

## TOOLKIT PART 3: LOCAL PLAN PROCESS REQUIREMENTS CHECKLIST

### Why you should use this part of the toolkit

The aim of this part of the toolkit is to assist you in ensuring that the relevant process requirements of specific legislation and policy have been met to enable you to proceed towards adoption of a local plan policies update.

The part of the Toolkit deals only with the process requirements for plan preparation set out in legislation and the NPPF associated with reviewing policies and updating local plan policies. Toolkit Part 1 provides more detail on carrying out a local plan policy review assessment. Toolkit Part 2 highlights the content that should be included in the local plan policies update as prescribed in the NPPF. Soundness and quality issues are dealt with in Toolkit Part 4.

### How to use this part of the toolkit

The table below sets out key plan making process questions that you must consider when undertaking the stages of reviewing policies and updating your local plan policies. The rows marked:

- 'L' set out legal requirements included in legislation relevant for that stage of plan making; and
- 'PM' highlight project management reminders arising from these requirements.

For each requirement the table also highlights, where relevant, the supporting documents in which this information is typically recorded.

For each of the requirements listed indicate whether you have met the requirement with a *Yes* or *No*. You should ensure you can answer each question relevant to that plan stage with a 'Yes' before moving to the next stage of updating your plan. You can use the 'comments' section in the table to confirm the title and date of relevant documents and include hyperlinks to where they are published on your website (or file paths for documents not yet published).

The following abbreviations in the table are used:

P&CA - [Planning and Compulsory Purchase Act 2004 \(as amended\)](#)

T&CP - [The Town and Country Planning \(Local Planning\) \(England\) Regulations 2012 \(as amended\)](#)

The table does not make any reference to specific national planning policy guidance, case law or Ministerial Statements on the basis that this is not static and the degree to which it is relevant will vary depending upon particular circumstances. There is case law relevant to most plan making authorities; for example at the time of publication, when undertaking a screening assessment for a Habitats Regulation Assessment, of particular relevance is the '[People Over Wind judgement](#)' (Court of Justice of the European Union, 12 April 2018), the '[Dutch Nitrogen](#)' case (Court of Justice of the European Union, 7 November 2018) and other recent relevant Court of Justice judgements. Therefore, when developing your local plan update, you need to work with your legal team to ensure that you are familiar with relevant case law and Ministerial Statements and take account of these as and when appropriate.

You should also be aware that any reference to specific legislation includes any amendments to those instruments that are in force at the time of publication. Legislation relevant to England, including amendment regulations, can be accessed online at [www.legislation.gov.uk](http://www.legislation.gov.uk). It is important that you check for any future amendments that may be brought into force following publication of this toolkit.

## How to use the results of this part of the toolkit

You can use the results of this tool throughout the plan making process to ensure that requirements are met. There is no requirement to publish or submit this table to the Planning Inspectorate as part of the independent examination, but you may find it (or some elements) helpful to include with your supporting documents or to help you answer any questions from the Planning Inspector related to plan process.

	REF	Key questions	Legislation /Policy Source	Y/N	Examples of documents in which this might be found	Documents demonstrating compliance
<b>Stage A: Navigating the process of reviewing Local Plan policies</b>						
	L	Have you consistently kept under review the matters which are likely to affect the development of your area and the planning of its development?	P&CPA Section 13 T&CP Regulation 34	Y	<ul style="list-style-type: none"> <li>● Authority Monitoring Report</li> <li>● Baseline technical data</li> </ul>	<p>The Council's Authority's Monitoring Reports (AMRs) consider the changing nature of development in the borough and the efficacy of our planning policies. These AMRs are published on the Council's website <a href="#">here</a>.</p> <p>The Council carries our annual completion surveys which as well as being reported in the AMR feed into the GLA's requests for data through London Data Hub.</p> <p>The Policy team has also commissioned evidence to aid understanding of the nature of development within the borough and the changing need for different land uses over time.</p> <p>The evidence base for the emerging plan is published on the Council's website <a href="#">here</a>.</p>

	REF	Key questions	Legislation /Policy Source	Y/N	Examples of documents in which this might be found	Documents demonstrating compliance
	L	<p>Have you prepared to undertake a review of your local plan policies and complete the review within 5 years of the date of adoption of the current local plan?</p> <p>(also see guidance within Part 1 of the Route Mapper and the 'Local Plan Review Assessment' within Part 1 of the Toolkit)</p>	<p>T&amp;CP Regulation 10A</p> <p>NPPF para 33</p>	Y	<ul style="list-style-type: none"> <li>● Local Development Scheme</li> </ul>	<p>The current plan dates from September 2019. The Council is undertaking an early review to reflect the Council's new priorities and values following the Grenfell Tower tragedy.</p> <p>Adoption of the new plan is expected in 2023, less than 4 years from the adoption of the existing local plan. This timetable is set out in our Local Development Scheme, published in January 2022. The LDS can be viewed <a href="#">here</a>.</p>
	L	<p>Have you prepared to review your Statement of Community Involvement and complete the review within 5 years of the date of adoption of the current Statement of Community Involvement?</p>	<p>P&amp;CPA Section 18 and 19(3)</p> <p>T&amp;CP Regulation 10A</p>	Y	<ul style="list-style-type: none"> <li>● Local Development Scheme</li> <li>● Statement of Community Involvement</li> </ul>	<p>The Council's Statement of Community Involvement was published in February 2020. An addendum was adopted in March 2021 to reflect changes in practice required by the Covid-19 pandemic and the associated restrictions.</p> <p>Adoption of the new plan is expected in 2023, less than 3 years from the adoption of the existing local plan.</p>

	REF	Key questions	Legislation /Policy Source	Y/N	Examples of documents in which this might be found	Documents demonstrating compliance
						The SCI and its addendum can be viewed <a href="#">here</a> .
	PM	Have you checked your scheme of delegation and engaged with the relevant person(s) who will make decisions on the outcome of any review(s) of the Local Plan policies and the Statement of Community Involvement?	The Council's scheme of delegation	Y	<ul style="list-style-type: none"> <li>● The Council's scheme of delegation</li> </ul>	<p>The Full Council approved starting the review of the NLPR. Details of this meeting, including the officers report and the associated minutes can be viewed <a href="#">here</a>.</p> <p>The issues, Issues and Options, Draft Policies (Reg 18) and Draft Policies (Reg 19) are approved by the Council's Leadership Team.</p> <p>Submission (Reg 22) will be approved by Full Council.</p> <p>The adoption of the Statement of Community involvement is a decision taken by the Council's Leadership Team. Details of the decision are set out <a href="#">here</a>.</p>

	REF	Key questions	Legislation /Policy Source	Y/N	Examples of documents in which this might be found	Documents demonstrating compliance
	L	<p>Have you prepared a report for the relevant person(s) deciding on the review of the local plan policies that takes into account the matters that are likely to affect the development of your area and the planning of its development to enable them to make a decision on whether:</p> <ol style="list-style-type: none"> <li>1. the policies do not need updating (publishing the reasons for this decision); and / or</li> <li>2. that one or more strategic policies do need updating (moving to Stage B to update your Local Development Scheme to set out the timetable for this revision)?</li> </ol>	<p>T&amp;CP Regulation 10A  NPPF para 33</p>	Y	<ul style="list-style-type: none"> <li>● Published report and decision</li> <li>● 5 year plan review assessment (See Part 1 of this toolkit)</li> <li>● Baseline technical data</li> </ul>	<p>The Council committed to undertaking an early review of the Local Plan as part of the adoption of the 2019 Local Plan. This was intended to reflect the Council’s new priorities and values following the Grenfell Tower tragedy.</p> <p>This commitment was made at the full Council meeting of 11 September 2019 concerning the “adoption of the Local Plan partial Review”.</p> <p>This noted that, <i>“the work on the new Local Pan will start immediately after adopting the review”</i>. It stated that, <i>“the timetable for this will be embedded in a new Local Development Scheme”</i>.</p> <p>This commitment was minuted <i>“as soon as the Plan had been adopted the Council would start work on new local plan which would be resident-led.”</i></p> <p>Details of this meeting, including the officers report and the</p>

