

Manchester Core Strategy Development Plan Document

Legal Compliance Self-Assessment

July 2011

Stage one: Inception

Introduction

You should aim to build up the evidence in the tool. This can be done by anticipating the submission requirements and ensuring that the correct procedures are carried out as the development plan document is prepared. The components of the required statements will be progressively put in place as plan preparation proceeds.

Where the 'Possible evidence' column refers to a document that will not be complete until a later stage (for example, the sustainability appraisal report), documents that will contribute to that report are relevant at the earlier stages. This way, the submitted report provides the evidence at submission, with an audit trail back to its source.

In terms of legal compliance, the main issues for the inception stage are in relation to:

- pre-planning for community engagement
- planning the sustainability appraisal (including consultation with the statutory environment consultation bodies)
- ensuring that the plan rests on a credible evidence base, including meeting the Act's requirement for keeping matters affecting the development of the area under review.

Regulation 24 notes that a statement setting out which bodies and people the council invited to make representations under Regulation 25 is one of the proposed submission documents. In this tool, the term 'consultation statement' is used to describe this statement.

Stage 1: Inception

Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
1. Is the development plan document identified in the adopted local development scheme and have you recorded the timetable for its production?	The Act section 15(2); section 19(1)	PPS12 paragraphs 4.50; 4.53-4.58	Milestones are set out in PPS12 (box after paragraph 4.55).	i. The adopted local development scheme at the time of: <ul style="list-style-type: none"> • commencement of the development plan document • the published development plan document • the submitted development plan document ii. The relevant annual monitoring report (if changes need to be explained)	Yes. The Local Development Scheme 2010-13 identifies the Core Strategy DPD and its timetable for production.
2. Have you considered how community engagement will be programmed into the preparation of the development plan document?	1. The Act section 19(3) 2. Regulation 25	PPS12 paragraphs 4.19-4.29	Unless the statement of community involvement has been amended, you may need to set out any changes to community engagement as a result of changes in legislation.	i. The statement of community involvement ii. The project plan for the development plan document	Yes. The adopted 2007 Statement of Community Involvement sets out the process of engagement with the local community.

Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
3. Have you considered the appropriate bodies you should consult?	Regulation 25	1. PPS12 paragraphs 4.25 -4.26 2. Plan Making Manual – Consultee list	Regulation 2 defines the general and specific consultation bodies	i. The statement of community involvement ii. Reports and decisions setting out the approach to be taken to specific and general consultation bodies iii. Consultation statement	Yes. The adopted 2007 Statement of Community Involvement sets out the approach to consultation and includes a list of specific consultees consistent with PPS12.
4. Is baseline information being collected and evidence being gathered to keep the matters which affect the development of the area under review?	The Act, section13	PPS12 paragraphs 4.36 – 4.47		i. Documents dealing with collection of baseline information ii. Relevant technical studies iii. The annual monitoring report	Yes. The Council has published an Annual Monitoring Report each year since 2006; in addition various technical studies to evidence the Core Strategy include baseline data.
5. Is baseline information being collected and evidence being gathered to set the framework for the sustainability appraisal?	The Act section19(5)	1. PPS12 paragraphs 4.50; 4.39-4.43 2. Strategic Environmental Assessment Guide, chapter five		i. Sustainability report scoping document ii. Sustainability appraisal report	Yes. The 2011 Sustainability Appraisal Report includes details of the baseline information / evidence gathered.

Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
6. Have you consulted the statutory environment consultation bodies for five weeks on the scope and level of detail of the environmental information to be included in the sustainability appraisal report?	Regulations 9 and 13 of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633.	PPS12 paragraph 4.40 SEA Guide Ch 3	The Strategic Environmental Assessment consultation bodies are also amongst the 'specific consultation bodies' which are defined in Regulation 2)	Copies of the consultation letters sent to the bodies	Yes. Each of the statutory consultation bodies was consulted as required by email.

Stage two: Plan preparation - frontloading phase

Introduction

The council is required to invite specific and general consultation bodies to make representations about the content of the development plan document. The New Regulation 25 section in the Plan Making Manual observes that the requirements of the regulations may be fulfilled by other activities of the council and its partners. You should review all the legal requirements set out in this, as well as the following phase, to satisfy yourself that they are properly addressing all the matters they should.

Information assembled during this phase contributes to:

- showing that the procedures have been complied with
- developing alternatives and options and appraising them through sustainability appraisal and against evidence.

The council should record actions taken during this phase as they will be needed to show that the plan meets the legal requirements. They will also show that a realistic and reasonable approach has been taken to plan preparation.

