourhood Plan.

3. Principal Contact with District Council

My principal contact at the Local Planning Authority is Matthew Bills, Neighbourhood and Green Spaces Officer at Harborough District Council. I will liaise directly with Matthew in the first instance.

4. High-Level Assessment of the Neighbourhood Plan

I am required by the NPIERS guidance to complete a high-level review of the Neighbourhood Plan process to ensure that it is compliant with the necessary regulations. There are three areas on which I would like to District Council or Parish Council to comment.

First, the front page of the submitted Neighbourhood Plan states that the plan period is 2021 to 2041. The Basic Conditions Statement states that the plan period is 2024 to 2041. Can the Parish Council clarify which is correct.

Secondly, Regulation 14 of the Neighbourhood Planning (General) Regulations 2012 require the Parish Council to:

(a) publicise in a manner that is likely to bring it to the attention of people who live, work or carry on business in the neighbourhood area—

(i) details of the proposals for a neighbourhood development plan [or modification proposal];

(ii) details of where and when the proposals for a neighbourhood development plan [or modification proposal] may be inspected;

(iii) details of how to make representations;

(iv) the date by which those representations must be received, being not less than 6 weeks from the date on which the draft proposal is first publicised;

I note from the Consultation Statement, letters were sent to the statutory consultees and local businesses advising them of the Regulation 14 consultation between 13th January 2025 and 28th February 2025. Can the Parish Council confirm how the Neighbourhood Plan was brought to the attention of local residents to ensure they also had the opportunity to respond to the consultation.

Finally, I have access to the SEA Screening Assessment completed by the District Council dated December 2024. Can the District Council or Parish Council provide me with the appropriate commentary or report demonstrating that the Neighbourhood Plan has been assessed against the Habitats Regulations.

5. Response by the Parish Council to Regulation 16 representations

The Parish Council will normally be given the opportunity to comment on the representations made by other parties at the Regulation 16 stage. The NPIER's guidance suggest comments should be made by the Parish Council within two weeks of the close of the Regulation 16 stage. However, I would be pleased to receive any response by the Parish Council to the Regulation 16 representations no later than 6th November 2026.

6. Updated Provisions of the Levelling-up and Regeneration Act 2023

The District and Parish Council are aware of the provisions of the Levelling-up and Regeneration Act 2023 (Commencement No. 11 and Saving and Transitional Provisions) Regulations 2026 (UK Statutory Instruments 2026 No. 169 (C. 16)) ('the 2023 Regulations'). This came into force on 25th March 2026. The Basic Conditions Statement states that the Neighbourhood Plan has taken account of the Local Nature Recovery Strategy, and the policies have been designed to contribute to the mitigation of, and adaption to climate change.

I note the Neighbourhood Plan discusses climate change in relation to Flood Risk and Landscape. The Neighbourhood Plan does not refer to the Leicestershire, Leicester, and Rutland Local Nature Recovery Strategy.

I am therefore providing the District Council and Parish Council the opportunity to comment on these specific provisions required by the Levelling Up and Regeneration Act and its impact on the Neighbourhood Plan.

7. Site Visit

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 Parish Council, the District Council or any of the parties who have commented on the plan.

8. Clarification Note

If required, I will send a clarification note to the District Council shortly after the site visit and following receipt of any comments by the Parish Council.

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 District Council and the Parish Council on the time required to respond appropriately.

9. 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.

10. 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 District Council no earlier than the week beginning 30th November 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 Parish and District Council.

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

EDWARD COUSINS

Radcliffe Chambers

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14th October 2026

Appendix A

The provisions of the Levelling-up and Regeneration Act 2023 (Commencement No. 11 and Saving and Transitional Provisions) Regulations 2026 (UK Statutory Instruments 2026 No. 169 (C. 16)) (*‘the 2023 Regulations’*). These provisions came into force on 25th March 2026 after the close of the Regulation 16 consultation.

The relevant parts of the 2023 Regulations that come into force relate to Section 98 of the Levelling up and Regeneration Act (*LURA*) (contents of a neighbourhood development plan) and section 99 (neighbourhood development plans and orders; basic conditions). These new rules amend parts of the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning Act 1990.

Amongst other features, the new legal compliance requirements set out in section 98 specify details of the policies a neighbourhood plan may include, as follows: -

So far as the qualifying body considers appropriate, and having regard to the subject matter of the plan, the plan must:

- (a) be designed to secure that the development and use of land in the neighbourhood area contribute to the mitigation of, and adaptation to, climate change, and*
- (b) be designed to take account of any local nature recovery strategy, under section 104 of the Environment Act 2021, that relates to all or part of the neighbourhood area.*

In addition, there is a new Basic Condition requirement as set out in Section 99 of LURA:

the making of the Neighbourhood Plan would not result in the development plan for the area of the authority proposing that less housing is provided by means of development taking place in that area than if the neighbourhood development plan were not to be made.

It is to be noted that this replaces the former Basic Condition that the neighbourhood plan be in general conformity with the strategic policies contained in the development plan for the area.

Additionally, the provisions add an additional Basic Condition related to the provision of an environmental outcomes reports. However, the framework for this assessment is yet to be put in place, and therefore compliance with this Basic Condition cannot be assessed.

The 2023 Regulations makes provision for transitional arrangements in relation to plan making. However, these provisions do not extend to Neighbourhood Plan Examinations and as such I am required to conduct the Examination against these updated regulations.