	REF	Key questions	Legislation /Policy Source	Y/N	Examples of documents in which this might be found	Documents demonstrating compliance
						<p>associated minutes can be viewed <a href="#">here</a>.</p> <p>In Jan 2022 the Director of Planning and Place used delegated powers to approve the Council’s Local Development Scheme. This noted that the review of the plan would be a full review. The LDS can be viewed <a href="#">here</a>.</p>
		<b>Stage B: Scoping and preparing for your policies update</b>				
	L	Where an update of the Statement of Community Involvement is required have you prepared, consulted and adopted a revised Statement in accordance with the procedures set out in Part 2 of the P&CPA? Have you ensured that the Statement is up to date and reflects who the relevant consultation bodies are - for all stages of the plan making process - and what actions will be undertaken to involve the community in any updates to the local plan policies?	<p>P&amp;CPA Part 2</p> <p>T&amp;CP Regulation 18</p> <p>NPPF Para 16</p>		<ul style="list-style-type: none"> <li>Statement of Community Involvement</li> </ul>	<p>The Council’s Statement of Community Involvement was published in February 2020 following a period of public consultation between 30 September and 11 November 2019. Details of this consultation can be viewed <a href="#">here</a>. It was adopted by a Key Decision by the Leadership Team in February 2020. Details of the decision are set out <a href="#">here</a>.</p> <p>The SCI sets out in detail how we intend to involved our communities</p>

	REF	Key questions	Legislation /Policy Source	Y/N	Examples of documents in which this might be found	Documents demonstrating compliance
						<p>in the planning process. Of relevance to this Local Plan review is the requirements for plan making.</p> <p>This includes confirmation that all the relevant “specific” and “general” consultation bodies will be consulted at each stage of the process.</p> <p>The SCI notes that the Council goes beyond the legislative requirements for consultation, in particular regard to extensive consultation before we drafted the planning policies.</p> <p>The SCI sets out in how we will involve the public at the Preliminary Consultation, Issues and Options, Draft Policies (Reg 18), Soundness (Reg 19), Submission (Reg 22), Local Plan Examination (Reg 24), Publication of Inspectors Report (Reg 25) and adoption (Reg 26).</p> <p>An addendum was adopted in March 2021 to reflect changes in practice required by the Covid-19 pandemic and the associated restrictions. The LDS can be viewed</p>

	REF	Key questions	Legislation /Policy Source	Y/N	Examples of documents in which this might be found	Documents demonstrating compliance
						<p><a href="#">here</a>. This was adopted by Key Decision by the Lead member of Planning and Place. Details of this KD can be viewed <a href="#">here</a>.</p>
	PM	<p>Have you prepared a report for the relevant person(s) who will make a decision on the outcome of the review of the Statement of Community Involvement including where relevant details and justification of proposed changes?</p> <p>This should also consider the practicalities of making documents available for inspection at the submission stage.</p>	<p>P&amp;CPA Section 18 T&amp;CP Regulation 10A</p>	Y	<ul style="list-style-type: none"> <li>● Published report and decision</li> <li>● Statement of Community Involvement</li> </ul>	<p>The Council's Statement of Community Involvement was published in February 2020. The SCI can be viewed <a href="#">here</a></p> <p>The SCI was adopted by a Key decision by the Leadership Team in February 2020. Details of the decision are set out <a href="#">here</a>. This includes the relevant <a href="#">report</a>.</p> <p>An addendum was adopted in March 2021 to reflect changes in practice required by the Covid-19 pandemic and the associated restrictions. The LDS can be viewed <a href="#">here</a>. This was adopted by Key Decision by the Lead member of Planning and Place. Details of this KD can be viewed <a href="#">here</a>. This includes the reasons for the addendum.</p>

	REF	Key questions	Legislation /Policy Source	Y/N	Examples of documents in which this might be found	Documents demonstrating compliance
						<p>The SCI covers all stages of the Local Plan process including the submission stage.</p> <p>This confirms that all the statutory requirements will be met as well as setting out the potential consultation techniques that may be used to publicise the submission.</p>
	PM	Have you identified the proposed scope of the update of the local plan by setting out the principal policy areas that will be considered?		Y	<ul style="list-style-type: none"> <li>● Published report and decision on review of local plan policies</li> <li>● Baseline technical data</li> </ul>	<p>The Council committed to undertaking an early review of the Local Plan as part of the adoption of the 2019 Local Plan. This was intended to reflect the Council’s new priorities and values following the Grenfell Tower tragedy.</p> <p>This commitment was made at the full Council meeting of 11 September 2019 concerning the “adoption of the Local Plan partial Review”.</p> <p>This noted that, “<i>the work on the new Local Pan will start immediately after adopting the review</i>”. It stated that, “<i>the timetable for this will be embedded</i>”.</p>

	REF	Key questions	Legislation /Policy Source	Y/N	Examples of documents in which this might be found	Documents demonstrating compliance
						<p><i>in a new Local Development Scheme”.</i></p> <p>This commitment was minuted “<i>as soon as the Plan had been adopted the Council would start work on new local plan which would be resident-led.</i>”</p> <p>Details of this meeting, including the officers report and the associated minutes can be viewed <a href="#">here</a>.</p> <p>In Jan 2022 the Director of Planning and Place used delegated powers to approve the Council’s Local Development Scheme. This noted that the review of the plan would be “borough-wide” and a full review.</p> <p>The New Local Plan Review (NLPR) will include both spatial and detailed policies and site allocations. It will set out a vision and a framework for future development for the Borough, addressing needs and opportunities for housing, the economy, social</p>

	REF	Key questions	Legislation /Policy Source	Y/N	Examples of documents in which this might be found	Documents demonstrating compliance
						<p>and community facilities, transport, addressing the climate change emergency, securing good design conserving historic environment and providing necessary infrastructure to support development“</p> <p>The LDS can be viewed <a href="#">here</a>.</p> <p>The Council consulted on a “Issues” paper between 29 September and 10 November. Details of this consultation can be viewed <a href="#">here</a>.</p> <p>This paper set out the topics/ issues which the Council suggested might be those that should form part of the new Local Plan. It also set out those existing policies that the Council considered should be retained. However, importantly, this document asked whether stakeholders agreed whether the scope of the review (as proposed in the Issues paper) was appropriate or whether it needed to be expanded.</p>

	REF	Key questions	Legislation /Policy Source	Y/N	Examples of documents in which this might be found	Documents demonstrating compliance
	PM	Have you drafted a project plan to manage and timetable the development and update of the local plan policies?		Y	<ul style="list-style-type: none"> <li>● Local Development Scheme</li> <li>● Authority Monitoring Report</li> </ul>	The Council published its latest Local Development Scheme in January 2022. This can be viewed <a href="#">here</a> . The purpose of the LDS is to set out the timings of all the planning documents which the Council intends to produce.
	L	Have you prepared a new Local Development Scheme which identifies the local plan policies update document(s) and the Sustainability Appraisal and timescales for their production?	P&CPA Section 15(2) and Section 19(1)	Y	<ul style="list-style-type: none"> <li>● Local Development Scheme</li> <li>● Authority Monitoring Report</li> </ul>	<p>The Council published its latest Local Development Scheme in January 2022. This can be viewed <a href="#">here</a>. The purpose of the LDS is to set out the timings of all the planning documents which the Council intends to produce.</p> <p>The Sustainability Appraisal is an integral part of the Local Plan process, and as such is being prepared alongside the Local Plan.</p> <p>The respective <a href="#">Authority's Monitoring Reports</a> consider the LDS and the progress made in the production of the documents.</p>