You can refer to the following sections of the Plan Making Manual:

- Preparation of development plan documents
- Core strategy: managing its development
- Sustainability Appraisals: challenge questions
- Developing the evidence base

Stage 2: Plan preparation - frontloading phase

Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
1. Have you notified the specific consultation bodies that have an interest in the subject of the development plan document and invited them to make representations about its contents?	Regulation 25(1) and (2)(a)	PPS12 paragraphs 4.24 – 4.29	Specific consultation bodies are defined in Regulation 2 If any bodies are omitted, you should give a clear justification for doing so, including reference to the SCI.	<ul style="list-style-type: none"> i. Consultation statement ii. Copies of documents consulting these bodies iii. Record of discussions iv. Copies of representations made v. A brief statement setting out the reasons why any bodies have been omitted from consultation 	Yes. Each of the specific consultation bodies have been contacted as required.
2. Have you notified the general consultation bodies that you consider have an interest in the subject of the development plan document and invited them to make representations about its contents?	Regulation 25(1) and (2)(b)	PPS12 paragraphs 4.24 – 4.29	General consultation bodies are defined in Regulation 2. You should be able to give a clear justification for your selection of the bodies, including reference to the statement of community involvement.	<ul style="list-style-type: none"> i. Consultation statement ii. Copies of documents consulting these bodies iii. Record of discussions iv. Copies of representations made v. A brief statement setting out the reasons why any bodies were or were not included 	Yes. Each of the general consultation bodies have been contacted as required.

Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
3. Are you inviting representations from people resident or carrying out business in your area about the content of the development plan document?	Regulation 25(3)	PPS12 paragraphs 4.24 – 4.29		<ul style="list-style-type: none"> i. Consultation statement ii. Copies of documents consulting these persons iii. Record of discussions iv. Copies of representations made 	Yes. The adopted 2007 Statement of Community Involvement sets out the approach to consultation and progress is shown in the 2011 Consultation Statement.
4. Are you engaging with stakeholders responsible for delivery of the strategy?	Regulation 25	PPS12 paragraphs 4.4; 4.27 – 4.29; 4.45	PPS12 paragraph 4.29 gives examples of relevant delivery agencies	<ul style="list-style-type: none"> i. Consultation statement ii. Copies of documents consulting these people iii. Record of discussions 	Yes. The adopted 2007 Statement of Community Involvement sets out the approach to consultation and progress is shown in the 2011 Consultation Statement.
5. Are you taking into account representations made?	Regulation 25(5)	PPS12 paragraphs 4.19-4.29; 4.37	Evidence from participation is part of the justification	<ul style="list-style-type: none"> i. Consultation statement ii. Any reports on the selection of alternatives and options for the development plan document 	Yes. The 2011 Consultation Statement illustrates the process.
6. Does the consultation contribute to the development and sustainability	<ul style="list-style-type: none"> 1. The Act section19(5) 2. Regulations 12 and 13 of The 	<ul style="list-style-type: none"> 1. PPS12 paragraphs 4.39-4.43 2. SEA Guide, 		<ul style="list-style-type: none"> i. Consultation statement ii. Any reports on the selection of alternatives and 	Yes. The 2011 Consultation Statement shows how comments received on the Issues and Options

Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
appraisal of alternatives?	Environmental Assessment of Plans and Programmes Regulations 2004 No 1633.	chapter three		options for the development plan document iii. Sustainability appraisal report	consultation were considered in developing the Proposed Option. The 2011 Sustainability Appraisal Report illustrates how the options were appraised and recommendations made for future stages of development.
7. Is the participation: • following the principles set out in your statement of community involvement • integrating involvement with the sustainable community strategy • proportionate to the scale of issues involved in the development plan document?	1. The Act s.19(3) 2. Regulation 25	PPS12 paragraphs 4.19 – 4.26; 4.42		i. Consultation Statement ii. The statement of community involvement iii. The relevant sustainable community strategies	Yes. The Core Strategy is the spatial expression of the sustainable community strategy 2006-2015 and principles in the 2007 Statement of Community Involvement have been followed. The 2011 Consultation Statement illustrates the process.
8. Are you keeping a record of: • the individuals or bodies invited to	Regulation 24	PPS12 paragraphs 4.24 – 4.29	You will need to submit a statement of representations under Regulation 30(1)(d): see	i. Consultation statement ii. Reports by the council on the consultation	Yes. The 2011 Consultation Statement illustrates this process and the main issues

Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
<p>make representations</p> <ul style="list-style-type: none"> • How this was done • The main issues raised? 			<p>Submission stage below.</p> <p>Regulation 49 deals with the availability of documents and the time of their removal</p>	<ul style="list-style-type: none"> iii. Copies of representations and relevant correspondence iv. Technical reports on the engagement process 	<p>raised.</p>
<p>9. Are you developing a framework for monitoring the effects of the development plan document?</p>	<ul style="list-style-type: none"> 1. The Act section 35 2. Regulation 48 Reg 17 of The Environmental Assessment of Plans and Programmes Regulations 2004 No1363 	<ul style="list-style-type: none"> 1. PPS12 paragraphs 4.39 – 4.43 and 4.47 2. SEA Guide, Chapter five 3. Office of the Deputy Prime Minister monitoring guide 		<ul style="list-style-type: none"> i. Sustainability appraisal report ii. The annual monitoring report iii. Reports or documents setting out the appraisal and monitoring framework 	<p>Yes. The Annual Monitoring Reports following adoption will assess the effects of the Core Strategy against a range of indicators.</p>
<p>10. Have you arranged to send copies of documents used in consultation to the Government Office and Planning Inspectorate?</p>	<p>Not statutory, but will assist in identifying issues leading towards a sound development plan document</p>	<p>Plan Making Manual - New Regulation 25</p>		<p>Copies of correspondence with the Government Office and Planning Inspectorate</p>	<p>The 2011 Consultation Statement illustrates the consultation process including details of correspondence with GONW and PINS. Since the closure of GONW documents</p>

Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
					have been sent to CLG. The Submission documents are being sent to the Planning Inspectorate and also Central Government now that GONW has closed.

Stage three: Plan preparation - formulation phase

Introduction

This stage has many legal matters, for process and content, to address. The council should be beginning to formulate the preferred strategy for the core strategy (or whichever vehicle the council chooses to address Regulation 25 requirements). To do this, the council should use the information gathered and previous collaborative work with stakeholders.

For other types of development plan document, the term 'preferred strategy' refers to the preferred site allocations or policies. Paragraphs 4.26 and 4.38 of PPS12 make it clear that explicit consideration of alternatives is a key part of the plan making process. They also state that for significant development plan documents it is usually appropriate to involve the community in considering them. Paragraph 4.5 of PPS12 notes that it is essential that the core strategy makes clear spatial choices about where development should go in broad terms.

You should evaluate the reasonable alternatives identified in 'stage two: frontloading phase – plan preparation' phase against the:

- completed body of information from evidence gathering
- results of sustainability appraisal
- findings from community participation.

This may be written up as a preferred strategy report. The results of participation on the preferred strategy and an accompanying sustainability report will enable the council to gauge the community's response and receive additional evidence about the options. The council can then decide whether, and how, the preferred strategy and policies should be changed for publishing the finished development plan document.

Alternatives developed from the evidence and engagement during the frontloading stage need to be appraised to decide on the preferred strategy. Participation will also need to be carried out on it.

We stress that these matters need to be considered, and dealt with, in good time, and not left until publication. Supporting documents will assist in providing evidence that decisions on alternatives and strategy are soundly based. These documents will, in due course, become part of the proposed submission documents in stage four.

The council should tell all parties that this is the main participation opportunity on the emerging plan. The publication stage will not be a participation or consultation process. Instead, the publication stage is a formal opportunity for anyone to communicate their dissatisfaction with an aspect of the development plan document's soundness. This is carried out with representations made to the inspector for consideration at examination. The more effectively this message is put across, the lower the chance of late changes being brought forward following publication.

Please refer to the following sections in the Plan Making Manual:

9. Core strategy: managing its development
9. Sustainability appraisal
9. Considering alternatives

Stage three: Plan preparation - formulation phase

Activity	Statutory Requirement	Guidance reference	Additional Notes	Possible evidence	Evidence provided
1. Are you preparing reasonable alternatives for evaluation during the preparation of the development plan document?	Regulation 12 of The Environmental Assessment of Plans and Programmes Regulations 2004 No. 1633	1. PPS12 paragraph 4.38 2. SEA Guide, Chapter five	The sustainability appraisal report and supporting documents relevant to the preparation of the development plan document are part of the proposed submission documents (see Regulation 24)	Documents supporting decisions on alternatives and any preferred strategy	Yes. The 2011 Consultation Statement illustrates the iterative process that produced the Core Strategy, including consideration of reasonable alternatives.
2. Have you assessed alternatives against: <ul style="list-style-type: none"> • consistency with national policy • general conformity with the regional spatial strategy? 	The Act section19(2), section 24	PPS12 4.30 – 33	General conformity with the regional spatial strategy is tested formally later but you need to consider it during preparation of the development plan document	i. Supporting documents ii. Correspondence with Government Offices and regional planning body (or Mayor of London)	Yes. Alternatives were assessed against relevant national policy (including PPS12), and for general conformity with the Regional Spatial Strategy..
3. Are you having regard to: <ul style="list-style-type: none"> • adjoining regional spatial strategies, the spatial development strategy for London, or Welsh Spatial Plan (as 	1. The Act section19(2) 2. Regulation 15(1)(g)			i. Supporting documents ii. Correspondence with the relevant bodies	Manchester does not adjoin any other Regions, but where relevant, supra-regional issues have been considered.

