



YORK

CITY OF YORK  
LOCAL PLAN  
Local Plan Legal Compliance Checklist  
May 2018



## Local Plan Legal Compliance Checklist (May 2018)

This checklist has been updated for PAS by SNR Denton. It supersedes the previous checklist and is based on **Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2012**. It should be used with the Soundness Self Assessment Checklist (also updated January 2013).

Remember that the evidence you provide to support your plan should be relevant and proportionate. Please don't use this checklist as a reason to assemble more than is needed.

### Glossary:

"Act" means the **Planning and Compulsory Purchase Act 2004 (as amended)**

"NPPF" means the **National Planning Policy Framework** published March 2012

"Regulations" means the **Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2012**

LDS means **Local Development Scheme**

SCI means **Statement of Community Involvement**

DPD means **Development Plan Document**

### Stage one: The early stages

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 early stage are in relation to:

- planning for community engagement
- planning the sustainability appraisal (including consultation with the statutory environment consultation bodies)
- identifying significant cross boundary and inter-authority issues
- 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 17 notes that a statement setting out which bodies and people the council invited to make representations under Regulation 18 is one of the proposed submission documents. In this tool, the term 'consultation statement' is used to describe this statement.

Section 33A of the Act (introduced by the Localism Act 2011) introduces a duty to cooperate as a mechanism to ensure that local planning authorities and other bodies engage with each other on issues which are likely to have a significant effect on more than one planning area. This pervades every stage of the plan preparation. A plan may be found unsound if a council cannot show that it has taken reasonable steps to comply with the duty.

## Stage one: The beginning

Activity	Legal requirement	Guidance reference	Possible evidence
<p>1. Is the DPD identified in the adopted LDS? Have you recorded the timetable for its production ?</p>	<p>The Act section 15(2) and section 19(1)</p>	<p>NPPF para 153</p>	<p><b>i. The adopted LDS at the time of commencement, publication and submission of the DPD</b></p> <p><b>ii. The relevant authority monitoring report (if changes need to be explained)</b></p> <p>The Local Plan is identified in the LDS 2017 (CD015)</p> <p><a href="https://www.york.gov.uk/downloads/file/14740/local_development_scheme_november_2017">https://www.york.gov.uk/downloads/file/14740/local_development_scheme_november_2017</a></p> <p>Work commenced on the Local Plan under the LDF 2011 (SD004). Following withdrawal of the Core Strategy in 2012 the Council began work on an NPPF compliant Local Plan. A Preferred Options consultation was undertaken in June/July 2013 (SD005)</p> <p><a href="https://www.york.gov.uk/downloads/download/1268/local_plan_preferred_options_main_documents">https://www.york.gov.uk/downloads/download/1268/local_plan_preferred_options_main_documents</a></p> <p>A Further Sites Consultation was undertaken in June/July 2014 (SD015).</p> <p><a href="https://www.york.gov.uk/downloads/download/1133/further_sites_consultation_report_2014_and_technical_appendices">https://www.york.gov.uk/downloads/download/1133/further_sites_consultation_report_2014_and_technical_appendices</a></p> <p>Both these consultations informed the Publication Draft Local Plan (2014) SD010 which was approved by the Council's Executive in September 2014 but at Council (9/10/14) SD014 a motion was passed halting the consultation and requesting further assessment of housing need and the supply to meet that need.</p> <p>At the local government elections in May 2015 a joint administration was formed</p>

		<p>between the Conservatives and Liberal Democrats and they agreed to ‘<i>prepare an evidence based local plan which delivers much needed housing whilst focussing development on brownfield land and taking all practical steps to protect the green belt and the character of York</i>’</p> <p>In July 2016 a report was taken to Councils Executive on the Preferred Sites Consultation. As part of the report an updated Local Development Scheme (LDS) was attached as Annex A which set out a project plan for the progression of the Local Plan over the next two years in addition to other related documents. It highlighted the intention to consult on a publication draft plan early in 2017 with submission to Government following in May 2017. The LDS was placed on the Council’s website as part of the PSC consultation (July 2016) SD018  <a href="https://www.york.gov.uk/downloads/file/11248/local_development_scheme_lds_2016">https://www.york.gov.uk/downloads/file/11248/local_development_scheme_lds_2016</a>   <a href="https://www.york.gov.uk/downloads/download/3333/local_plan_preferred_sites_consultation_documents">https://www.york.gov.uk/downloads/download/3333/local_plan_preferred_sites_consultation_documents</a></p> <p>After the Preferred Sites Consultation concluded the Ministry of Defence (MOD) announced as part of its Defence Estate Strategy on 7<sup>th</sup> November 2016 the release of three substantial sites in York:</p> <ul style="list-style-type: none"> <li>• Imphal Barracks, Fulford Road;</li> <li>• Queen Elizabeth Barracks, Strensall; and</li> <li>• Towthorpe Lines, Strensall.</li> </ul> <p>Technical work was carried out which established that the sites represented ‘reasonable alternatives’ and, therefore, should be considered as part of the Local Plan process. This was reported to Local Plan Working Group and Executive in January 2017 (SD026). The report highlighted that the assessment of the MOD sites and the requirement for additional public consultation would mean an additional six months to</p>
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			<p>the LDS (2016) Local Plan timetable and an adjustment to the key milestones.</p> <p>LPWG: <a href="http://democracy.york.gov.uk/ieListDocuments.aspx?CId=128&amp;MId=10227&amp;Ver=4">http://democracy.york.gov.uk/ieListDocuments.aspx?CId=128&amp;MId=10227&amp;Ver=4</a></p> <p>Executive: <a href="http://democracy.york.gov.uk/ieListDocuments.aspx?CId=733&amp;MId=9309&amp;Ver=4">http://democracy.york.gov.uk/ieListDocuments.aspx?CId=733&amp;MId=9309&amp;Ver=4</a></p> <p>A report was taken to LPWG and Executive in July 2017 (SD027) on the Pre Publication Draft Plan (Regulation 18). The report recommended that given the proposed level of change to the 2013 Preferred Options version of the Plan, notwithstanding the consultation on sites in 2016, a consultation on a full plan and policies would be recommended. At the Executive in July 2017 Officer's sought approval to undertake a full consultation on a Pre publication draft Local Plan (Reg 18). A revised LDS (2017) CD015 was published which included an adjustment of key milestones from the 2016 version for Publication in February/March 2018 and Submission by end of May 2018.</p> <p><a href="https://www.york.gov.uk/downloads/file/14740/local_development_scheme_november_2017">https://www.york.gov.uk/downloads/file/14740/local_development_scheme_november_2017</a></p> <p>The Pre-Publication consultation was undertaken in September/October 2017 and an updated LDS was published as part of the consultation.</p> <p><a href="https://www.york.gov.uk/downloads/file/14740/local_development_scheme_november_2017">https://www.york.gov.uk/downloads/file/14740/local_development_scheme_november_2017</a></p> <p>The updated LDS advised that following consultation in September, subject to the number of representations received, it would be Officers intention to bring a publication</p>
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			<p>draft document to Executive in January 2018. This would be subject to consultation in February 2018 with the intention of submitting a plan for Examination in April / May 2018.</p> <p>A report was taken to Local Plan Working Group on 2<sup>nd</sup> May 2018, Executive on 8<sup>th</sup> May and Full Council on 17<sup>th</sup> May 2018 on Local Plan Submission. At the extraordinary meeting of the Council on 17<sup>th</sup> May 2018 it was resolved that the York Local Plan should be submitted to the Planning Inspectorate for examination. Minutes of Full Council (CD005)</p>
2. How will community engagement be programmed into the preparation of the DPD?	<p>The Act section 19(3)</p> <p>Regulation 18</p>	<p>NPPF paras 150, 155 and 157</p>	<p><b>i. The SCI</b></p> <p><b>ii. The project plan for the DPD</b></p> <p>The Council's SCI was adopted in 2007 (CD016) and has been used to inform the Local Plan process. This is detailed in the Consultation Statements that have accompanied each stage of the Local Plan production. The Regulation 18 Consultation Statement produced to accompany Pre Publication Consultation in September 2017 sets out the consultation process at earlier stages of Plan production.(CD013N)</p> <p><a href="https://www.york.gov.uk/downloads/file/1287/statement_of_community_involvement">https://www.york.gov.uk/downloads/file/1287/statement_of_community_involvement</a></p> <p><a href="https://www.york.gov.uk/downloads/file/14275/preferred_sites_consultation_statement_2017">https://www.york.gov.uk/downloads/file/14275/preferred_sites_consultation_statement_2017</a></p> <p>The City of York Regulation 22 Consultation Statement and its Annexes (CD013) includes details of consultation at each stage of plan production.</p>
3. Have you considered the appropriate bodies you	<p>Regulation 18</p>	<p>NPPF paras 4.25 -4.26</p>	<p><b>i. The SCI</b></p> <p><b>ii. Reports and decisions setting out the approach to specific and general consultation bodies</b></p> <p><b>iii. Consultation statement</b></p> <p>See above sections, the Statement of Community Involvement (2007) CD016 and the</p>