	REF	Key questions	Legislation /Policy Source	Y/N	Examples of documents in which this might be found	Documents demonstrating compliance
	L	Does your Statement of Community Involvement and project plan identify the <a href="#">legally prescribed bodies</a> you will engage with under the duty to cooperate? This should also include <a href="#">each Local Enterprise Partnership and each Local Nature Partnership</a> in the area.	P&CPA Section 20 and Section 33A  T&CP Regulation 4	Y	<ul style="list-style-type: none"> <li>● Statement of Community Involvement</li> <li>● Duty to Cooperate Statement(s) of Common Ground</li> </ul>	<p>The SCI states that we will publish consultations and invite comments on each stage of the Local Plan by directly emailing stakeholders on or Planning Policy database. It notes that this includes “specific”, “general” and duty to cooperate bodies.</p> <p>For the Local Nature Partnership the Council contact is within the GLA. The Local Enterprise Partnership for London is the relevant Local Enterprise partnership.</p> <p>The Council’s Statements of Common ground lists the “duty to cooperate” bodies as per T&amp;CP Regulation 4.</p>
	L	Have you identified the “strategic matters” that will be included in the updated local plan policies and which have / would have a significant impact on your area and at least one other planning area and on which you are required to engage constructively, actively and on an ongoing basis?	P&CPA Section 20 and Section 33A		<ul style="list-style-type: none"> <li>● Published report and decision on review of local plan policies</li> <li>● 5 year plan review assessment (See Part 1 of this toolkit)</li> <li>● Duty to Cooperate Statement(s) of</li> </ul>	Strategic matters are defined in para 20 of the NPPF. These have been used as a starting point for our Duty to Cooperate meetings that have been held with colleagues at neighbouring boroughs throughout the plan making process.

	REF	Key questions	Legislation /Policy Source	Y/N	Examples of documents in which this might be found	Documents demonstrating compliance
					Common Ground / Duty to Cooperate Statements	These are outlined within the relevant Statements of Common Ground agreed with our neighbours.
	L	In addition to the legally prescribed bodies does your Statement of Community Involvement and project plan identify any additional bodies / person(s) who you will engage with on strategic cross-boundary matters and who will be party to your Statement(s) of common ground?	NPPF para 27 and para 35	Y	<ul style="list-style-type: none"> <li>● Statement of Community Involvement</li> <li>● Duty to Cooperate Statement(s) of Common Ground / Duty to Cooperate Statements</li> </ul>	<p>The Council has fulfilled all its obligations with regard our Duty to Cooperate and engagement with neighbours on strategic cross-boundary matters. The extent and details of meetings/ this engagement to date are set out in the Duty to Cooperate Statement.</p> <p>Our Statements of common ground have been made with the “legally prescribed bodies”. The signatures can be viewed for each Statement of common ground.</p>
	PM	Have you designed a template to record the progress made with the above bodies / person(s). This should document where effective co-operation is and is not happening throughout the plan making process, and the outcomes from engagement. This will also be required as evidence to demonstrate that you have met the Duty to Cooperate.	<p>P&amp;CPA Section 20 and Section 33A</p> <p>NPPF para 27 and para 35</p>	Y	<ul style="list-style-type: none"> <li>● Duty to Cooperate Statement(s) of Common Ground / Duty to Cooperate Statements</li> <li>● Template documents</li> </ul>	The Duty to Cooperate Statement issued at the Regulation 19 stage sets out the meetings held and the minutes of these meetings.

	REF	Key questions	Legislation /Policy Source	Y/N	Examples of documents in which this might be found	Documents demonstrating compliance
	PM	In line with your Local Development Scheme and project plan have you timetabled relevant meetings / briefings with the authorities senior management team and elected Members (including any relevant Cabinet / Committee) to ensure that there is support for the development of the local plan policies update and that any necessary permissions for publication are obtained?		Y	<ul style="list-style-type: none"> <li>Any relevant local authority reports and decisions</li> </ul>	<p>The Full Council approved starting the review of the NLPR. Details of this meeting, including the officers report and the associated minutes can be viewed <a href="#">here</a>.</p> <p>The issues, Issues and Options, Draft Policies (Reg 18) and Draft Policies (Reg 19) are approved by the Council's Leadership Team.</p> <p>Submission (Reg 22) will be approved by Full Council.</p>
	L	Have you prepared a Scoping Report for the development of your Sustainability Appraisal to inform the update of your plan policies? Have you included a proposed framework for testing local plan policies update options and alternatives using the baseline information and an identified set of sustainability objectives? Have you incorporated the requirements of the Strategic Environmental Assessment?	<p>P&amp;CPA Section 19 and Section 39</p> <p>The Environmental Assessment of Plans and Programmes Regulations 2004 (as amended)</p> <p>The European Directive 2001/42/EC</p> <p>NPPF Para 32</p>	Y	<ul style="list-style-type: none"> <li>Local Development Scheme</li> <li>Sustainability Appraisal Scoping document</li> <li>Sustainability Appraisal report</li> </ul>	<p>WSP were appointed to prepare an Integrated Impact Assessment (IIA) to support the Council's NLPR. WPS (on behalf of the Council) produced a <a href="#">Scoping Report</a>, for the Integrated Impact Assessment which was published alongside the Issues and Options (pre-reg. 18) consultation in July 2021.</p> <p>This scoping report ensured that the evidence base and objectives were up to date and to take account of any new evidence.</p>

	REF	Key questions	Legislation /Policy Source	Y/N	Examples of documents in which this might be found	Documents demonstrating compliance
						<p>The <a href="#">(Stage B) IIA</a> was published alongside the Reg. 18 Draft Policies in February 2022. The IIA combines the Sustainability Appraisal (SA), Health Impact Assessment (HIA) and Equality Impact Assessment (EQIA) processes. The SA includes an assessment of draft policy and site allocations and reasonable alternatives.</p> <p>The IIA will be updated and the Stage C report published alongside the Reg. 19 Publication policies.</p>
	L	Have you consulted the statutory environment consultation bodies, and other interested parties, on the scope and level of detail of the environmental information to be included in the Sustainability Appraisal report?	The Environmental Assessment of Plans and Programmes Regulations 2004 (as amended)		<ul style="list-style-type: none"> <li>● Statement of Community Involvement</li> <li>● Sustainability Appraisal report scoping document</li> <li>● Sustainability Appraisal report</li> <li>● Copies of the consultation letters sent to, and any responses from, the bodies</li> </ul>	<p>The Council consulted key stakeholders on the Scoping report and Stage B IIA, including statutory environment consultation bodies such as the Environment Agency, Natural England and Historic England.</p> <p>All stakeholders were also asked to comment on the scope and level of detail of the IIA as part of the <a href="#">issues and options consultation</a>.</p>

	REF	Key questions	Legislation /Policy Source	Y/N	Examples of documents in which this might be found	Documents demonstrating compliance
						These bodies will also be consulted on the Stage C IIA at Reg. 19 stage.
		<b>Stage C: Developing the update to your local plan policies</b>				
	L	Have you collected in a presentable format the relevant baseline information that will inform and evidence an update to your plan? This may include evidence commissioned by third parties.	P&CPA Section 13 and Section 20	Y	<ul style="list-style-type: none"> <li>● Baseline technical data</li> <li>● Commissioned reports and studies</li> <li>● Authority Monitoring Report</li> </ul>	<p>The Council has commissioned a number of studies to help inform the NLPR.</p> <p>These are all held on a single place on the Local Plan pages of the Council's website.</p> <p>The respective Authorities Monitoring Reports have also helped inform the NLPR. These are all available to view on the Councils <a href="#">website</a>.</p>
	L	<p>Have you undertaken early engagement with stakeholders to help develop spatial options, particularly on strategic cross-boundary matters?</p> <p>Have you ensured that you are keeping a continual log of engagement for your Duty to Cooperate Statement of Common Ground?</p>	<p>P&amp;CPA Section 20 and Section 33A</p> <p>NPPF para 27 and para 35</p>		<ul style="list-style-type: none"> <li>● Duty to Cooperate Statement(s) of Common Ground / Duty to Cooperate Statements</li> </ul>	<p>The Council has engaged with stakeholders since the very beginning of the NLPR.</p> <p>The responses for each stage have been reported in full.</p> <p>All the comments received at each stage of the NLPR process are set</p>