Activity	Statutory Requirement	Guidance reference	Additional Notes	Possible evidence	Evidence provided
<p>appropriate)</p> <ul style="list-style-type: none"> the National Planning Framework for Scotland? 					
<p>4. Are you having regard to:</p> <ul style="list-style-type: none"> the sustainable community strategy of the authority or other authorities whose area comprises part of the area of the council any other local development documents adopted by the council? 	<p>The Act section19(2)</p>	<p>PPS12 paragraphs 1.6; 4.22 - 4. 23; 4.34 - 4. 35</p>		<ul style="list-style-type: none"> i. Supporting documents ii. The Sustainable community strategies iii. Relevant local development documents iv. Correspondence with the local strategic partners 	<p>Yes. The Core Strategy has been developed with regard to the City's sustainable community strategy 2006-2015 and local development documents – under preparation or adopted.</p>
<p>5. Do you have regard to other matters and strategies relating to:</p> <ul style="list-style-type: none"> resources the regional development agencies' regional economic strategy the local transport plan and transport facilities and services 	<ul style="list-style-type: none"> 1. The Act section19(2) 2. Regulation 15 		<p>As well as the matters and strategies listed in the Act and Regulations there are likely to be other matters identified in planning policy statements, regional and local strategies that you will need to have regard to in</p>	<ul style="list-style-type: none"> i. Supporting documents ii. Correspondence with the relevant bodies and the Government Office 	<p>Yes. The 2011 Consultation Statement illustrates engagement with wider stakeholders, and regard has been had to relevant strategies including the RES, the LTP, the emerging GM Waste DPD and GM Minerals DPD. Regard has been had to the</p>

Activity	Statutory Requirement	Guidance reference	Additional Notes	Possible evidence	Evidence provided
<ul style="list-style-type: none"> waste strategies hazardous substances and accidents? 			preparing the development plan document.		Control of Major Accidents and Hazards Regulations through consultation with EA and HSE.
6. Are you having regard to the need to include policies on mitigating and adapting to climate change?		Annex to PPS1 on climate change	This is expected to be an amendment to section 19(2) of the Act.	Supporting documents	Yes. The Core Strategy includes policies to ensure mitigation and adaptation to climate change.
7. Have you undertaken the necessary sustainability appraisal of alternatives, including consultation on the sustainability appraisal report?	<ol style="list-style-type: none"> The Act section 19(5) Regulation 12 and 13 of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633 	<ol style="list-style-type: none"> PPS12 paragraphs 4.38 – 4.43 SEA Guide, Chapter five 	Regulation 13 of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633 sets out the consultation procedures	<ol style="list-style-type: none"> Reports on the sustainability of alternatives Record of work undertaken on sustainability appraisal Supporting documents 	Yes. The 2011 Sustainability Appraisal Report includes details with regards to this.
8. Are you setting out clear reasons for any preferences between alternatives?	Regulation 13(1)	PPS12 paragraphs 4.36 – 4.38	This will include Information from the sustainability appraisal.	<ol style="list-style-type: none"> Any reports setting out alternatives and choices considered Supporting documents 	Yes. The Proposed Option stage set out clear reasons for the chosen alternative.
9. Have you taken into account any representations made on the content	<ol style="list-style-type: none"> Regulations 24, 25(5) and 30(1)(d)(iv) Regulation 	PPS12 paragraphs 4.19 – 4.29	Records on the sustainability appraisal should also include recording any	<ol style="list-style-type: none"> Correspondence from those making representations Any reports on issues 	Yes. A record has been kept of all comments on the developing Core

Activity	Statutory Requirement	Guidance reference	Additional Notes	Possible evidence	Evidence provided
<p>of the development plan document and the sustainability appraisal?</p> <p>10. Are you keeping a record?</p>	<p>13(4) of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633</p>		<p>assessment made under the Habitats Directive</p>	<p>raised</p> <p>iii. Consultation statement</p> <p>iv. sustainability appraisal report</p>	<p>Strategy and related to the SA at each stage.</p>
<p>11. Where sites are to be identified or areas for the application of policy in the development plan document, are you preparing sufficient illustrative material to:</p> <ul style="list-style-type: none"> • enable you to amend the currently adopted proposals map • inform the community about the location of proposals? 	<p>Regulations 9 and 14</p>	<p>PPS12 paragraphs 4.6 - 4.7; 8.1-8.3</p>	<ol style="list-style-type: none"> 1. Regulation 2 defines the terms 'submission' and 'adopted' proposals map. 2. A map showing changes to the adopted proposals map is part of the proposed submission documents defined in Regulation 24. 	<ol style="list-style-type: none"> i. The adopted proposals map ii. Any reports on proposals to amend the proposals map iii. Illustrative material that shows how the proposals map will be amended or replaced 	<p>The Core Strategy includes a Key Diagram to illustrate the strategic development locations and the Airport Strategic Site. A revised Proposals Map has also been produced which shows the strategic site boundary.</p>
<p>12. Are the participation arrangements compliant with the statement of community involvement?</p>	<ol style="list-style-type: none"> 1. The Act, section 19(3) 2. Regulation 25 	<p>PPS12 paragraphs 4.19-4.29</p>	<p>You should make sure the arrangements remain in line with legislative changes affecting community engagement.</p>	<ol style="list-style-type: none"> i. The statement of community involvement ii. Consultation statement 	<p>Yes. The adopted 2007 Statement of Community Involvement sets out the approach to consultation and progress is shown in the 2011 Consultation</p>

Activity	Statutory Requirement	Guidance reference	Additional Notes	Possible evidence	Evidence provided
					Statement.
13. Have you remained in close contact with the Government Office and discussed any emerging issues that might affect the soundness of the development plan document?		Plan Making Manual - New Regulation 25		<ul style="list-style-type: none"> i. Copies of correspondence with the Government Office ii. Copies of the relevant documents 	Yes (until it closed). The 2011 Consultation Statement illustrates the input that GONW have had to the preparation process.