<p>should consult?</p>			<p>Consultation Statement of Pre-Submission Consultation September 2017. CD013N</p>
<p>4. How you will co-operate with other local planning authorities , including counties, and prescribed bodies, to identify and address any issues or strategic priorities that will have a significant impact on at least two planning areas?</p>	<p>The Act section 33A(1)(a) and (b), section 33A(3)(d) (e) &amp; (4)</p> <p>The Act Section 20(5)(c)</p> <p>Regulation 4</p>	<p>NPPF paras 178 to 181 (which comprise the guidance referred to in the Act section 33A(7))</p> <p>Under NPPF Para 182, to be 'Effective' a plan should be based on effective joint working on cross-boundary strategic priorities.</p> <p>Strategic priorities are listed at NPPF Para 156</p>	<p><b>i. Reports and decisions setting out the approach to be taken</b></p> <p><b>ii. Consultation statement</b></p> <p>See above sections.</p> <p>The council's Interim Duty to Co-operate Statement published at Pre-Publication Consultation (Regulation 18) SD024 set out the first stages of DtC and outcomes.</p> <p><a href="https://www.york.gov.uk/downloads/file/14269/duty_to_co-operate_interim_statement_2017">https://www.york.gov.uk/downloads/file/14269/duty_to_co-operate_interim_statement_2017</a></p> <p>Additionally the City of York Local Plan Submission Draft Statement to demonstrate compliance with the Duty to co-operate (April 2018) CD020 addresses the requirements set out in the Localism Act (2011), the National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG) for Local Plans to be prepared in a manner that meets the Duty to Cooperate.</p> <p>It demonstrates how the Council has complied with its duty-to-cooperate and sets out how the relevant agencies and adjoining authorities have taken part and been involved in the Local Plan preparation process from the outset. The Statement also highlights how these bodies have been engaged, what dialogue has taken place, and the key outcomes of any discussions. It also documents how discussions over matters raised have helped shaped the policies and site allocations within the Local Plan, and details the processes, actions, and outcomes identified and carried out by the Council in discharging its duty to cooperate.</p> <p>Key stakeholders and other partners have also been engaged throughout the plan-making process and have also provided valuable input into the Local Plan evidence base.</p>

<p>5. How you will co-operate with any local enterprise partnerships (LEP) or local nature partnerships (LNP) to identify and address any issues or strategic priorities that will have a significant impact on at least two planning areas?</p>	<p>The Act section 33A(1)(c) and section 33A(9), section 33A(3)(d) and (e)</p> <p>The Act section 20(5)(c).</p> <p>Regulation 4</p>	<p>NPPF paras 178 to 181</p>	<p>i. Reports and decisions setting out the approach to be taken. ii. Consultation statement</p> <p>The full history of the consultation process is set out in the City of York Local Plan Pre Publication Consultation September 2017 (CD013N).</p> <p><a href="https://www.york.gov.uk/downloads/file/15329/local_plan_pre_publication_regulation_18_consultation_statement">https://www.york.gov.uk/downloads/file/15329/local_plan_pre_publication_regulation_18_consultation_statement</a></p> <p>This sets out how the council engaged with communities and Stakeholders in the preparation of the York Local Plan, it includes details of early engagement and of the Regulation 18 stage consultation and a summary of the main issues and the council's response on how the comments have shaped the local plan.</p> <p>As it has developed the Local Plan has been subject to on-going and constructive engagement with neighbouring authorities and relevant organisations. This has included:</p> <ul style="list-style-type: none"> <li>• the preparation and updating of a Duty to Cooperate Matrix (that has been generally circulated to the officer level groups for subsequent discussion and comment);</li> <li>• regular one-to-one officer meetings;</li> <li>• making representations, as appropriate, to other authorities Local Plan documents, and vice versa; and</li> <li>• regular technical discussions at regional sub-regional Member and officer groups.</li> </ul> <p>Through the meetings highlighted Officers have sought to gauge the appetite of</p>
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			<p>neighbouring authorities for a sub-regional approach to delivering housing within the context of the Duty to Cooperate. Whilst this wasn't supported for the current round of Local Plans there may be some support to consider this in the future.</p> <p>Details on how the Council has fulfilled the requirements under the Duty was contained in the 'Demonstrating the Duty to co-operate (Interim Statement)' SD024 that was part of the supporting evidence base for the Pre Publication Draft Local Plan. The Duty to Co-operate Statement addresses the requirements set out in the Localism Act (2011), the National Planning Policy framework (NPPF) and National Planning Policy Guidance (NPPG) for Local Plans to be prepared in a manner that meets the Duty to Cooperate.</p> <p><a href="https://www.york.gov.uk/downloads/file/14269/duty_to_co-operate_interim_statement_2017">https://www.york.gov.uk/downloads/file/14269/duty_to_co-operate_interim_statement_2017</a></p> <p>Several Prescribed Bodies including many of York's neighbouring authorities, the Local Enterprise Partnerships and Highways England returned representations during the Pre Publication Draft Local Plan consultation. These were considered in finalising the Publication Draft Local Plan and were reported back to Members of the Local Plan Working Group (LPWG) and Executive in January 2018.(SD028) They were summarised in Annex B (SD028C) to inform Members consideration of the recommendation associated with the report.</p> <p><a href="http://democracy.york.gov.uk/ieListDocuments.aspx?CId=733&amp;MId=10195&amp;Ver=4">http://democracy.york.gov.uk/ieListDocuments.aspx?CId=733&amp;MId=10195&amp;Ver=4</a></p> <p>The comments provided at Pre Publication stage were broadly supportive of ongoing engagement and alignment with economic objectives, but stress the importance of an appropriate land supply for housing and the need for joint working on issues such as transport.</p>
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			<p>The council's Interim DtC Statement (SD024) makes reference to engagement with the Local Economic Partnerships. It demonstrates how the Council has complied with its duty-to-cooperate and sets out how the relevant agencies and adjoining authorities have taken part and been involved in the Local Plan preparation process from the outset. The Statement also highlights how these bodies have been engaged, what dialogue has taken place, and the key outcomes of any discussions. It also documents how discussions over matters raised have helped shaped the policies and site allocations within the Local Plan, and details the processes, actions, and outcomes identified and carried out by the Council in discharging its duty to cooperate.</p> <p>Key stakeholders and other partners have also been engaged throughout the plan-making process and have also provided valuable input into the Local Plan evidence base.</p>
<p>6. Is baseline information being collected and evidence being gathered to keep the matters which affect the development of the area</p>	<p>The Act section 13</p>	<p>NPPF paras 158 - 177</p>	<ul style="list-style-type: none"> <li>i. Documents dealing with collection of baseline information</li> <li>ii. Relevant technical studies</li> <li>iii. The annual monitoring report</li> </ul> <p>The evidence base of the Local Plan includes a number of studies that include baseline information and data. The baseline information was also collected for the SA Scoping Report SD008 and the SA</p> <p>See the York Local Plan Submission Document list for a full list of evidence base documents, technical papers and supporting evidence</p> <p>The AMR updates annually and can be found on the City of York Website. The most recent AMR Housing monitoring Update 2016/17 forms part of the submission (CD017).</p>

under review?			<a href="https://www.york.gov.uk/info/20051/planning_policy/663/development_plan_monitoring">https://www.york.gov.uk/info/20051/planning_policy/663/development_plan_monitoring</a>
7. Is baseline information being collected and evidence gathered to set the framework for the sustainability appraisal?	The Act section 19(5)	<p>NPPF paras 165 and 167</p> <p>Strategic Environmental Assessment Guide, chapter 5</p>	<p>i. Sustainability report scoping document ii. Sustainability appraisal report</p> <p>A Sustainability Appraisal incorporating the requirements of Strategic Environmental Assessment (the SA') was prepared as part of the Core Strategy in 2012. As per the SA guidance and SEA regulations, context and baseline information was collated to cover a wide variety of environmental and socio-economic topics from the prepared evidence base, online sources (such as Census outputs) and from a review of plans, programmes and policies.</p> <p>Following the withdrawal of the Core Strategy, the SA Scoping Report was updated to inform the production of an SA for the new emerging Local Plan. Baseline evidence was updated and informed by consultation with Statutory and other relevant bodies in 2013. This informed the SA Framework comprising of 15 objectives relating to the sustainability issues identified.</p> <p>The final report was published at the Preferred Options consultation Stage (2013) SD007 alongside. This is available online</p> <p><a href="https://www.york.gov.uk/downloads/file/9543/local_plan_sustainability_appraisal_-_scoping_report">https://www.york.gov.uk/downloads/file/9543/local_plan_sustainability_appraisal_-_scoping_report</a></p> <p><a href="https://www.york.gov.uk/downloads/file/9544/local_plan_sustainability_appraisal_-_scoping_report_annexes">https://www.york.gov.uk/downloads/file/9544/local_plan_sustainability_appraisal_-_scoping_report_annexes</a></p> <p>The preparation of the SA has been iterative. The baseline information underpinning the plan has therefore been updated in line with the report production to ensure the information remains valid and relevant to the evidence base. Stages of updates include:</p>