	REF	Key questions	Legislation /Policy Source	Y/N	Examples of documents in which this might be found	Documents demonstrating compliance
						<p>out in the Council’s “Statement of Consultation”. This includes the detail of all comments received as well as the Council’s responses to these.</p> <p>The Council has held ongoing Duty to Cooperate meetings with neighbours to discuss strategic cross-boundary matters. Details of all these meetings are logged in our Duty to Cooperation Statement.</p>
	L	Have you drafted policies / policy options and alternatives based on evidence and engagement? Do the options serve a clear purpose, have they been prepared positively and written in a clear manner and unambiguous?	NPPF para 15 to 34		<ul style="list-style-type: none"> <li>● First draft plan</li> <li>● Sustainability Appraisal report</li> <li>● Duty to Cooperate Statement(s) of Common Ground / Duty to Cooperate Statements</li> </ul>	<p>The initial <u>Issues document</u> (Sept to Nov 2020) was a high level assessment of the issues facing the Borough in 2020. It was not a document that a Council is required to produce. However, we chose to do so to give residents, local businesses and other stakeholders an opportunity to shape the NLPR before pen was put to paper.</p> <p>At this stage we explained what evidence base we had/ we in the process of commissioning and asked</p>

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						<p>what additional evidence might be needed to inform a sound plan.</p> <p>This Issues document directly informed the nature of the <u>Issues and Options document</u> (July to October 2021). As part of this exercise we included a <u>summary of all the comments</u> received at the issues stage as well as a full set of the <u>comments received and our responses</u>.</p> <p>The Issues and Options includes a number of realistic options for each topic as appropriate.</p> <p>The Regulation 18 Draft policies was an opportunity for the Council to narrow down the possible options and to present the options preferred by the Council. This was informed through the engagement with stakeholders. This can be shown through the <u>summary of all the comments</u> received at the Issues and Options. This was carried out by section. <u>Vision, places and future sites, blue-green to homes, town centres to social and</u></p>

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						<p><u>community uses</u> and <u>transport to IIA</u>.</p> <p>The responses received to this Regulation 18 Issues and Options in term were considered when drafting the Regulation 19 Draft Policies, with the Council indicating where comments have lead to a redrafting of the policies.</p> <p>All the comments received and, where appropriate, the Council’s response on these are included as part of the Council’s Statement of Consultation.</p> <p>The Council also commissioned WSP to prepared an <u>Interim Integrated Impact Assessment</u>, to consider the NLPR policy alternatives as part of concerning the sustainability of the chosen options. This IIP had directly lead into the choice of final options.</p> <p>Great care has been taken throughout the planning making process to ensure that the documents produced are clear and unambiguous. To this end the</p>

	REF	Key questions	Legislation /Policy Source	Y/N	Examples of documents in which this might be found	Documents demonstrating compliance
						Council has produced <a href="#">story maps</a> to help engage better with our stakeholders.
	L	Have you taken account of the NPPF requirements for plan content and the Government’s planning policy for traveller sites? At the time of publication this was included in the August 2015 DCLG Planning Policy for traveller sites. This policy must be taken into account in the preparation of development plans.	NPPF  Planning policy for traveller sites, DCLG August 2015	Y	<ul style="list-style-type: none"> <li>● Evidence based documents</li> <li>● First draft plan</li> <li>● Consultation statement</li> <li>● Duty to Cooperate Statement(s) of Common Ground / Duty to Cooperate Statements</li> </ul>	Yes. The NPPF and Planning Policy for Traveller sites have been taken into account in the preparation of Policy HO8 and supporting evidence base.
	L	Have you considered plan production processes set out within the NPPF, including: <ul style="list-style-type: none"> <li>● Plan making provisions set out in section 3 – para 15-37</li> <li>● Considering transport issues at the earliest stages of plan production – para 104</li> <li>● Aligning strategies and investments – para 106</li> <li>● Considering changes in the demand for land – para 122</li> </ul>	NPPF		<ul style="list-style-type: none"> <li>● Evidence based documents</li> <li>● First draft plan</li> <li>● Consultation statement</li> <li>● Duty to Cooperate Statement(s) of Common Ground / Duty to Cooperate Statements</li> </ul>	<p>The Plan has been prepared having close regard to the requirements set out in the NPPF.</p> <p>In particular, Transport issues were considered at the very beginning of the process, in the <a href="#">Issues Paper</a> (section 9). This concerned a number of issues, including how best to increase active travel, how</p>

	REF	Key questions	Legislation /Policy Source	Y/N	Examples of documents in which this might be found	Documents demonstrating compliance
		<ul style="list-style-type: none"> <li>• Discussing the strategic location of housing growth and any proposed changes to Green Belt boundaries with neighbouring authorities – para 141</li> <li>• Applying a sequential, risk-based approach to the location of development to avoid flood risk to people and property – para 161</li> <li>• Allocating land with the least environmental value – para 175</li> </ul>				<p>to reduce traffic congestion, how to reduce pollution associated with traffic and how to improve access to public transport.</p> <p>The Local Plan is supported by a <a href="#">Sequential Test assessment</a> for flood risk to provide a risk-based approach to the location of development allocated as part of the plan.</p> <p>The Sequential Test assessment is supported by an Exception Test for sites allocated in areas with a residual risk of flooding from the River Thames and sites with a risk of flooding from other sources. The wider sustainability benefits of development at these sites are addressed in the Integrated Impact Assessment for the plan. In addition, the sites will require a Flood Risk Assessment and Exception Test assessment, as set out in Policy GB11, to demonstrate that the layout of the development is such that more vulnerable uses are directed to areas at lower risk of flooding and that the development</p>

	REF	Key questions	Legislation /Policy Source	Y/N	Examples of documents in which this might be found	Documents demonstrating compliance
						<p>will be safe for its lifetime without increasing flood risk elsewhere.</p> <p>This will be updated for the Reg 19 Draft Policies.</p> <p>Policies GB14 and GB16 take are strategic, borough wide policies that require development to meet the urban green factor requirements of the London Plan and deliver a biodiversity net gain in accordance with the Environment Act 2021.</p> <p>Planning for the enhancement of natural capital at a catchment or landscape scale is not relevant in RBKC.</p> <p>The borough does not contain any Greenbelt and as such para 141 of the NPPF is not relevant.</p>
	L	Have you developed a clear and robust framework that will allow you to consistently monitor the implementation and impact of the policies in the plan and to enable a review to be triggered where necessary?	<p>P&amp;CPA Section 13 and Section 35</p> <p>T&amp;CPA Regulation 34</p>	Y	<ul style="list-style-type: none"> <li>● Sustainability Appraisal</li> <li>● Authority Monitoring Report</li> </ul>	The key documents for the monitoring and management of the plan are the IIA, the Authority's Monitoring Report and the proposed Monitoring Framework.