Stage 4: Publication

Introduction

The 2008 Local Development Framework Regulations change the procedure for submission of development plan documents. They bring the period for formal representations forward, which now take place **before** the development plan document is submitted for examination.

When moving towards publication stage, the council should consider the results of participation on the preferred strategy and sustainability appraisal report and decide whether to make any change to the preferred strategy. In the event that changes are required, the council will need to choose either to:

- do so and progress directly to publication

OR

- produce and consult on a revised preferred strategy.

The latter may be appropriate where the changes to the development plan document bring in changed policy or proposals not previously covered in community participation and the sustainability appraisal. It avoids having to treat publication as if it were a consultation, which it is not. It also provides insurance in relation to compliance with the Strategic Environmental Assessment Regulations. Legally, during any participation on a revised preferred strategy, you should:

- comply with the requirements of the statement of community involvement
- update the sustainability appraisal report.

The council should then produce the development plan document in the form in which it will be published. This includes removing of material dealing with the evaluation of alternatives and the finalisation of the text. The council should be fully happy that it wishes to adopt the development plan document in this form, and that it considers it to be sound and fit for examination.

You should make it clear that publication of a development plan document is not public participation, nor a consultation. The six weeks publication period is the opportunity for those dissatisfied (or satisfied) with the development plan document to make formal representations to the inspector about its soundness.

The possibility of change under certain circumstances (which should be exceptional) is allowed for in the new procedures, and is described in 'stage five: Submission'.

Please refer to the following sections of the Plan Making Manual:

- Publication and submission of a development plan document
- Sustainability appraisal
- Considering alternatives

Stage 4: Publication

Activity	Statutory Requirement	Guidance Reference	Additional notes	Possible evidence	Evidence provided
1. Have you prepared the sustainability appraisal report?	1. The Act section 19(5) 2. Regulation 12 of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633	1. PPS12 paragraphs 4.38 – 4.43 2. SEA Guide Chapter five		Sustainability appraisal report	Yes. The final Sustainability Appraisal Report was completed in 2011.
2. Have you made clear where and within what period representations must be made?	Regulation 28(2) and (3)		The period must be at not less than 6 weeks from when you give notice under Regulation 27(e) (see below)	i. Report or record of decisions ii. The statement of community interest	Yes. The timeframe for making comments was made clear.
3. Have you made copies of the following available for inspection: <ul style="list-style-type: none">• the proposed submission documents?• the statement of the representations procedure?	Regulation 27(a)		Regulation 24 gives definitions	i. Copies of the relevant statements ii. Report on where and when made available iii. Record of where and when made available	Yes. The procedure for making representations was made clear.
4. Have you published on your website the	Regulation 27(b)		Regulations 2 and 24 give definitions	Record of publication	Yes, all have been available on the

Activity	Statutory Requirement	Guidance Reference	Additional notes	Possible evidence	Evidence provided
<p>following:</p> <ul style="list-style-type: none"> • the proposed submission documents? • the statement of the representations procedure? • statement and details of where and when documents can be inspected? 					Council's website.
<p>5. Have you sent to each of the specific consultation bodies invited to make representations under Regulation 25(1):</p> <ul style="list-style-type: none"> • A copy of each of the proposed submission documents • The statement of the representations procedure? 	Regulation 27(c)		Regulations 2 and 24 give definitions	<ul style="list-style-type: none"> i. Copies of correspondence ii. Record of sending 	Yes. Each of the specific consultation bodies have been contacted as required
<p>6. Have you sent to each of the general consultation bodies invited to make representations</p>	Regulation 27(d)		Regulations 2 and 24 give definitions	<ul style="list-style-type: none"> i. Copies of correspondence ii. Record of sending 	Yes. Each of the general consultation bodies have been contacted as required

Activity	Statutory Requirement	Guidance Reference	Additional notes	Possible evidence	Evidence provided
under Regulation 25(1): <ul style="list-style-type: none"> • the statement of the representations procedure? • where and when the documents can be inspected? 					
7. Have you given notice by local advertisement setting out: <ul style="list-style-type: none"> • the statement of the representations procedure • where and when the documents can be inspected? 	Regulation 27(e)		Regulation 24 gives definitions	i. Copy of advertisement ii. Where and when placed	Yes, notice posted in the Manchester Evening News on 10 th February 2011.
8. Have you requested the opinion of the regional planning body (or the Mayor in London) on the general conformity of the development plan document with the regional spatial strategy (or spatial development strategy)?	1. The Act section 24 2. Regulation 29	PPS12 paragraph 4.21	The period is six weeks from when you make copies available for inspection under Regulation 27(a)	Copies of correspondence	Yes. The 2011 Consultation Statement illustrates the process. Prior to its disestablishment, the Regional Assembly wrote to Manchester confirming conformity of the CS to the Regional Spatial Strategy.