			<ol style="list-style-type: none"> <li>1. Preferred Options Sustainability Appraisal (2013) SD007 – section 2: Context and baseline and Appendix 3: Baseline <a href="https://www.york.gov.uk/downloads/file/2238/sustainability_appraisal">https://www.york.gov.uk/downloads/file/2238/sustainability_appraisal</a> <a href="https://www.york.gov.uk/downloads/file/2240/sustainability_appraisal_-_appendices">https://www.york.gov.uk/downloads/file/2240/sustainability_appraisal_-_appendices</a></li> <li>2. Publication draft Local Plan Sustainability Appraisal (halted from Publication) SD011 – Section 3: Context and Baseline and Appendix D: Baseline Analysis. <a href="http://democracy.york.gov.uk/ieListDocuments.aspx?CId=733&amp;MId=8553&amp;Ver=4">http://democracy.york.gov.uk/ieListDocuments.aspx?CId=733&amp;MId=8553&amp;Ver=4</a></li> <li>3. Pre Publication Local Plan (Regulation 18) Sustainability Appraisal SD023 – Section 3: Context and Baseline and Appendix D: Baseline Analysis. <a href="https://www.york.gov.uk/downloads/download/4036/pre-publication_draft_local_plan_reg_18_consultation">https://www.york.gov.uk/downloads/download/4036/pre-publication_draft_local_plan_reg_18_consultation</a></li> <li>4. Publication draft Local Plan Sustainability Appraisal CD008 and CD009 <a href="https://www.york.gov.uk/downloads/download/4252/local_plan_publication_draft_2018_consultation">https://www.york.gov.uk/downloads/download/4252/local_plan_publication_draft_2018_consultation</a></li> <li>5. Publication Draft Local Plan Sustainability Appraisal Addendum CD011</li> </ol>
<p>8. Have you consulted the statutory environment consultation bodies for five weeks on</p>	<p>Regulations 9 and 13 of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633.</p>	<p>NPPF paras 165 and 167  SEA Guide chapter 3</p>	<p>Copies of the consultation letters sent to and any responses from the bodies</p> <p>The statutory bodies (Natural England, Historic England and Environment Agency) were consulted on at the following stages. Consultation on the draft SA reports occurred alongside consultation of key stages of Local Plan consultation in line with the Statement of Community Involvement (SCI).</p> <ul style="list-style-type: none"> <li>• LDF Core Strategy Scoping Report – September 2005</li> <li>• LDF Core Strategy Scoping Report Update – July 2010</li> </ul>

<p>the scope and level of detail of the environmental information to be included in the sustainability appraisal report?</p>			<ul style="list-style-type: none"> <li>• LDF Core Strategy Sustainability Appraisal - August 2011</li> <li>• Local Plan SA Scoping Report – March 2013 (SD008)Local Plan Preferred Options SA - June/July 2013 (SD007)Local Plan Preferred Sites Interim SA – July 2016 (SD020)</li> <li>• Local Plan Pre Publication (Reg 18) SA – Sept/Oct 2017 (SD023)</li> <li>• Local Plan Publication draft (Reg 19) SA – Jan/Feb 2018 (CD008)</li> </ul>
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## **Stage two: Plan preparation - frontloading phase**

Information assembled during this phase contributes to:

- showing that the procedures have been complied with
- demonstrating cooperation with statutory cooperation bodies
- 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.

## Stage two: Plan preparation

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
<p>1. Have you notified:</p> <ul style="list-style-type: none"> <li>the specific consultation bodies?</li> <li>the general consultation bodies that have an interest in the subject of the DPD and invited them to make representations about its contents?</li> </ul>	Regulation 18(1) and (2)(a) (b)	NPPF paras 159 – 173	Specific and general consultation bodies are defined in Regulation 2.	The City of York Local Plan Consultation Statement (Regulation 22 (c) (CD013) and City of York Local Plan Submission Draft Statement to demonstrate Compliance with the Duty to Co-operate (CD021) detail the consultation carried out as part of the preparation of the Local Plan. The specific and general consultation bodies were included in this consultation.
2. Are you inviting representations from people resident or carrying out business in your area about the content of the DPD?	Regulation 18(1) and (2)(c)	NPPF paras 159 – 173		The City of York Local Plan Consultation Statement (Regulation 22 (c) (CD013) details the consultation carried out during the preparation of the plan and the engagement of local people and businesses.
3. Are you engaging with stakeholders responsible for delivery of the strategy?	Regulation 18	NPPF para 155	NPPF paras 160-171 4.29 give examples of relevant bodies which should be consulted.	The City of York Local Plan Consultation Statement (Regulation 22 (c) (CD013) and City of York Local Plan Submission Draft Statement to demonstrate Compliance with the Duty to Co-operate (CD021) detail the consultation carried out as part of the preparation of the Local Plan. The stakeholders responsible for the delivery of the strategy have been included in this consultation.

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
4. Are you taking into account representations made?	Regulation 18(3)	NPPF para 155	Evidence from participation is part of the justification. Show how you have taken representations into account.	<p>The City of York Local Plan Consultation Statement (Regulation 22 (c) (CD013) explains how the representations made through the consultation process have been taken into account during the preparation of the Local Plan.</p> <p>This sets out how the council engaged with communities and Stakeholders in the preparation of the York Local Plan, it includes details of early engagement and of the Regulation 18 stage consultation and a summary of the main issues and the council’s response on how the comments have shaped the York Local Plan Submission Document List includes the full series of Sustainability Appraisal Reports that have tracked the Local Plan process; this includes details of the selection of alternatives and an audit trail of how the Council’s approach to topics within the plan set out in Section 2: The development of the Local Plan and Appendices E, F, H - M.</p> <p>The alternative approaches to policy were initially tested at Preferred Options stage (SD005) and have continued to be tested as necessary against changing consultation responses and evidence base. In addition, consideration of alternative sites has been amended as further information has been received through consultation such as new sites for consideration or submission of evidence. Appendix</p>

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
				<p>B to the SA also provides a schedule of consultation comments received and how these have been addressed.</p>
<p>5. Does the consultation contribute to the development and sustainability appraisal of alternatives?</p>	<p>The Act section 19(5)</p> <p>Regulations 12 and 13 of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633</p>	<p>NPPF paras 165 – 168</p> <p>SEA Guide, chapter 3</p>		<p>The City of York Local Plan Consultation Statement (Regulation 22 (c) (CD013) sets out the representations received and how they have contributed to the development of the Local Plan.</p> <p>The SA Report (CD008, CD009, CD010) includes the assessment of alternatives carried out as part of the SA process.</p> <p>All SA documentation has been published and made available for consultation alongside the relevant stage of the Local Plan.</p> <p>The Core Document List includes the full series of Sustainability Appraisal Reports that have tracked the Local Plan process; this includes details of the selection of alternatives and an audit trail of how the Council's approach to topics within the plan set out in Section 2: The development of the Local Plan and Appendices E, F, H - M. The alternative approaches to policy were initially tested at Preferred Options stage and have continued to be tested as necessary against changing consultation responses and evidence base. In addition, consideration of alternative sites has been</p>

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
				amended as further information has been received through consultation such as new sites for consideration or submission of evidence. Appendix B to the SA also provides a schedule of consultation comments received and how these have been addressed.
<p>6. Is the participation:</p> <ul style="list-style-type: none"> <li>• following the principles set out in your SCI?</li> <li>• integrating involvement with the sustainable community strategy?</li> <li>• proportionate to the scale of issues involved in the DPD?</li> </ul>	The Act section19(3)	NPPF para 155		<p>The Statement of Community Involvement was adopted in 2007 (CD016) and set the framework for the consultation on the Local Plan.</p> <p>The scale of community involvement is explained in the The City of York Local Plan Consultation Statement (Regulation 22 (c) (CD013)</p> <p>The relevant Sustainable Community Strategies for York are:</p> <ul style="list-style-type: none"> <li>• One Planet Council (SD131)</li> <li>• York Economic Strategy 2016-2020 (2016) – SD070</li> <li>• York’s Joint Health and Wellbeing Strategy 2017-2022 (2017) – SD097</li> </ul>
<p>7. Are you keeping a record of:</p> <ul style="list-style-type: none"> <li>• the individuals or bodies invited to make representations?</li> </ul>	The Act section20(3)  Regulation 17	NPPF paras 158 - 171	You will need to submit a statement of representations under Regulation 22 (1) (c): see Submission stage	<p>The City of York Local Plan Consultation Statement (Regulation 22 (c) (CD013) is the record of the consultation process and the main issues raised.</p> <p>Copies of correspondence received have also been retained.</p>