	REF	Key questions	Legislation /Policy Source	Y/N	Examples of documents in which this might be found	Documents demonstrating compliance
			<p>The Environmental Assessment of Plans and Programmes Regulations 2004 (as amended)</p> <p>NPPF Para 31, 33, 76, 122</p>		<ul style="list-style-type: none"> <li>• Reports or documents setting out the appraisal and monitoring framework</li> </ul>	<p>The IIA considers each policy of the plan, testing these against a framework of objectives established at the beginning of the plan making process and updated at each stage. It assesses the impacts of each policy and allows modifications to be made where necessary.</p> <p>The annual Authority Monitoring Reports collect data relevant to the Local Plan, consider permissions and completions and help us consider the effectiveness of the policies within the Local Plan. The AMR also reports on the Council’s annual town centre surveys, surveys which allow us to assess the ongoing health of our town centres. The AMRs are available on the <a href="#">Council’s website</a>.</p> <p>Appendix 4 of the NLPR sets out the key monitoring indicators that will be used to indicate whether the policies in the NLPR are have their intended impact.</p>

	REF	Key questions	Legislation /Policy Source	Y/N	Examples of documents in which this might be found	Documents demonstrating compliance
	L	Have you undertaken a Habitats Regulations Screening Assessment to determine whether the update to the local plan is likely to have a significant effect on a European site or a European offshore site (either alone or in combination with other plans or projects)?	The Conservation of Habitats and Species Regulations 2017 (as amended)  The European Directive 92/43/EEC	Y	<ul style="list-style-type: none"> <li>● Habitats Regulations Assessment screening report</li> <li>● Habitats Regulations Assessment</li> </ul>	<p>The Council carried out an initial Habitats Assessment Screening as part of the Issue and Options Consultation. This was both sent to the statutory bodies and consulted upon as part of the Issues and Options. A copy of the Habitats Screening can be viewed on the <a href="#">Council's website</a>.</p> <p>The Council carried out a further scoping to have regard to the draft policies. This Habitats Screening for the Draft Policies can be viewed on the <a href="#">Council's website</a>.</p> <p>Both screenings concluded that a further assessment (stage 2) of the HRA process is not required. This approach is supported by English Nature the “appropriate nature conservation agency.”</p>
	L	Have you consulted the relevant “nature conservation body” on your Habitats Regulations Screening Assessment and had regard to their representations? Have you also consulted, if considered appropriate, other relevant organisations?	The Conservation of Habitats and Species Regulations 2017 (as amended)	Y	<ul style="list-style-type: none"> <li>● Habitats Regulations Assessment screening report</li> <li>● Habitats Regulations Assessment</li> </ul>	The Council carried out an initial Habitats Assessment Screening as part of the Issue and Options Consultation, concluding that further assessment (stage 2) of the HRA process is not required. This

	REF	Key questions	Legislation /Policy Source	Y/N	Examples of documents in which this might be found	Documents demonstrating compliance
			The European Directive 92/43/EEC		<ul style="list-style-type: none"> <li>● Statement of Community Involvement</li> <li>● Duty to Cooperate Statement(s) of Common Ground / Duty to Cooperate Statements</li> </ul>	<p>screening was both sent to English Nature the “appropriate nature conservation agency” and consulted upon as part of the Issues and Options. A copy of the Habitats Screening can be viewed on the <a href="#">Council’s website</a>.</p> <p>All comments received on this matter are available on the <a href="#">Council’s website</a>.</p> <p>This includes a response form English Nature who had no comments to make.</p> <p>The Council carried out a further scoping to have regard to the draft policies. This Habitats Screening for the Draft Policies can be viewed on the <a href="#">Council’s website</a>.</p> <p>This addendum to the initial screening report also concluded that a further assessment (stage 2) of the HRA process is not required. This approach was once again supported by English Nature.</p>

	REF	Key questions	Legislation /Policy Source	Y/N	Examples of documents in which this might be found	Documents demonstrating compliance
	L	<p>Did the Habitats Regulations Assessment screening assessment determine that the plan is likely to have a significant effect on a European site or a European offshore site?</p> <p>If so you <u>must</u> undertake an appropriate assessment of the implications of the plan (as part of your Habitats Regulatory Assessment (HRA)) for the Plan's policies and site(s) within the context of the European site's conservation objectives.</p>	<p>The Conservation of Habitats and Species Regulations 2017 (as amended)</p> <p>The European Directive 92/43/EEC</p>	Y	<ul style="list-style-type: none"> <li>● Habitats Regulations Assessment screening report</li> <li>● Habitats Regulations Assessment</li> <li>● Duty to Cooperate Statement(s) of Common Ground / Duty to Cooperate Statements</li> </ul>	<p>The Council Council's Habitats Assessment Screening concluded that plan is not likely to have a significant effect on a European site or a European offshore site and as such further assessment (stage 2) of the HRA process is not required.</p> <p>A copy of the Habitats Screening can be viewed on the <a href="#">Council's website</a>.</p> <p>This view was supported by English Nature.</p>
		<p>Have you carried out an Equalities Impact Assessment?</p>	<p>Equality Act 2010</p>	Y	<ul style="list-style-type: none"> <li>● Equalities Impact Assessment</li> </ul>	<p>The Council has carried out an EqIA as part of a wider Integrated Impact Assessment (IIA). The IIA (interim report (Stage B)) (Including the EqIA) can be viewed on the Council's <a href="#">website</a>.</p> <p>The next iteration (Stage C) has been publicised as part of the Reg 19 Publication consultation.</p>

	REF	Key questions	Legislation /Policy Source	Y/N	Examples of documents in which this might be found	Documents demonstrating compliance
		<p>Have you considered combining the Sustainability Appraisal, Equalities Impact Assessment and potentially Habitats Regulations Assessment as part of an Integrated Impact Assessment that is developed and updated alongside the plan in order to inform its options? This may not be appropriate in all instances.</p>	<p>Equality Act 2010</p>	<p>Y</p>	<ul style="list-style-type: none"> <li>● Habitats Regulations Assessment screening report</li> <li>● Habitats Regulations Assessment</li> <li>● Equalities Impact Assessment</li> </ul>	<p>The has carried out an EIA was part of a wider Integrated Impact Assessment (IIA). The IIA (interim report) can be viewed on the <a href="#">Council's website</a>.</p> <p>The Habitats Regulations Assessment has been carried out separately, with the scoping confirming that further assessment is not necessary.</p>
	<p>L</p>	<p>Have you assessed the draft plan / policy options against relevant soundness and quality measures?</p>	<p>NPPF Para 35 to 36</p>		<ul style="list-style-type: none"> <li>● Draft plan / policy options</li> <li>● Duty to Cooperate Statement(s) of Common Ground</li> <li>● Local Plan Form and Content Checklist (see Part 2 of this Toolkit)</li> <li>● Local Plan Soundness and Quality Assessment (see Part 4 of this Toolkit)</li> </ul>	<p>The requirement for soundness is a key part of the planning process, and the Council has prepared the plan with this in mind. The Regulation 19 consultation will test this. Consultation with statutory bodies and others has also been carried in the context of having to produce a sound plan. The Council has had regard to the other elements of the PAS Toolkit which tests content and soundness of the plan.</p>

	REF	Key questions	Legislation /Policy Source	Y/N	Examples of documents in which this might be found	Documents demonstrating compliance
	L	Are there any policies applying to sites or areas by reference to an Ordnance Survey map or to amend an adopted policies map? If yes, have you prepared a submission policies map?	T&CPA Regulations 5(1) (b), 9 (1), 17 & 22(1)		<ul style="list-style-type: none"> <li>● Submission policies map</li> <li>● Brief statement if a submission policies map is not required</li> </ul>	<p>The NLPR includes a number of sites and allocations. These have all being mapped, with the maps included within the NLPR.</p> <p>The sites and designations have also been included on a Proposals Map. A Proposals map has been provided at each stage of the NLPR's progression.</p>
	L	Is the local plan policies update consistent with any other adopted Local Plan Documents for the area?	T&CPA Regulation 8(3) and (4)		<ul style="list-style-type: none"> <li>● Local Plan and relevant background papers</li> </ul>	Once adopted the NLPR will replace the existing Local Plan. There are no other adopted Local Plan Documents for the Borough.
	L	Is the local plan policies update intended to supersede any adopted development plan policies, does it state that fact and identify the superseded policies?	T&CPA Regulation 8(5)		<ul style="list-style-type: none"> <li>● Local Plan</li> </ul>	<p>The NLPR is intended to update the majority of the development plan policies as adopted by the Borough. However, some policies within the existing Local Plan will not be replaced and must be read alongside the NLPR. The schedule of saved and superseded policies is set out in Appendix 2.</p> <p>The Borough's development plan is not merely the Local Plan. It also</p>