Stage five: Submission

Introduction

At the submission stage, the council should receive and collate the representations made at publication stage. Reporting these representations to elected members is not mandatory. However, there may be requirements deriving from other legislation, Standing Orders or council procedures that must be considered.

However, if they are reported, they should report the facts of the representations made, not the results of a consultation process by the council. They should not treat it as a consultation or consider whether to make changes to try to answer representations.

The section called Changing your plan after publication in the Plan Making Manual distinguishes between 'focused changes', 'extensive changes' and 'minor changes'. You should be guided by the manual and its accompanying changes diagram in making decisions on how far to go back in the procedures, or to supplement existing work.

You should ensure you are in legal compliance with the statement of community involvement, the Habitats Directive and the Strategic Environmental Assessment Directive in any additional work. Any formal publication of additional or changed matters would need to allow at least a six-week period for representations to be made.

There are many possible combinations of approaches that could be taken to changes. You should be satisfied that you remain fully compliant with the legal requirements when any changes are made (and any consequential effects on the development plan document as a whole). All decisions and new steps taken should be fully documented and reflected in the 'evidence provided' column.

The PINS guide identifies seven key questions that inspectors will use in relation to legal compliance. These have been incorporated into the tool and are identified by **shading** in the left-hand 'Question' column.

Apart from notification of the examination, this tool does not deal with the legal requirements that need to be followed after submission. You should refer to the PINS guidance for further advice.

Please refer to the following sections of the Plan Making Manual:

- Publication and submission of a development plan document
- Changing your plan after publication
- Examination of a development plan document

Stage five: Submission

Question	Statutory Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
<ol style="list-style-type: none"> 1. Are you ready to submit the DPD? 2. Are there any major issues revealed by the representations on publication? 3. Are all the relevant documents in place? 	<ol style="list-style-type: none"> 1. The Act section 20(2)(b) 2. The Act section 20(1) 3. Regulation 30(1) 		<p>If you are not ready to submit, you may need to do more work on the development plan document or consider withdrawing and republishing a revised version.</p> <p>Regulation 30(1) sets out the documents which must be submitted in addition to the development plan document.</p>	<ol style="list-style-type: none"> i. Report on issues resulting from Regulation 28 representations ii. Resolution to carry out more work on part of the development plan document or to withdraw plan iii. The development plan document iv. The documents prescribed at Regulation 30(1) 	<p>Yes.</p> <p>No major issues have emerged.</p> <p>All relevant documents are in place</p>
<ol style="list-style-type: none"> 4. Has the development plan document been prepared in accordance with the local development scheme? 5. Does the development plan document's listing and description in the local development scheme match the document? 	<p>The Act, section 19(1)</p>	<p>PPS12 paragraph 4.50; 4.53 – 4.55</p>	<p>The Act section 15(2) and Regulation 8 note the matters specified in the local development scheme</p> <p>The box on local development schemes in PPS12 after paragraph 4.55 sets out milestones</p>	<ol style="list-style-type: none"> i. The local development scheme ii. Explanation of any changes from the milestones set out in the local development scheme iii. Relevant annual monitoring reports iv. Correspondence with the 	<p>Yes to all 4,5,and 6.</p>

Question	Statutory Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
6. Have the timescales set out in the local development scheme been met?				Government Office on the local development scheme	
7. Has the development plan document had regard to any sustainable community strategy for its area (like a county and district)?	The Act section 19(2)	PPS12 paragraph 4.34 – 4.35; 4.50		<ul style="list-style-type: none"> i. The sustainable community strategy(ies) ii. Reference to sections of the development plan document showing how regard has been had to them 	Yes. The Core Strategy has been developed with regard to the City's sustainable community strategy 2006-2015
8. Is the development plan document in compliance with the statement of community involvement (where one exists)? 9. Has the council carried out consultation as described in the statement of community involvement?	<ul style="list-style-type: none"> 1. The Act s19(3) 2. Regulation 32(1)(c) 	PPS12 paragraph 4.50; box after paragraph 4.26	Before the statement of community involvement is formally amended to take into account the changes in the regulations, you may need to set out how the community engagement that you carried out met the regulations (as amended).	<ul style="list-style-type: none"> i. The statement of community involvement ii. The Regulation 32(1)(c) statement 	Yes to both 8 and 9.
10. Has the development plan document been subject to	<ul style="list-style-type: none"> 1. The Act section 19(5) 2. Regulation 	1. PPS12 paragraph 4.39 – 4.43;		Sustainability appraisal report	Yes. The 2011 Sustainability Appraisal Report includes details