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
<ul style="list-style-type: none"> <li>• how this was done?</li> <li>• the main issues raised?</li> </ul>			<p>below. Regulation 35 deals with the availability of documents and the time of their removal.</p>	
<p>8. Are you inviting representations on issues that would have significant impacts on both your areas from another local planning authority? Or county issues from an affected county council that is not a planning authority? Or significant cross-boundary issues and strategic priorities of a body prescribed under Section 33A(1)(c)?</p>	<p>The Act section 33A(1)(a) (b) and (c), section 33A(3)(d) &amp; (e) section 33A(4) section 33A(9)</p> <p>The Act section 20 (5)(c)</p>	<p>NPPF paras 178 to 181</p>	<p>Section 33A(3)(d) and (e) requires cooperation on significant cross-boundary issues before and during plan preparation.</p> <p>Section 33A(2) requires you to engage constructively, actively and on an ongoing basis.</p>	<p>The council's Interim Duty to Co-operate Statement sets out how the council undertook initial DtC and outcomes. (SD024)</p> <p><a href="https://www.york.gov.uk/downloads/file/14269/duty_to_co-operate_interim_statement_2017">https://www.york.gov.uk/downloads/file/14269/duty_to_co-operate_interim_statement_2017</a></p> <p>Additionally the City of York Local Plan Submission Draft Statement to demonstrate compliance with the Duty to Co-operate (CD020) addresses the requirements set out in the Localism Act (2011), the National Planning Policy framework (NPPF) and National Planning Policy Guidance (NPPG) for Local Plans to be prepared in a manner that meets the Duty to Cooperate.</p> <p>It demonstrates how the Council has complied with its duty-to-cooperate and sets out how the relevant agencies and adjoining authorities have taken part and been involved in the Local Plan preparation</p>

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
				<p>process from the outset. The Statement also highlights how these bodies have been engaged, what dialogue has taken place, and the key outcomes of any discussions. It also documents how discussions over matters raised have helped shaped the policies and site allocations within the Local Plan, and details the processes, actions, and outcomes identified and carried out by the Council in discharging its duty to cooperate.</p> <p>Key stakeholders and other partners have also been engaged throughout the plan-making process and have CD21 details the issues affecting other local authorities and how cross-boundary and strategic issues have been resolved.</p> <p>The consultation with other local planning authorities is also included in the The City of York Local Plan Consultation Statement (Regulation 22 (c) (CD013)</p>
<p>9. Are you inviting representations on cross-boundary issues and strategic priorities from a local enterprise partnership (LEP) or a local nature partnership (LNP)?</p>	<p>The Act section 33A(1)(c) and Section 33A(9).</p> <p>The Act section 20(5)</p>	<p>NPPF paras 178 to 181</p>	<p>Section 33A(3)(d) and (e) requires cooperation on significant cross-boundary issues before and during plan preparation.</p>	<p>The LEPs and the relevant local nature organisations have been involved in the development of the Local Plan and this is detailed in the City of York Local Plan Submission Draft Statement to demonstrate compliance with the Duty to Co-operate (CD020) and The City of York Local Plan Consultation Statement (Regulation 22 (c) (CD013)</p>

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
	(c).  Regulation 4		Section 33A(2) requires you to engage constructively, actively and on an ongoing basis.	
10. Are you developing a framework for monitoring the effects of the DPD?	The Act section 35  Regulation 34  Regulation 17 of The Environmental Assessment of Plans and Programmes Regulations 2004 No1363	NPPF paras 165 - 1687  SEA Guide, Chapter 5	It is a matter for each council to decide what to include in their monitoring reports while ensuring they are prepared in accordance with relevant UK and EU legislation” Chief Planning Officer letter 30 March 2011 withdrawing ODPM guidance.	A framework for monitoring the effects of the Local Plan was developed through the SA process.  The Local Plan (CD001) also contains a delivery and monitoring framework (Section 15).  The AMR will record the performance of the Local Plan policies against the monitoring indicators set out in Section 15 of the Local Plan (Table 15.2).

### **Stage three: Plan preparation - formulation phase**

This stage has many legal matters, for process and content, to address. The council should be beginning to formulate the preferred strategy for the local plan or supplementary planning document with which the council chooses to address Regulation 18 requirements, using the information gathered and previous collaborative work with stakeholders.

Para 182 of the NPPF makes it clear that explicit consideration of alternatives is a key part of the plan making process.

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
- findings from engagement with statutory cooperation bodies.

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 DPD.

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.

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 is a formal opportunity for anyone to comment on an aspect of the DPD's soundness, and to propose a change to the plan accordingly. The more effectively this message is put across, the lower the chance of late changes being brought forward following publication.

### Stage three: Plan preparation – writing the plan

Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence
<p>1. Are you preparing reasonable alternatives for evaluation during the preparation of the DPD?</p>	<p>Regulation 12 (2) of The Environmental Assessment of Plans and Programmes Regulations 2004 No. 1633</p>	<p>NPPF paras 152 - 182  SEA Guide, Chapter 5</p>	<p>The sustainability appraisal report and supporting documents relevant to the preparation of the DPD are part of the proposed submission documents (see Regulation 17).</p>	<p>Policy options, spatial options and reasonable alternatives have been considered as part of the plans production and evaluated as part of the Sustainability Appraisal (CD008, CD009 &amp; CD010). Specifically, Section 2 and Appendices E,F and H-N of the Publication draft SA.</p> <p>A full list of all the documents that make up the SA can be found in the York Local Plan Submission Document List.</p> <p>The Draft Local plan set out reasonable policy alternatives as part of the Preferred Options consultation document (SD005) In addition, consideration of reasonable alternative sites were presented in the following documents:</p> <ul style="list-style-type: none"> <li>• Site selection Paper (2013) SD072 <a href="https://www.york.gov.uk/downloads/file/3680/site_selection_paper_-_main_reportpdf">https://www.york.gov.uk/downloads/file/3680/site_selection_paper_-_main_reportpdf</a></li> <li>• Further Sites Consultation (2014) SD015 <a href="https://www.york.gov.uk/downloads/download/1133/further_sites_consultation_report_2014_and_technical_appendices">https://www.york.gov.uk/downloads/download/1133/further_sites_consultation_report_2014_and_technical_appendices</a></li> <li>• Site Selection Paper Addendum (2014) SD073 <a href="https://www.york.gov.uk/downloads/file/2098/site_selection_paper_-_addendumpdf">https://www.york.gov.uk/downloads/file/2098/site_selection_paper_-_addendumpdf</a></li> <li>• Preferred Sites Consultation (2016) SD018 <a href="https://www.york.gov.uk/downloads/download/3333/local_plan_pr">https://www.york.gov.uk/downloads/download/3333/local_plan_pr</a></li> </ul>

Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence
				<p><a href="#">eferred sites consultation documents</a></p> <ul style="list-style-type: none"> <li>SHLAA (2017) SD053  <a href="https://www.york.gov.uk/downloads/file/14290/strategic_housing_and_availability_assessment_shlaa_2017">https://www.york.gov.uk/downloads/file/14290/strategic_housing_and_availability_assessment_shlaa_2017</a>  <a href="https://www.york.gov.uk/downloads/file/14288/strategic_housing_and_availability_assessment_shlaa_annexes2017">https://www.york.gov.uk/downloads/file/14288/strategic_housing_and_availability_assessment_shlaa_annexes2017</a></li> </ul>
<p>2. Have you assessed alternatives against:</p> <ul style="list-style-type: none"> <li>consistency with national policy?</li> <li>general conformity with the regional spatial strategy where still in force?</li> </ul>	<p>The Act section 19 (2), section 24</p>	<p>NPPF para 151</p>	<p>For London boroughs and local authorities where regional strategies are still in force general conformity is tested formally later but you need to consider it during preparation of the DPD.</p>	<p>The Local Plan is considered to be consistent with the National Planning Policy Framework and a soundness self-assessment has been carried out.</p> <p>The alternatives considered and the assessment of their suitability as options have been assessed within the SA.</p> <p>The Yorkshire and Humber Plan (Regional Spatial Strategy to 2026) SD032 was adopted in May 2008 and revoked by the CLG on 6th July 2010. However the policies pertaining to York's Green Belt were retained until an adopted Development Plan set the detailed Green Belt boundaries (CD021)</p>
<p>3. Are you having regard to (where relevant):</p>	<p>The Act sections 19 (2) and 24 (1)</p>		<p>Where the regional strategy has</p>	<p>The Yorkshire and Humber Plan (Regional Spatial Strategy to 2026) SD032 was adopted in May 2008 and revoked by the CLG on 6th July 2010. However the policies pertaining to York's Green</p>

Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence
<ul style="list-style-type: none"> <li>• adjoining regional spatial strategies?</li> <li>• the spatial development strategy for London?</li> <li>• Planning Policy for Wales?</li> <li>• the National Planning Framework for Scotland?</li> </ul>	<p>and (4)</p> <p>Regulation 10 and 21</p>		<p>been revoked you should record that fact.</p>	<p>Belt were retained until an adopted Development Plan set the detailed Green Belt boundaries CD021).</p>
<p>4. Are you co-operating with other local planning authorities including counties, to address significant cross boundary issues? Have you discussed doing</p>	<p>The Act section 33A(2)(a)</p> <p>Section 33A(6)(a)(b)</p> <p>Section 20(5)(c)</p>	<p>NPPF paras 181 and 185</p>	<p>.</p>	<p>The council produced an Interim Duty to Co-operate Statement (SD024).</p> <p><a href="https://www.york.gov.uk/downloads/file/14269/duty_to_co-operate_interim_statement_2017">https://www.york.gov.uk/downloads/file/14269/duty_to_co-operate_interim_statement_2017</a></p> <p>The Interim Duty to Co-operate Statement (SD024) addresses the requirements set out in the Localism Act (2011), the National Planning Policy framework (NPPF) and National Planning Policy Guidance (NPPG) for Local Plans to be prepared in a manner that meets the Duty to Cooperate.</p>

Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence
joint local development documents?				<p>It demonstrates how the Council has complied with its duty-to-cooperate and sets out how the relevant agencies and adjoining authorities have taken part and been involved in the Local Plan preparation process from the outset. The Statement also highlights how these bodies have been engaged, what dialogue has taken place, and the key outcomes of any discussions. It also documents how discussions over matters raised have helped shaped the policies and site allocations within the Local Plan, and details the processes, actions, and outcomes identified and carried out by the Council in discharging its duty to cooperate.</p> <p>Key stakeholders and other partners have also been engaged throughout the plan-making process and have also provided valuable input into the Local Plan evidence base.</p>
5. Are you cooperating with a person prescribed for the purposes of Regulation 33A(1)(c) to address significant cross boundary issues including preparing joint approaches?	<p>The Act section 33A(2)(a), section 33A(6)(a)</p> <p>The Act section 20 (5) (c)</p> <p>Regulation 4</p>	NPPF paras 181 and 182	The bodies prescribed by The Act section 33A(1)(c) are set out at Regulation 4 (1).	<p>The Interim Duty to Co-operate Statement (SD024) and the City of York Council Local Plan Submission Draft Statement to demonstrate compliance with the Duty to Co-operate (CD020) addresses the requirements set out in the Localism Act (2011), the National Planning Policy framework (NPPF) and National Planning Policy Guidance (NPPG) for Local Plans to be prepared in a manner that meets the Duty to Cooperate.</p> <p>It demonstrates how the Council has complied with its duty-to-cooperate and sets out how the relevant agencies and adjoining authorities have taken part and been involved in the Local Plan preparation process from the outset. The Statement also highlights how these bodies have been engaged, what dialogue has taken place, and the key outcomes of any discussions. It also documents</p>

Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence
				<p>how discussions over matters raised have helped shaped the policies and site allocations within the Local Plan, and details the processes, actions, and outcomes identified and carried out by the Council in discharging its duty to cooperate.</p> <p>Key stakeholders and other partners have also been engaged throughout the plan-making process and have also provided valuable input into the Local Plan evidence base.</p> <p>The Duty to Cooperate Statement explains the consultation and cooperation that has been carried out to resolve and cross boundary issues.</p>
<p>6. Are you cooperating with having regard to the activities of the LEP and LNP?</p>	<p>The Act section 33A(2)(b) and section 33A(9). Regulation 4 (2)</p>	<p>NPPF para 181 and 182</p>		<p>The Interim Duty to Co-operate Statement (SD024) and the City of York Council Local Plan Submission Draft Statement to demonstrate compliance with the Duty to Co-operate (CD020) addresses the requirements set out in the Localism Act (2011), the National Planning Policy framework (NPPF) and National Planning Policy Guidance (NPPG) for Local Plans to be prepared in a manner that meets the Duty to Cooperate.</p> <p>It demonstrates how the Council has complied with its duty-to-cooperate and sets out how the relevant agencies and adjoining authorities have taken part and been involved in the Local Plan preparation process from the outset. The Statement also highlights how these bodies have been engaged, what dialogue has taken place, and the key outcomes of any discussions. It also documents how discussions over matters raised have helped shaped the policies and site allocations within the Local Plan, and details the</p>

Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence
				<p>processes, actions, and outcomes identified and carried out by the Council in discharging its duty to cooperate.</p> <p>Key stakeholders and other partners have also been engaged throughout the plan-making process and have also provided valuable input into the Local Plan evidence base.</p> <p>The Duty to Cooperate Statement explains the consultation and cooperation that has been carried out to resolve and cross boundary issues.</p>
<p>7. Are you having regard to:</p> <ul style="list-style-type: none"> <li>• your sustainable community strategy or of other authorities whose area comprises part of the area of the council?</li> <li>• any other local development documents adopted by the</li> </ul>	<p>The Act section19(2)</p>			<p>The Local Plan has been prepared with regard to other Council strategies as set out in Section 1 of the Plan (Background and Vision).</p> <p>The relevant Sustainable Community Strategies for York are:</p> <ul style="list-style-type: none"> <li>• One Planet Council (SD131)</li> <li>• York Economic Strategy 2016-2020 (2016) (SD070)</li> <li>• York’s Joint Health and Wellbeing Strategy 2017-2022 (2017) (SD096)</li> </ul> <p>Relevant plans, programmes and policies have also informed the sustainability appraisal and the understanding of sustainability issues within York. These were initially set out in the Scoping report (2013) SD008 A &amp; B and updated for the SA of Publication draft Local Plan (Appendix C).(CD009)</p>

Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence
council?				
<p>8. Do you have regard to other matters and relevant strategies relating to:</p> <ul style="list-style-type: none"> <li>• resources</li> <li>• the local/regional economy</li> <li>• the local transport plan and transport facilities and services</li> <li>• waste strategies</li> <li>• hazardous substances</li> </ul>	<p>The Act section19(2)</p> <p>Regulation 10</p>		<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 preparing the DPD.</p>	<p>The evidence base for the Local Plan includes existing relevant strategies. These are referenced in the relevant sections of the Local Plan and included within the Submission Document List.</p> <p>The Local Plan has regard to the emerging Minerals and Waste Joint Plan completed in conjunction with North Yorkshire County Council and North York Moors National Park. (SD029 and SD030)</p> <p>The transport policies of the Local Plan are consistent with the strategic themes of the City of York Local Transport Plan 2011 to 2031. (SD074)</p> <p><a href="https://www.york.gov.uk/info/20108/local_transport_plan/1430/local_transport_plan_2011-2031">https://www.york.gov.uk/info/20108/local_transport_plan/1430/local_transport_plan_2011-2031</a></p> <p>Relevant plans, programmes and policies have also informed the Sustainability Appraisal and the understanding of sustainability issues within York. These were initially set out in the Scoping report (2013) SD008 Annexes A &amp; B and updated for the SA of Publication draft Local Plan (Appendix C).(CD009)</p>
<p>9. Are you having regard to the need to include policies on mitigating and adapting to climate change?</p>	<p>The Act section19(1A)</p>	<p>NPPF paras 93 - 108</p>		<p>The issue of climate change is addressed in Section 11 of the Publication Draft Local Plan – Climate Change (CD001). Policies include CC1: Renewable and low carbon energy generation and storage, CC2: Sustainable design and construction of new development, and CC3: District heating and combined heat and power networks.</p>

Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence
				<p>Section 12 of the Publication Draft Local Plan (Environmental Quality and Flood Risk) also includes policies relating to air quality (ENV1), flood risk (ENV4) and sustainable drainage (ENV5).</p> <p>The Submission Document List provides details of all supporting documents relating to climate change used in preparing the Local Plan.</p>
<p>10. Have you undertaken the sustainability appraisal of alternatives, including consultation on the sustainability appraisal report?</p>	<p>The Act section 19(5)</p> <p>Regulation 12 and 13 of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633</p>	<p>NPPF para 182</p> <p>SEA Guide, Chapter 5</p>	<p>Regulation 13 of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633 sets out the consultation procedures.</p>	<p>Policy options, spatial options and reasonable alternatives have been considered as part of the plans production and evaluated as part of the Sustainability Appraisal (CD008, CD009 &amp; CD010). Specifically, Section 2 and Appendices E, F and H-N of the Publication draft SA. Consultation on the Sustainability Appraisals have been undertaken at the same time as key consultations on the Local Plan and therefore meet the requirements for consultation set through regulation.</p> <p>A full list of all the documents that make up the SA can be found in the Submission Document List.</p> <p>The Draft Local plan set out reasonable alternatives as part of the Preferred Options consultation document.</p> <p>In addition, consideration of reasonable alternative sites were presented in the following documents:</p> <ul style="list-style-type: none"> <li>• Site selection Paper (2013) SD072</li> </ul>

Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence
				<p><a href="https://www.york.gov.uk/downloads/file/3680/site_selection_paper_-_main_reportpdf">https://www.york.gov.uk/downloads/file/3680/site_selection_paper_-_main_reportpdf</a></p> <ul style="list-style-type: none"> <li>• Further Sites Consultation (2014) SD015 <a href="https://www.york.gov.uk/downloads/download/1133/further_sites_consultation_report_2014_and_technical_appendices">https://www.york.gov.uk/downloads/download/1133/further_sites_consultation_report_2014_and_technical_appendices</a></li> <li>• Site Selection Paper Addendum (2014) SD073 <a href="https://www.york.gov.uk/downloads/file/2098/site_selection_paper_-_addendumpdf">https://www.york.gov.uk/downloads/file/2098/site_selection_paper_-_addendumpdf</a></li> <li>• Preferred Sites Consultation (2016) SD018 <a href="https://www.york.gov.uk/downloads/download/3333/local_plan_preferred_sites_consultation_documents">https://www.york.gov.uk/downloads/download/3333/local_plan_preferred_sites_consultation_documents</a></li> <li>• SHLAA (2017) SD053 <a href="https://www.york.gov.uk/downloads/file/14290/strategic_housing_and_availability_assessment_shlaa_2017">https://www.york.gov.uk/downloads/file/14290/strategic_housing_and_availability_assessment_shlaa_2017</a> <a href="https://www.york.gov.uk/downloads/file/14288/strategic_housing_and_availability_assessment_shlaa_annexes2017">https://www.york.gov.uk/downloads/file/14288/strategic_housing_and_availability_assessment_shlaa_annexes2017</a></li> </ul>
11. Are you setting out reasons for any preferences between alternatives?	Regulation 8(2)	NPPF para 182	This will include Information from the sustainability appraisal.	<p>Policy options, spatial options and reasonable alternatives have been considered as part of the plans production and evaluated as part of the Sustainability Appraisal (CD008,CD009 &amp; CD010). Specifically, Sections 2 and 6 and Appendices E,F and H-N of the Publication draft SA.</p> <p>A full list of all the documents that make up the SA can be found in the Submission Document List.</p> <p>The Draft Local plan set out reasonable alternatives as part of the</p>

Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence
				<p>Preferred Options consultation document.(SD005)</p> <p>In addition, consideration of reasonable alternative sites were presented in the following documents:</p> <ul style="list-style-type: none"> <li>• Site selection Paper (2013) SD072 <a href="https://www.york.gov.uk/downloads/file/3680/site_selection_paper_-_main_reportpdf">https://www.york.gov.uk/downloads/file/3680/site_selection_paper_-_main_reportpdf</a></li> <li>• Further Sites Consultation (2014) SD015 <a href="https://www.york.gov.uk/downloads/download/1133/further_sites_consultation_report_2014_and_technical_appendices">https://www.york.gov.uk/downloads/download/1133/further_sites_consultation_report_2014_and_technical_appendices</a></li> <li>• Site Selection Paper Addendum (2014) SD073 <a href="https://www.york.gov.uk/downloads/file/2098/site_selection_paper_-_addendumpdf">https://www.york.gov.uk/downloads/file/2098/site_selection_paper_-_addendumpdf</a></li> <li>• Preferred Sites Consultation (2016) SD018 <a href="https://www.york.gov.uk/downloads/download/3333/local_plan_preferred_sites_consultation_documents">https://www.york.gov.uk/downloads/download/3333/local_plan_preferred_sites_consultation_documents</a></li> <li>• SHLAA (2017) SD053 <a href="https://www.york.gov.uk/downloads/file/14290/strategic_housing_and_availability_assessment_shlaa_2017">https://www.york.gov.uk/downloads/file/14290/strategic_housing_and_availability_assessment_shlaa_2017</a> <a href="https://www.york.gov.uk/downloads/file/14288/strategic_housing_and_availability_assessment_shlaa_annexes2017">https://www.york.gov.uk/downloads/file/14288/strategic_housing_and_availability_assessment_shlaa_annexes2017</a></li> </ul>
12. Have you taken into account any representations made on the content of the DPD and the	Regulations 17, 18(3) and 22 (1) (c) (iv)  Regulation	NPPF paras 150, 155, 157 and 159-171	Records on the sustainability appraisal should also include	<p>See sections above, and the City of York Local Plan Consultation Statement (Regulation 22 (c) and its Annexes (CD013)</p> <p>The SA Report (CD008, CD009 &amp; CD010) also details the representations received in the consultation on the SA Scoping</p>

Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence
<p>sustainability appraisal? Are you keeping a record?</p>	<p>13(4) of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633</p>		<p>recording any assessment made under the Habitats Directive.</p>	<p>Report and subsequent consultations. The Council's response to those representations is set out in Appendix B of the Publication draft SA. (CD009A)</p> <p><a href="https://www.york.gov.uk/downloads/file/15313/local_plan_publication_draft_-_sustainability_appraisal_appendices_a-g">https://www.york.gov.uk/downloads/file/15313/local_plan_publication_draft_-_sustainability_appraisal_appendices_a-g</a></p>
<p>13. Where sites are to be identified or areas for the application of policy in the DPD, are you preparing sufficient illustrative material to:</p> <ul style="list-style-type: none"> <li>• enable you to amend the currently adopted policies map?</li> <li>• inform the community about the location of proposals?</li> </ul>	<p>Regulations 5 (1)(b) and 9</p>	<p>NPPF para 157</p>	<p>Regulation 2 defines the terms 'submission' and 'adopted' proposals map.</p> <p>A map showing changes to the adopted policies map is part of the proposed submission documents defined in Regulation 17.</p>	<p>The sites have been identified on a Policies Map for the Local Plan (CD004 A, B &amp; C)</p> <p>At the Pre Publication consultation stage, the proposals maps (North, South and City Centre Inset maps) SD022 A, B &amp; C) were available to view in hard copy at deposit locations, at Local Plan drop in sessions and on line both as an interactive map and as downloadable PDF versions</p> <p><a href="https://www.york.gov.uk/downloads/download/4036/pre-publication_draft_local_plan_reg_18_consultation">https://www.york.gov.uk/downloads/download/4036/pre-publication_draft_local_plan_reg_18_consultation</a></p> <p>The Publication Draft Local Plan (CD001) allocates land for development, in the form of a series of policy maps set out on an OS base. Maps within the plan were made available on line both as an interactive map and as downloadable PDF versions. Reference copies were also provided at deposit locations.</p> <p><a href="https://www.york.gov.uk/downloads/download/4252/local_plan_publication_draft_2018_consultation">https://www.york.gov.uk/downloads/download/4252/local_plan_publication_draft_2018_consultation</a></p>

Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence
14. Are the participation arrangements compliant with the SCI?	The Act, section 19(3)  Regulation 18	NPPF paras 150 and 155		Yes participation arrangements are compliant with the Statement of Community Involvement (SCI). The SCI (CD016) was adopted in April 2007 and pre-dates the current Regulations. The consultation process has been outlined in the City of York Consultation Statement (Regulation 22 (c) CD013 and its Annexes and demonstrates compliance with both the SCI and Regulations

## Stage four: Publication

Under Regulation 20, the period for formal representations takes place **before** the DPD is submitted for examination in accordance with a timetable set out in the statement of the representations procedure which is made available at the council's office and published on its website.

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 DPD 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 SCI
- update the sustainability appraisal report.

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

The six weeks publication period is the opportunity for those dissatisfied (or satisfied) with the DPD to make formal representations to the inspector about its soundness. Only people proposing a change to the plan can expect to be heard at examination.

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'.

## Stage four: Publication

Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence
1. Have you prepared the sustainability appraisal report?	The Act section 19(5)  Regulation 12 of the Environmental Assessment of Plans and Programmes Regulations 2004 No 1633	NPPF paras 165 - 168  SEA Guide Chapter 5		Publication draft Local Plan Sustainability Appraisal (CD008, CD009 A to D and CD010)  <a href="https://www.york.gov.uk/downloads/download/4252/local_plan_publication_draft_2018_consultation">https://www.york.gov.uk/downloads/download/4252/local_plan_publication_draft_2018_consultation</a>
2. Have you made clear where and within what period representations must be made?	Regulation 17, 19, 20 and 35		The period must not be less than 6 weeks from when you publish under	The consultation was publicised in accordance with the Regulations and the SCI. A Statement of Representations Procedure set out where and when consultation should be made. The Statement of Consultation sets out the consultation and the responses received. Please refer to the City of York Local Plan Consultation Statement Regulation 22 (c) CD013  The 6 week representation period (21st February 2018 to 4 <sup>th</sup> April 2018) for the York Publication Draft Local Plan is set out in the Statement of Representations Procedure (Annex 20 of Consultation Statement – CD013 U).

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			Regulations 19 and 35 (see below).	<a href="https://www.york.gov.uk/downloads/file/15303/local_plan_publication_draft_-_statement_of_representation_procedure">https://www.york.gov.uk/downloads/file/15303/local_plan_publication_draft_-_statement_of_representation_procedure</a>
<p>3. Have you made copies of the following available for inspection:</p> <ul style="list-style-type: none"> <li>• the proposed submission documents?</li> <li>• the statement of the representations procedure?</li> </ul>	Regulation 19(a)		Regulation 17 gives definitions.	<p>The proposed submission documents and the Statement of Representation Procedure were made available in Council's Libraries, West offices and on the website. A copy of the statement was also sent out to all consultees on the Council's database via email or letter.</p> <p>The following documents were made available for consultation:</p> <ul style="list-style-type: none"> <li>• Publication Draft Local Plan</li> <li>• Policies Map (North, South and City Centre Inset)</li> <li>• Sustainability Appraisal – Non Technical Summary</li> <li>• Sustainability Appraisal – Main Report</li> <li>• Sustainability Appraisal – Appendices A to N</li> <li>• York's Local Plan – Making your comments to Government</li> <li>• Consultation Guidance Notes</li> <li>• Statement of Representations Procedure</li> <li>• Pre-Publication Regulation 18 Consultation Statement</li> <li>• Consultation Press Notice</li> </ul> <p>All documents were made available on the Council's website via <a href="https://www.york.gov.uk/LocalPlan">https://www.york.gov.uk/LocalPlan</a></p>
4. Have you published	Regulations 19 and 35		Regulations 2 and	All documents made available on the Council's website via