	REF	Key questions	Legislation /Policy Source	Y/N	Examples of documents in which this might be found	Documents demonstrating compliance
						includes the London Plan and for certain named areas, Neighbourhood Plans. The Local Plan does not replace these documents.
	L	Is the local plan policies update (if a London Borough or Mayoral DC) in general conformity with the spatial development strategy?	P&CPA section 24		<ul style="list-style-type: none"> <li>● Letter from Mayor of London/ Mayoral Development Corporate</li> <li>● Local Plan and relevant background papers</li> </ul>	<p>The GLA are a key stakeholder in the production of the NLPR.</p> <p>We expect the GLA to formally respond to the Regulation 19 Draft Publication Policy consultation. We expect this to confirm that the GLA are satisfied that the draft policies are in general conformity with the London Plan.</p>
		<b>Stage D: Consulting and engaging on the policies update</b>				
	PM	Have you obtained the relevant authority permissions to publish the first draft / options for public consultation?		Y	<ul style="list-style-type: none"> <li>● Any relevant authority reports to Cabinet / Committee</li> </ul>	<p>Each iteration of the NLPR has secured the relevant authority from members/ director as appropriate.</p> <p>The Council committed to undertaking an early review of the Local Plan as part of the adoption of the 2019 Local Plan. This was</p>

	REF	Key questions	Legislation /Policy Source	Y/N	Examples of documents in which this might be found	Documents demonstrating compliance
						<p>intended to reflect the Council’s new priorities and values following the Grenfell Tower tragedy.</p> <p>This commitment was made at the full Council meeting of 11 September 2019 concerning the “adoption of the Local Plan partial Review” .</p> <p>This noted that, <i>“the work on the new Local Pan will start immediately after adopting the review”</i>. It stated that, <i>“the timetable for this will be embedded in a new Local Development Scheme”</i>.</p> <p>This commitment was minuted <i>“as soon as the Plan had been adopted the Council would start work on new local plan which would be resident-led.”</i></p> <p>Details of this meeting, including the officers report and the associated minutes can be viewed <a href="#">here</a>.</p>

	REF	Key questions	Legislation /Policy Source	Y/N	Examples of documents in which this might be found	Documents demonstrating compliance
						<p>In September 2020 the Director of Planning and Place used delegated powers to approve the Council's Local Development Scheme. This noted that the review of the plan would be "borough-wide" and a full review.</p> <p>"The New Local Plan Review (NLPR) will include both spatial and detailed policies and site allocations. It will set out a vision and a framework for future development for the Borough, addressing needs and opportunities for housing, the economy, social and community facilities, transport, addressing the climate change emergency, securing good design conserving historic environment and providing necessary infrastructure to support development"</p>

	REF	Key questions	Legislation /Policy Source	Y/N	Examples of documents in which this might be found	Documents demonstrating compliance
	L	<p>Have you notified the following bodies or persons that you are preparing a local plan policies update and invited them to make representations on what the plan should contain?</p> <ul style="list-style-type: none"> <li>● The specific consultation bodies that may have an interest;</li> <li>● The general consultation bodies that the authority consider appropriate;</li> <li>● Residents or other persons carrying on business in the area as considered appropriate; and</li> <li>● Any other stakeholders that you have engaged with in earlier stages on strategic matters and who will be party to your Duty to Cooperate Statement(s) of Common Ground and are relevant parties pursuant to your duty to cooperate</li> </ul>	<p>P&amp;CPA Section 20 and Section 33A</p> <p>T&amp;CP Regulation 18</p> <p>NPPF Para 16, 24-27, and 35</p>	Y	<ul style="list-style-type: none"> <li>● Duty to Cooperate Statement(s) of Common Ground / Duty to Cooperate Statements</li> <li>● Consultation Statement</li> <li>● Copies of consultation notifications</li> <li>● Records of discussion</li> </ul>	<p>The Council maintains a Local Plan database with all bodies and other persons identified.</p> <p>This includes 213 specific consultation bodies as well as 843 “general consultation bodies.” In total the Council has 2,929 individual or organisations on its Local Plan database.</p> <p>Details of all those consulted are include in the Council’s Statement of Consultation ”.</p> <p>In addition the Council have help regular duty to cooperate meetings with key partners. These are a subset of the wide Local Plan database.</p>
	L	<p>Have you made sure that the consultation and invitation to make representations:</p> <ul style="list-style-type: none"> <li>● Follows the principles set out in your adopted Statement of Community Involvement;</li> <li>● Integrates any involvement with the Duty to Cooperate Statement(s) of Common Ground; and</li> </ul>	<p>P&amp;CPA Section 19</p> <p>NPPF Para 27 and 35</p>	Y	<ul style="list-style-type: none"> <li>● Statement of Community Involvement</li> <li>● Duty to Cooperate Statement(s) of Common Ground / Duty to Cooperate Statements</li> </ul>	<p>The Local Plan consultation follows each of the steps set out in the Council’s adopted SCI. This notes that the Council will go “over and beyond” the legislative requirements in this regard, having introduced two pre-reg 18 consultations, an Issues</p>

	REF	Key questions	Legislation /Policy Source	Y/N	Examples of documents in which this might be found	Documents demonstrating compliance
		<ul style="list-style-type: none"> <li>Is proportionate to the scale of issues involved in the local plan policies update.</li> </ul>			<ul style="list-style-type: none"> <li>Consultation Statement</li> </ul>	<p>consultation and an Issues and Options consultation.</p> <p>These consultations have been carryout out alongside of ongoing meetings with the GLA and our neighbours concerning strategic matters. These are outlined in our Duty to cooperate statements.</p>
	L	<p>Have you prepared a draft of your Consultation Statement (a “proposed submission document”) that includes a record of:</p> <ul style="list-style-type: none"> <li>The individuals or bodies invited to make representations;</li> <li>How this was done;</li> <li>The main issues raised; and</li> <li>In preparation of Stage E (and to be completed in Stage E as outline below) how the main issues have been addressed in the local plan policies update.</li> </ul>	<p>P&amp;CPA Section 19</p> <p>T&amp;CPA Regulation 17, 18, 19 and 22</p> <p>NPPF Para 16, 24-27, and 35</p>	Y	<ul style="list-style-type: none"> <li>Duty to Cooperate Statement(s) of Common Ground / Duty to Cooperate Statements</li> <li>Consultation Statement</li> </ul>	<p>The Council has prepared a consultation statement which sets out the bodies invited to make representations, how this was done, the main issues raised, how the issues raised were considered, and where appropriate informed the later iteration of the NLPR.</p> <p>This consultation statement can be viewed online.</p>
	L / PM	<p>Have you consulted on the following emerging documents alongside your first draft plan so that they can be reviewed against representations and policy options and alternatives as they are developed?</p> <ul style="list-style-type: none"> <li>Sustainability Appraisal; and</li> </ul>	<p>P&amp;CPA Section 19 and Section 39</p> <p>The Environmental Assessment of Plans and</p>		<ul style="list-style-type: none"> <li>Sustainability Appraisal (and any drafts)</li> <li>Habitats Regulations Assessment screening report</li> </ul>	<p>The Council published the first stage of its Integrated Impact Assessment (including SA), <a href="#">the IIA Scoping Report</a> at the Issues stage of the NPPR. The consultation asked</p>