Question	Statutory Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
<p>sustainability appraisal?</p> <p>11. Has the council provided a final report of the findings of the appraisal?</p>	32(1)(a)	<p>4.50</p> <p>2. SEA Practical Guide, chapter five</p>			with regards to the publication version.
12. Is the development plan document to be submitted consistent with national policy?	The Act section 20(2) and Schedule 8	PPS12 paragraphs 4.30 – 33; 4.50	You need to be sure changes made up to the time of submission are compliant with the requirements	<p>i. Correspondence with Government Offices</p> <p>ii. Representations from Government Offices</p>	Yes
<p>13. Does the development plan document contain any policies or proposals that are not in general conformity with the regional spatial strategy?</p> <p>14. If yes, is there local justification?</p> <p>15. Has the council got confirmation from the regional planning body about the general conformity of the plan with the regional spatial</p>	<p>1. The Act s 24(1)(a); 24(2) and 24(4)</p> <p>2. Regulation 29</p>	PPS12 paragraphs 4.30 – 33; 4.50	In London the requirement is for general conformity with the spatial development strategy (The London Plan)	<p>i. Correspondence with or representations from the regional planning body, or Mayor of London</p> <p>ii. Confirmation of conformity from the regional planning body, or Mayor</p>	<p>The CS does not contain any policies not in conformity with the Regional Spatial Strategy.</p> <p>At Proposed Option stage the Council received confirmation from the Regional Planning body that the document was in general conformity with the RSS. The North West Regional Assembly has since been disestablished.</p>

Question	Statutory Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
strategy?					
<p>16. Does the development plan document comply with the 2004 regulations (as amended)?</p> <p>17. Specifically, has the council published the prescribed documents, and made them available at their principal offices and their website?</p> <p>18. Has the council placed local advertisements?</p> <p>19. Has the council notified the development plan document bodies?</p> <p>20. Does the development plan document contain a list of superseded saved policies?</p>	<p>1. The Act section 20(2), 20(3) and 20(5)(b)</p> <p>2. Regulations 13(1), 13(2), 13(5) and 30(1)</p>	<p>PPS12 paragraphs 4.36; 4.50</p>	<p>Requirements relating to publication of the prescribed documents are listed later in this table.</p>	<p>i. The documents prescribed at Regulation 30(1)</p> <p>ii. Relevant annual monitoring reports</p> <p>iii. Records of the actions undertaken (see below)</p>	<p>Yes to all 16,17,18, 19 and 20.</p>
<p>21. Are there any policies applying to sites or areas by</p>	<p>Regulations 13(4) 14 and 30(1)(b)</p>	<p>PPS12 paragraphs 4.6 - 4.7; 8.1-8.3</p>		<p>i. Submission proposals map</p> <p>ii. Brief statement if a</p>	<p>Yes.</p>

Question	Statutory Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
<p>reference to an Ordnance Survey map or to amend an adopted proposals map?</p> <p>22. If yes, have you prepared a submission proposals map?</p>				<p>submission proposals map is not required</p>	<p>Yes</p>
<p>23. If the development plan document is not a core strategy, is it in conformity with the core strategy?</p>	<p>Regulation 13(6)</p>			<p>i. The core strategy ii. Documents or reports demonstrating conformity</p>	<p>N / A</p>
<p>24. Have you prepared a statement setting out:</p> <ul style="list-style-type: none"> • Which bodies and persons were invited to make representations under Regulation 25 • How they were invited • A summary of the main issues raised • How the representations have been taken into account? 	<p>The Act section 20(3) Regulation 30(1)(d)</p>		<p>This will bring forward material from the Consultation statement (see Stage 2 above)</p>	<p>i. Consultation statement ii. The Statement as required in Regulation 30(1)(d)</p>	<p>Yes. The 2011 Consultation Statement illustrates the process.</p>

Question	Statutory Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
<p>25. Have you prepared a statement giving:</p> <ul style="list-style-type: none"> • the number of representations made under Regulation 28(2) • a summary of the main issues raised <p>OR</p> <ul style="list-style-type: none"> • that no representations were made? 	<p>The Act section20(3) Regulation 30(1)(e)</p>			<p>The Statement as required in Regulation 30(1)(e)</p>	<p>Yes, all contained in the 2011 Consultation Statement.</p>
<p>26. Have you collected together all the representations made under Regulation28?</p>	<p>The Act section20(3) Regulation 30(1)(f)</p>			<p>Copies of the representations</p>	<p>Yes. All representations held on data base and summarised in the 2011 Consultation Statement. Copies of representations are available as one of the submission documents.</p>
<p>27 Have you assembled the relevant supporting documents?</p>	<p>1. The Act section20(3) 2. Regulation 30(1)(g)</p>			<p>All necessary evidence and records of decisions relevant to the development plan document</p>	<p>Yes.</p>
<p>28 Has your council approved the development plan document for submission?</p>	<p>The Act section20</p>		<p>The full council has to approve the development plan document for submission</p>	<p>Report and resolution of the council</p>	<p>Yes. 13th July 11 – Full Council</p>