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<p>on your website:</p> <ul style="list-style-type: none"> <li>• the proposed submission documents?</li> <li>• the statement of the representations procedure?</li> <li>• statement and details of where and when documents can be inspected?</li> </ul>			<p>17 give definition s.</p>	<p><a href="https://www.york.gov.uk/LocalPlan">https://www.york.gov.uk/LocalPlan</a></p> <p>Comprehensive documentation relating to the Publication Draft was published on the Council’s website, this includes the following key publication documents:</p> <ul style="list-style-type: none"> <li>• Publication Draft Local Plan</li> <li>• Policies Map (North, South and City Centre Inset)</li> <li>• Sustainability Appraisal – Non Technical Summary</li> <li>• Sustainability Appraisal – Main Report</li> <li>• Sustainability Appraisal – Appendices A to N</li> <li>• York’s Local Plan – Making your comments to Government</li> <li>• Consultation Guidance Notes</li> <li>• Statement of Representations Procedure</li> <li>• Pre-Publication Regulation 18 Consultation Statement</li> <li>• Consultation Press Notice</li> </ul>
<p>5. Have you sent to each of the specific</p>	<p>Regulation 19(b)</p>		<p>Regulations 2 and 17 give definition</p>	<p>Each of the specific consultation bodies were invited to make representations via emails or letters detailing the consultation and including a Statement of Representation Procedure and a link to access documents on line. Details on the consultation and responses are set out in the City of York Local Plan Consultation</p>

Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence
<p>consultation bodies invited to make representations under Regulation 18(1):</p> <ul style="list-style-type: none"> <li>• A copy of each of the proposed submission documents</li> <li>• The statement of the representations procedure?</li> </ul>			s.	<p>Statement and Annexes (CD013)</p> <p>Correspondence with bodies can be provided on request.</p> <p>Every contact on the local plan database was notified (CD013P) and a press notice was issued (CD013R).</p>
6. Have you sent to each of the general consultation	Regulation 19(b)		Regulations 2 and 17 give definitions.	Each of the general consultation bodies were invited to make representations via emails or letters detailing the consultation and including a Statement of Representation Procedure (CD013U) and a link to access documents on line.

Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence
<p>bodies invited to make representations under Regulation 18(1):</p> <ul style="list-style-type: none"> <li>the statement of the representations procedure?</li> <li>where and when the documents can be inspected?</li> </ul>				
<p>7. Have you requested the opinion of the Mayor of London (if a London Borough or</p>	<p>The Act section 24  Regulation 21</p>		<p>The request must be made on the day you publish</p>	<p>N/A</p>

Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence
<p>Mayoral DC) on the general conformity of the DPD spatial development strategy?</p>			<p>the documents under Regulation 19(a) and a response must be made within six weeks from the request (Regulation 21).</p>	

## Stage five: Submission

At the submission stage, the council should receive and collate any representations made at publication stage. You don't have to report these representations to councillors but there may be requirements deriving from other legislation, Standing Orders or council procedures that must be considered. Or you might just think it is a good idea to report on it anyway.

If they are reported it should be on the facts of the representations made, not the results of a consultation process by the council. They should not be treated as a consultation or an opportunity to make changes or answer representations. NB: under the 2012 Regulations there is no longer any requirement to give notice by local advertisement.

You should ensure you are in legal compliance with the SCI, 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 different approaches that could be taken to changes. You should be satisfied that you remain fully compliant with the legal requirements if any changes are made (and any consequential effects on the DPD as a whole).

Apart from notification of the examination, this tool does not deal with the legal requirements that need to be followed after submission.

## Stage five: Submission

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
1. Has the DPD been prepared in accordance with the LDS? Does the DPD's listing and description in the LDS match	The Act section 19(1)		The Act section 15(2) sets out the matters specified in the LDS. As at January	The Local Plan is identified in the LDS 2017 (CD016) <a href="https://www.york.gov.uk/downloads/file/14740/local_development_scheme_november_2017">https://www.york.gov.uk/downloads/file/14740/local_development_scheme_november_2017</a> Work commenced on the Local Plan under the LDS 2012. Following withdrawal of the Core Strategy in 2012 the Council began work on an NPPF compliant Local Plan. A Preferred Options consultation was undertaken in June/July 2013 (SD005)

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
<p>the document? Have the timescales set out in the LDS been met?</p>			<p>2013, no further matters are prescribed in the Regulations.</p>	<p><a href="https://www.york.gov.uk/downloads/download/1268/local_plan_preferred_options_main_documents">https://www.york.gov.uk/downloads/download/1268/local_plan_preferred_options_main_documents</a></p> <p>A Further Sites Consultation was undertaken in June/July 2014 (SD015)</p> <p><a href="https://www.york.gov.uk/downloads/download/1133/further_sites_consultation_report_2014_and_technical_appendices">https://www.york.gov.uk/downloads/download/1133/further_sites_consultation_report_2014_and_technical_appendices</a></p> <p>Both these consultations informed the Publication Draft Local Plan (2014) which was approved by the Council's Executive in September 2014 but at Council (9/10/14) a motion was passed (SD014) halting the consultation and requesting further assessment of housing need and the supply to meet that need.</p> <p>At the local government elections in May 2015 a joint administration was formed between the Conservatives and Liberal Democrats and they agreed to <i>'prepare an evidence based local plan which delivers much needed housing whilst focussing development on brownfield land and taking all practical steps to protect the green belt and the character of York'</i></p> <p>A revised LDS (2016) was approved by Executive in July 2016 as part of the Local Plan Preferred Sites Consultation (PSC). It proposed the publication of the Local Plan in January/February 2017 with Submission by end of May 2017.</p> <p><a href="https://www.york.gov.uk/downloads/download/3333/local_plan_preferred_sites_consultation_documents">https://www.york.gov.uk/downloads/download/3333/local_plan_preferred_sites_consultation_documents</a></p>

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
				<p>After the Preferred Sites Consultation concluded the Ministry of Defence (MOD) announced as part of its Defence Estate Strategy on 7<sup>th</sup> November 2016 the release of three substantial sites in York:</p> <ul style="list-style-type: none"> <li>• Imphal Barracks, Fulford Road;</li> <li>• Queen Elizabeth Barracks, Strensall; and</li> <li>• Towthorpe Lines, Strensall.</li> </ul> <p>Technical work was carried out which established that the sites represented 'reasonable alternatives' and, therefore, should be considered as part of the Local Plan process. This was reported to Local Plan Working Group and Executive in January 2017 (SD026)</p> <p>LPWG: <a href="http://democracy.york.gov.uk/ieListDocuments.aspx?CId=128&amp;MId=10227&amp;Ver=4">http://democracy.york.gov.uk/ieListDocuments.aspx?CId=128&amp;MId=10227&amp;Ver=4</a></p> <p>Executive: <a href="http://democracy.york.gov.uk/ieListDocuments.aspx?CId=733&amp;MId=9309&amp;Ver=4">http://democracy.york.gov.uk/ieListDocuments.aspx?CId=733&amp;MId=9309&amp;Ver=4</a></p> <p>At the Executive in July 2017 (SD027) Officer's sought approval to undertake a full consultation on a Pre publication draft Local Plan (Reg 18). A revised LDS (2017) (CD016) was published which included an adjustment of key milestones from the 2016 version for Publication in February/March 2018 and Submission by end of May 2018.</p> <p><a href="https://www.york.gov.uk/downloads/file/14740/local_development_scheme_november_2017">https://www.york.gov.uk/downloads/file/14740/local_development_scheme_november_2017</a></p>

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<p>2. Has the DPD had regard to any sustainable community strategy for its area (like a county and district)?</p>	<p>The Act section 19(2)</p>	<p>NPPF para 182</p>		<p>The vision, objectives and local strategic context of the Local Plan has been informed by the relevant sustainable community strategies for York, which are:</p> <ul style="list-style-type: none"> <li>• One Planet Council (SD131)</li> <li>• York Economic Strategy 2016-2020 (2016) – SD072</li> <li>• York’s Joint Health and Wellbeing Strategy 2017-2022 (2017) – SD097</li> </ul>
<p>3. Is the DPD in compliance with the SCI (where one exists)? Has the council carried out consultation as described in the SCI?</p>	<p>The Act section 19(3)  Regulation 22(1)(c)</p>		<p>Before the SCI 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</p>	<p>The City of York Consultation Statement Regulation 22 (c) sets out details regarding how consultation on the Local Plan has been carried out (CD013)</p> <p>Consultation on the Local Plan is compliant with the Statement of Community Involvement (SCI). The SCI (CD016) was adopted in April 2007 and pre-dates the current Regulations. The consultation process has been outlined in the City of York Consultation Statement (Regulation 22 (c) CD013 and its Annexes and demonstrates compliance with both the SCI and Regulations.</p>