	REF	Key questions	Legislation /Policy Source	Y/N	Examples of documents in which this might be found	Documents demonstrating compliance
		<ul style="list-style-type: none"> <li>Habitats Regulations Screening Assessment (or Habitats Regulations Assessment if one has been developed at this stage)</li> </ul>	<p>Programmes Regulations 2004 (as amended)</p> <p>The Conservation of Habitats and Species Regulations 2017 (as amended)</p> <p>The European Directive 2001/42/EC</p> <p>The European Directive 92/43/EEC</p> <p>NPPF Para 32</p>		<ul style="list-style-type: none"> <li>Habitats Regulations Assessment</li> <li>Statement of Community Involvement</li> <li>Duty to Cooperate Statement(s) of Common Ground / Duty to Cooperate Statements</li> <li>Consultation Statement</li> </ul>	<p>about the scope of the IIA and the level of detail to be included.</p> <p>The Council then published and consulted upon its Integrated Impact Assessment (Interim Report(Stage B) ), at the Draft Policies (Reg 18) stage of the NLPR. This included both the <a href="#">Stage B Interim report</a> and a <a href="#">Non Technical Summary</a>.</p> <p>The final IIA, including the SA (stage C) has been published at the reg 19 “Publication stage”.</p> <p>The Council carried out an initial Habitats Assessment Screening as part of the Issue and Options Consultation. This was both sent to the statutory bodies and consulted upon as part of the Issues and Options. A copy of the Habitats Screening can be viewed on the <a href="#">Council’s website</a>.</p> <p>The Council carried out a further scoping to have regard to the draft policies. This Habitats Screening</p>

	REF	Key questions	Legislation /Policy Source	Y/N	Examples of documents in which this might be found	Documents demonstrating compliance
						for the Draft Policies can be viewed on the <a href="#">Council's website</a> .  Both screenings concluded that a further assessment (stage 2) of the HRA process is not required. This approach is supported by English Nature the "appropriate nature conservation agency."
		<b>Stage E: Developing the submission version of the policies update</b>				
	PM	Taking account of the consultation have you considered whether there is a need for further evidence and / or evidence to be updated to support the policy options set out in your plan?	P&CPA Section 13 and Section 20		<ul style="list-style-type: none"> <li>● Consultation statement</li> <li>● Baseline technical data</li> <li>● Commissioned reports and studies</li> </ul>	
	PM	Have you considered whether further consultation and engagement is required depending on the nature and significance of any proposed changes to the preferred strategy following consultation and / or further evidence?  Where further consultation and engagement is required prior to submission this should be	P&CPA Section 13 and Section 20		<ul style="list-style-type: none"> <li>● Consultation statement</li> <li>● Baseline technical data</li> <li>● Commissioned reports and studies</li> </ul>	

	REF	Key questions	Legislation /Policy Source	Y/N	Examples of documents in which this might be found	Documents demonstrating compliance
		undertaken, recorded and reported in line with the requirements set out above. This includes updating and consulting where necessary on any corresponding amendments to the Sustainability Appraisal and Habitats Regulations Assessment.			<ul style="list-style-type: none"> <li>● Sustainability Appraisal (and any drafts)</li> <li>● Habitats Regulations Assessment screening report</li> <li>● Habitats Regulations Assessment</li> <li>● Statement of Community Involvement</li> <li>● Duty to Cooperate Statement(s) of Common Ground / Duty to Cooperate Statements</li> </ul>	
	L	Have you prepared the Sustainability Appraisal report on any revised draft of the local plan policies update? Is it clear how the sustainability appraisal has influenced the plan?	<p>P&amp;CPA Section19(5)</p> <p>Regulation 12 of the Environmental Assessment of Plans and Programmes Regulations 2004 No 1633</p>		<ul style="list-style-type: none"> <li>● Sustainability Appraisal</li> </ul>	
	L	Have you prepared an Appropriate Assessment under the Conservation of Habitats and Species Regulations 2017 [HRA], or evidence to demonstrate that an Appropriate Assessment is	The Conservation of Habitats and Species Regulations 2017 (as amended)		<ul style="list-style-type: none"> <li>● Habitats Regulations Assessment screening report</li> <li>● Habitats Regulations Assessment</li> </ul>	

	REF	Key questions	Legislation /Policy Source	Y/N	Examples of documents in which this might be found	Documents demonstrating compliance
		not required and confirmation from Natural England that they concur?	The European Directive 2001/42/EC  The European Directive 92/43/EEC  NPPF Para 32			
	L	Have you updated your Equalities Impact Assessment?	Equality Act 2010		<ul style="list-style-type: none"> <li>● Equalities Impact Assessment</li> </ul>	
	L	Have you taken account of all of the representations received from all person(s) in response to the consultation(s) in Stage D? Have you recorded how the main issues have/will be addressed in your draft consultation statement?	T&CPA Regulation 17, 18 and 22		<ul style="list-style-type: none"> <li>● Duty to Cooperate Statement(s) of Common Ground / Duty to Cooperate Statements</li> <li>● Consultation Statement</li> <li>● Local Plan</li> <li>● Relevant correspondence</li> </ul>	
	PM	Have you considered whether or not you intend to confirm the housing land supply through the independent examination process? If so, have you clearly stated this within your Regulation 19 Submission local plan policies update and have you ensured that you will engage appropriately with developers and others with an interest in housing delivery on the housing land supply?	NPPF para 75  T&CPA Regulation 17, 18 and 22		<ul style="list-style-type: none"> <li>● Local Plan</li> <li>● Relevant correspondence</li> </ul>	

	REF	Key questions	Legislation /Policy Source	Y/N	Examples of documents in which this might be found	Documents demonstrating compliance
	PM	<p>Does your local plan policies update include a trajectory illustrating the expected rate of housing delivery over the plan period?</p> <p>Will your local plan policies update provide for a 5 year supply of deliverable housing sites (incorporating the appropriate buffer) on adoption against the housing requirement (which is informed by a local housing need assessment conducted using the standard method as a starting point)?</p>	NPPF paras 11, 74 and 75		<ul style="list-style-type: none"> <li>Local Plan</li> </ul>	
		<b>Stage F: Independent examination and adoption</b>				
	PM	<p>Have you obtained the relevant authority permissions to publish the submission version of the local plan policies update?</p> <p>You may want to consider including approval to submit this to the Secretary of State (Planning Inspectorate)</p>			<ul style="list-style-type: none"> <li>Any relevant authority reports to Cabinet / Committee</li> </ul>	
	L	Have you made clear where and within what period representations must be made?	T&CPA Regulation 17, 19, 20 and 35		<ul style="list-style-type: none"> <li>Report or record of decisions</li> </ul>	
	L	Have you published on your website and made copies of the following available for inspection: <ul style="list-style-type: none"> <li>the proposed submission documents</li> </ul>	T&CPA Regulations 19 and 35		<ul style="list-style-type: none"> <li>Statements and record of where and</li> </ul>	

	REF	Key questions	Legislation /Policy Source	Y/N	Examples of documents in which this might be found	Documents demonstrating compliance
		<ul style="list-style-type: none"> <li>the statement of the representations procedure</li> <li>statement and details of where and when documents can be inspected</li> </ul> <p>Have you checked you have met all other requirements of your Statement of Community Involvement?</p>			<p>when documents were made available</p> <ul style="list-style-type: none"> <li>Consultation Statement</li> </ul>	
	L	<p>Have you sent to each of the specific 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; and</li> <li>the statement of the representations procedure</li> </ul>	T&CPA Regulation 19(b)		<ul style="list-style-type: none"> <li>Consultation Statement</li> <li>Evidence of notifications (email)</li> </ul>	
	L	<p>Have you sent to each of the general consultation bodies invited to make representations under Regulation 18(1):</p> <ul style="list-style-type: none"> <li>the statement of the representations procedure; and</li> <li>where and when the documents can be inspected</li> </ul>	T&CPA Regulation 19(b)		<ul style="list-style-type: none"> <li>Consultation Statement</li> <li>Evidence of notifications (email)</li> </ul>	
	L	<p>Have you, on the day of publication, requested the opinion of the Mayor of London (if a London Borough or Mayoral DC) on the general conformity of the local plan update with the spatial development strategy?</p>	<p>P&amp;CPA Section 24</p> <p>T&amp;CPA Regulation 21</p>		<ul style="list-style-type: none"> <li>Copy of letter</li> </ul>	