Question	Statutory Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
			(requirements are set out in Local Authorities Functions Regulations)		
<p>29 Have you sent the Secretary of State (the Planning Inspectorate) a paper copy of the following:</p> <ul style="list-style-type: none"> • the development plan document? • the submission proposals map (unless there are no site allocation policies)? • the documents prescribed in Regulation 30(1)? 	<ol style="list-style-type: none"> 1. The Act s20(1) and 20(3) 2. Regulations 30(1) and 30(2)(a) 		Regulation 49 deals with the availability of documents and the time of their removal.	Record of sending	Yes
<p>30 Have you sent the Secretary of State (the Planning Inspectorate) an electronic copy of the:</p> <ul style="list-style-type: none"> • development plan document? • submission proposals map (unless there are no site allocation 	<ol style="list-style-type: none"> 1. The Act s20(1) and 20(3) 2. Regulations 30(1) and 30(2)(b) 		<p>Electronic copies of some of the representations and supporting documents may not be practicable.</p> <p>Regulation 49 deals with the availability of documents and the time of their removal.</p>	<ol style="list-style-type: none"> i. Record of sending ii. Reasons why documents cannot be sent electronically 	Yes

Question	Statutory Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
<p>policies)?</p> <ul style="list-style-type: none"> documents prescribed in Regulation 30(1)? 					
<p>31. Have you made the following available at the same places where the proposed submission documents were to be seen:</p> <ul style="list-style-type: none"> The development plan document? The documents prescribed in Regulation 30(1)? 	Regulation 30(3)(a)		You should do this as soon as reasonably practicable after submitting to the Secretary of State	Record of where and when made available	Yes, as soon as possible after submission
<p>32 On your website, have you published the:</p> <ul style="list-style-type: none"> development plan document submission proposals map sustainability appraisal report Regulation 30(1)(d) statement Regulation 30(1)(e) statement supporting 	Regulation 30(3)(b)		You should do this as soon as reasonably practicable after submitting to the Secretary of State	Record of publication	Yes, on day of submission

Question	Statutory Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
<p>documents (where practicable)</p> <ul style="list-style-type: none"> • representations made under Regulation 28 (where practicable) • statement as to where and when the development plan document and the documents are available? 					
<p>33 For each specific consultation body invited to make representations under Regulation 25(1), have you sent the:</p> <ul style="list-style-type: none"> • development plan document • submission proposals map • sustainability appraisal report • adopted statement of community involvement • Regulation 30(1)(d) statement 	Regulation 30(3)(c)		You should do this as soon as reasonably practicable after submitting to the Secretary of State	<ul style="list-style-type: none"> i. Copies of correspondence ii. Record of sending 	Yes, as soon as possible after submission

Question	Statutory Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
<ul style="list-style-type: none"> • Regulation 30(1)(e) statement • supporting documents you consider relevant to each body • statement as to where and when the development plan document and the documents are available? 					
<p>34 For each general consultation body invited to make representations under Regulation 25(1), have you sent:</p> <ul style="list-style-type: none"> • notification that the documents prescribed in Regulation 30(1) are available for inspection • where and when they can be inspected? 	Regulation 30(3)(d)		You should do this as soon as reasonably practicable after submitting to the Secretary of State	<ul style="list-style-type: none"> i. Copies of correspondence ii. Record of sending 	Yes, as soon as possible after submission
<p>35 Have you given notice by local advertisement setting out:</p>	Regulation 30(3)(e)		You should do this as soon as reasonably practicable after submitting to the	<ul style="list-style-type: none"> i. Copy of advertisement ii. Where and when placed 	Yes, on day of submission

Question	Statutory Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
<ul style="list-style-type: none"> the title of the development plan document? the subject and area covered by the development plan document? notification that the documents prescribed in Regulation 30(1) are available for inspection where and when they can be inspected? 			Secretary of State		
36 Have you given notice to persons who have requested to be notified that submission has taken place?	Regulation 30(3)(f)		You should do this as soon as reasonably practicable after submitting to the Secretary of State	<ul style="list-style-type: none"> Copies of correspondence Record of sending 	Yes, on day of submission
37 If an examination is being held, at least six weeks before its opening has the Programme Officer: <ul style="list-style-type: none"> published the time and place of the examination and the name of the person 	<ol style="list-style-type: none"> The Act section 20 Regulation 34 			<ul style="list-style-type: none"> Record of publication of information Record of sending Copies of correspondence Copy of advertisement 	This will be done when the process reaches this stage

Question	Statutory Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
<p>appointed to carry out the examination on your website</p> <ul style="list-style-type: none">• notified those who have made representations on the published development plan document which have not been withdrawn of these details• advertised these details?					