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<p>4. Have you identified and addressed any issues which are likely to have a significant impact on at least two planning areas. In doing so, have you co-operated with other local planning authorities, county councils where they are not a planning authority, LEPs, LNPs and the prescribed bodies in identifying and addressing any strategic cross-boundary</p>	<p>The Act section 33A(1) and section 20(5)</p>	<p>NPPF paras 181 and 182</p>	<p>amended).  Under NPPF para 182, the plan should be based on effective joint working on cross-boundary strategic priorities to be found 'Effective'.</p>	<p>The Council has produced a Submission Draft Statement to demonstrate compliance with the Duty to Co-operate (CD021) addresses the requirements set out in the Localism Act (2011), the National Planning Policy framework (NPPF) and National Planning Policy Guidance (NPPG) for Local Plans to be prepared in a manner that meets the Duty to Cooperate.</p> <p>It demonstrates how the Council has complied with its duty-to-cooperate and sets out how the relevant agencies and adjoining authorities have taken part and been involved in the Local Plan preparation process from the outset. The Statement also highlights how these bodies have been engaged, what dialogue has taken place, and the key outcomes of any discussions. It also documents how discussions over matters raised have helped shaped the policies and site allocations within the Local Plan, and details the processes, actions, and outcomes identified and carried out by the Council in discharging its duty to cooperate.</p> <p>Key stakeholders and other partners have also been engaged throughout the plan-making process and have also provided valuable input into the Local Plan evidence base.</p>

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
<p>issues If you have not agreed on the approach is there a justification?</p>				
<p>5. Has the DPD been subject to sustainability appraisal? Has the council provided a final report of the findings of the appraisal?</p>	<p>The Act section 19(5)  Regulation 22(1)(a)</p>	<p>NPPF para 165  SEA Practical Guide, chapter 5</p>		<p>The Local Plan has been subject to a sustainability appraisal and an SA Report is submitted alongside the document. See CD008, CD009 &amp; CD010  Following the completion of the Draft Habitat Regulation Assessment (CD012), an addendum to the SA (CD011) was prepared to understand the impacts resulting from the HRA on the outcomes of the SA. See CD11</p>
<p>6. Is the DPD to be submitted consistent with national policy?</p>	<p>The Act section 19(2) and Schedule 8</p>	<p>NPPF para 151</p>		<p>The Local Plan is considered to be consistent with national policy and is accompanied by a PAS self-assessment soundness checklist (CD023)</p>
<p>7. Does the DPD contain any policies or proposals that are not in general conformity</p>	<p>The Act section 24(1)(a) and 24(4)  Regulation 21</p>	<p>NPPF para 218 footnote 41</p>	<p>In London the requirement is for general conformity with the</p>	<p>The Plan is in conformity with the Regional Strategy for Yorkshire and Humber (partial revocation) Order 2013 (CD021) in relation to the general extent of York's draft greenbelt.</p>

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
<p>with the regional strategy where it still exists? If yes, is there local justification?</p> <p>If the LPA is a London borough or a mayoral development corporation has it requested an opinion from the Mayor of London on the general conformity of the plan with the spatial development strategy?</p>			<p>spatial development strategy (The London Plan).</p>	
<p>8. Has the council published the prescribed documents, and made</p>	<p>The Act section 20(2), 20(3) and 20(5)(b)  Regulations 8</p>	<p>NPPF para 182</p>	<p>Requirements relating to publication of the prescribed</p>	<p>The Council has published the prescribed documents and made them available at the libraries, the Council's main offices and online.  Please see the Submission Statement (CD024)</p>

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
<p>them available at their principal offices and their website?</p> <p>Has the council notified the relevant statutory and non-statutory bodies, and all persons invited to make representations on the plan?</p> <p>Does the DPD contain a list of superseded saved policies?</p>	<p>and 19</p>		<p>documents are listed later in this table.</p>	
<p>9. Are there any policies applying to sites or areas by reference to an Ordnance</p>	<p>Regulations 5(1) (b), 9 (1), 17 &amp; 22(1)</p>			<p>A Local Plan Policies Map has been prepared and submitted alongside the Local Plan CD004 A, B &amp; C</p>

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
<p>Survey map or to amend an adopted policies map?</p> <p>If yes, have you prepared a submission policies map?</p>				
<p>10. Is the DPD consistent with any other adopted DPDs for the area? If the DPD is intended to supersede any adopted development plan policies, does it state that fact and identify the superseded policies?</p>	<p>Regulation 8(3) and (4)</p> <p>Regulation 8(5)</p>		<p>Development Plan is defined in Section 38 of the Act.</p>	<p>N/A</p>
<p>11. Have you prepared a statement setting out:</p> <ul style="list-style-type: none"> <li>• Which</li> </ul>	<p>The Act section 20 (3)</p> <p>Regulation 22(1)(c)</p>		<p>This will bring forward material from the</p>	<p>Consultation on the Local Plan is compliant with the Statement of Community Involvement (SCI). The SCI (CD016) was adopted in April 2007 and pre-dates the current Regulations. The consultation process has been outlined in the City of York Consultation Statement (Regulation 22 (c) CD013 and its Annexes and demonstrates compliance with both the SCI and Regulations.</p>

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
<p>bodies and persons were invited to make representations under Regulation 18?</p> <ul style="list-style-type: none"> <li>• How they were invited?</li> <li>• A summary of the main issues raised?</li> <li>• How the representations have been taken into account?</li> </ul>			<p>Consultation statement (see Stage 2 above).</p>	
<p>12. Have you prepared a statement giving:</p> <ul style="list-style-type: none"> <li>• the number of representations made under</li> </ul>	<p>The Act section 20(3)</p> <p>Regulation 22(1)(c)</p>			<p>The consultation process has been outlined in the City of York Consultation Statement (Regulation 22 (c) CD013 and its Annexes and demonstrates compliance with both the SCI and Regulations.</p> <p>CD013 includes the number of representations made under Regulation 22 and a summary of main issues raised.</p>

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
Regulation 22? <ul style="list-style-type: none"> <li>• a summary of the main issues raised?</li> </ul> OR <ul style="list-style-type: none"> <li>• that no representations were made?</li> </ul>				
13. Have you collected together all the representations made under Regulation 28?	The Act section 20(3)  Regulation 22(1)(e)			Copies of the representations have been collated and submitted alongside the Local Plan (CD014)
14. Have you assembled the relevant supporting documents?	The Act section 20(3)  Regulation 22(1)(g)			The York Local Plan Submission Document List includes all the Core Documents, Supporting Documents and Topic Papers .
15. Has your council approved the DPD for submission?			Check the LPA's constitution/ standing orders for the authorisation	See CD005 Minutes from Full Council (17/05/2018)

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
			in process appropriate for the type of DPD.	
<p>16. Have you sent the Secretary of State (the Planning Inspectorate) both a paper copy and an email of the following:</p> <ul style="list-style-type: none"> <li>• the DPD?</li> <li>• the submission policies map (unless there are no site allocation policies)?</li> <li>• the documents prescribed in Regulation 22(1)?</li> </ul>	<p>The Act section 20(1) and 20(3)</p> <p>Regulations 22(1) and 22(2)</p>		<p>Regulation 35 deals with the availability of documents and the time of their removal.</p> <p>Electronic copies of some of the representations and supporting documents may not be practicable.</p> <p>Regulation 35 deals with the availability of documents and the time of their</p>	<ul style="list-style-type: none"> <li>i. Record of sending</li> <li>ii. Reasons why documents cannot be sent electronically</li> </ul>

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
			removal.	
<p>17. 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"> <li>• The DPD?</li> <li>• The documents prescribed in Regulation 22(1)?</li> </ul>	Regulation 22(3)		You should do this as soon as reasonably practicable after submission.	Record of where and when made available
<p>18. On your website, have you published the:</p> <ul style="list-style-type: none"> <li>• DPD?</li> <li>• submission policies map?</li> </ul>	Regulation 22(3) and 35(1)(b)		You should do this as soon as reasonably practicable after submission.	Record of publication

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
<ul style="list-style-type: none"> <li>• sustainability appraisal report?</li> <li>• Regulation 22(1)(c) statement?</li> <li>• supporting documents (where practicable) ?</li> <li>• representations made under Regulation 20 (where practicable) ?</li> <li>• statement as to where and when the DPD and the documents are available?</li> </ul>				
19. For each general	Regulation		You should do this as	i. Copies of correspondence

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
<p>consultation body invited to make representations under Regulation 18(1), have you sent:</p> <ul style="list-style-type: none"> <li>• notification that the documents prescribed in Regulation 22(3)(a)(i)-(iii) are available for inspection</li> <li>• where and when they can be inspected?</li> </ul>	22(3)(b)		soon as reasonably practicable after submitting to the Secretary of State.	ii. Record of sending
20. Have you given notice to persons who have requested to be notified that submission has taken	Regulation 22(3)(c)		You should do this as soon as reasonably practicable after submitting to the	i. Copies of correspondence ii. Record of sending

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
place?			Secretary of State.	
<p>21. If an examination is being held, at least six weeks before its opening has the Programme Officer:</p> <ul style="list-style-type: none"> <li>• published the time and place of the examination and the name of the person appointed to carry out the examination on your website?</li> <li>• notified those who have made representations on the</li> </ul>	<p>The Act section 20</p> <p>Regulations 24 and 35</p>			<ul style="list-style-type: none"> <li>i. Record of publication of information</li> <li>ii. Record of sending</li> <li>iii. Copies of correspondence</li> <li>iv. Copy of advertisement</li> </ul>

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
published DPD which have not been withdrawn of these details?				