	REF	Key questions	Legislation /Policy Source	Y/N	Examples of documents in which this might be found	Documents demonstrating compliance
		<b>Getting ready for submission to PINS</b>				
	PM	Get ready for submission and examination, this might mean starting the process of appointing a programme officer, securing rooms for a potential hearing and other practical arrangements. Refer to guidance from the Planning Inspectorate.	See <a href="#">PINS Procedure Guide for Local Plan Examinations 2021</a>			
	PM	Have you obtained the relevant authority permissions to submit the plan to the Secretary of State via the Planning Inspectorate (PINS)			<ul style="list-style-type: none"> <li>Any relevant authority reports to Cabinet / Committee</li> </ul>	
	L	Have you collated all of the representations made to the publication draft plan policies update?	P&CPA Section 20(3)  T&CPA Regulation 22(1)(e)			
	PM	Does each representation made have a unique ID and contact details?  PINs require that these are provided in an electronic database enabling the full text of each representation to be accessed easily in both policy and paragraph number order and representor order. The database should also clearly identify those who have made a request to be heard by the Inspector under section 20(6) of the PCPA	See <a href="#">PINS Procedure Guide for Local Plan Examinations 2021</a>			

	REF	Key questions	Legislation /Policy Source	Y/N	Examples of documents in which this might be found	Documents demonstrating compliance
	L	Have you assembled the relevant supporting documents (documents relevant to the preparation of your plan which normally includes or comprises the evidence base)?	P&CPA Section 20(3)  T&CPA Regulation 22(1)(g)		● Submission documents / Examination library	
	PM	Do all of the documents that you will submit to the inspectorate have a unique reference listed in an 'Examination Library'?			● Submission documents / Examination library	
	L/ PM	You may need to consider whether you need to redact certain personal details from representations for the website and inspection purposes. However, those who have made representations should be able to contact one another and documents should be provided without details redacted. See the guidance from the Planning Inspectorate.	General Data Protection Regulation 2018  See <a href="#">PINS Procedure Guide for Local Plan Examinations 2021</a>			
	L	Have you prepared a statement setting out: <ul style="list-style-type: none"> <li>● Which bodies and persons were invited to make representations under Regulation 18</li> <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&CPA Section 20 (3)  T&CPA Regulation 22(1)(c)		● Consultation statement	

	REF	Key questions	Legislation /Policy Source	Y/N	Examples of documents in which this might be found	Documents demonstrating compliance
	L	Have you prepared a statement giving: <ul style="list-style-type: none"> <li>● the number of representations made under Regulation 22</li> <li>● a summary of the main issues raised OR</li> <li>● Stating that no representations were made</li> </ul>	P&CPA Section 20(3)  T&CPA Regulation 22(1)(c)		<ul style="list-style-type: none"> <li>● Consultation Statement</li> <li>● The Statement as required in Regulation 22(1)(c) – this can be included in the Consultation statement</li> </ul>	
	PM	Consider what documents need printing to ensure that hard copies are available where necessary for inspection and for the examination library.	See <a href="#">PINS Procedure Guide for Local Plan Examinations 2021</a>			
<b>Submission to PINS</b>						
	L	Have you sent the Secretary of State (the Planning Inspectorate) a hard copy and electronic version of: <ul style="list-style-type: none"> <li>● a copy of the local plan policies update</li> <li>● and (if prepared) policies map</li> </ul> Have you sent the Secretary of State (the Planning Inspectorate) an electronic version of: <ul style="list-style-type: none"> <li>● the Final ‘consultation statement’ supplemented by or incorporating the documents consultation required under Regulation 22(1)</li> </ul>	P&CPA Section 20(1) and 20(3)  T&CPA Regulations 22  See <a href="#">PINS Procedure Guide for Local Plan Examinations 2021</a>			

	REF	Key questions	Legislation /Policy Source	Y/N	Examples of documents in which this might be found	Documents demonstrating compliance
		<ul style="list-style-type: none"> <li>● The Sustainability Appraisal</li> <li>● Copies of representations</li> <li>● ‘Supporting documents’</li> </ul> <p>Guidance from PINS also highlights other material necessary for the examination which includes:</p> <ul style="list-style-type: none"> <li>● An Appropriate Assessment under the Conservation of Habitats and Species Regulations 2017 [HRA], or evidence to demonstrate that an Appropriate Assessment is not required and confirmation from Natural England that they concur;</li> <li>● The LPA’s current Local Development Scheme;</li> <li>● In London, confirmation that the Mayor has indicated general conformity with the London Plan (note however that the Inspector is entitled to take his/her own view on conformity).</li> <li>● It is also helpful if the LPA provide an Equalities Impact Assessment</li> </ul>				
		As soon as practical after submission, on your website, have you published:	T&CPA Regulation 22(3) and 35(1)(b)			

	REF	Key questions	Legislation /Policy Source	Y/N	Examples of documents in which this might be found	Documents demonstrating compliance
		<ul style="list-style-type: none"> <li>The documents submitted to PINS (identified above) including representations made under Regulation 20 (where practicable) taking into account GDPR requirements?</li> <li>Statement as to where and when these documents are available for inspections (again this should be in line with any requirements in your Statement of Community Involvement)?</li> </ul>				
	L	<p>For each general consultation body invited to make representations under Regulation 18(1), have they been sent:</p> <ul style="list-style-type: none"> <li>notification that the documents submitted to PINS are available for inspection</li> <li>details of where and when they can be inspected</li> </ul>	T&CPA Regulation 22(3)(b)		<ul style="list-style-type: none"> <li>Copies of correspondence</li> </ul>	
	L	<p>Have you given notice to persons who have requested to be notified that submission has taken place?</p>	T&CPA Regulation 22(3)(c)		<ul style="list-style-type: none"> <li>Copies of correspondence</li> </ul>	
	L	<p>If examination hearings are 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</li> </ul>	<p>P&amp;CPA Section 20</p> <p>T&amp;CPA Regulations 24 and 35</p>		<ul style="list-style-type: none"> <li>Website</li> </ul>	

	REF	Key questions	Legislation /Policy Source	Y/N	Examples of documents in which this might be found	Documents demonstrating compliance
		<p>appointed to carry out the examination on your website?</p> <ul style="list-style-type: none"> <li>notified those who have made representations on the published DPD which have not been withdrawn of these details?</li> </ul>				
	L	<p>Have you asked the Inspector to recommend 'main modifications' (changes that materially affect the policies) to make a submitted local plan policies update sound and legally compliant? These modifications should be published for consultation.</p>	<p>See Section 6 of the <a href="#">PINS Procedure Guide for Local Plan Examinations 2021</a></p> <p>P&amp;CPA Section 20 (7C)</p>		<ul style="list-style-type: none"> <li>Schedule of proposed main modifications</li> </ul>	
	L	<p>Depending on the scope of the modifications, have you considered whether there is a need to undertake further Sustainability Appraisal, Habitats Regulations Assessment, and Equalities Impact Assessment on the modifications.</p>	<p>The Environmental Assessment of Plans and Programmes Regulations 2004 (as amended)</p> <p>The European Directive 2001/42/EC</p> <p>The Conservation of Habitats and Species Regulations 2017 (as amended)</p>		<ul style="list-style-type: none"> <li>Sustainability Appraisal (and any drafts)</li> <li>Equalities Impact Assessment</li> <li>Habitats Regulations Assessment screening report</li> </ul>	

	REF	Key questions	Legislation /Policy Source	Y/N	Examples of documents in which this might be found	Documents demonstrating compliance
			The European Directive 92/43/EEC  Equality Act 2010			
	L	If the plan policies update is sound, have you formally adopted the plan policies update in a full meeting of the local planning authority?	T&CPA Regulation 4(1) and (3) of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000).		<ul style="list-style-type: none"> <li>Any relevant authority reports to Cabinet / Committee</li> </ul>	
	L	On adopting a Local Plan policies update, have you made publicly available a copy of the plan, an Adoption Statement and Sustainability Appraisal?	T&CPA Regulations 26 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.		<ul style="list-style-type: none"> <li>Adoption Statement</li> </ul>	