

Stage one: Inception

Introduction

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

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

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

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

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

Stage 1: Inception

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

Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
appropriate bodies you should consult?		4.25 -4.26 2. Plan Making Manual – Consultee list	specific consultation bodies	involvement ii. Reports and decisions setting out the approach to be taken to specific and general consultation bodies iii. Consultation statement	bodies. • Consultation Statement approved and published at Proposed Submission stage. • Update to Consultation Statement approved and published at Submission stage to reflect consultation undertaken at Proposed Submission stage.
4. Is baseline information being collected and evidence being gathered to keep the matters which affect the development of the area under review?	The Act, section13	PPS12 paragraphs 4.36 – 4.47		i. Documents dealing with collection of baseline information ii. Relevant technical studies iii. The annual monitoring report	• Scoping Reports and Updates. • SA Reports. • Evidence base studies – see LDF examination library list. • Habitats Regulations Assessment. • Equalities Impact Assessment.

Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
					<ul style="list-style-type: none"> AMR since 2004 to 2010.
<p>5. Is baseline information being collected and evidence being gathered to set the framework for the sustainability appraisal?</p>	<p>The Act section 19(5)</p>	<ol style="list-style-type: none"> PPS12 paragraphs 4.50; 4.39-4.43 Strategic Environmental Assessment Guide, chapter five 		<ol style="list-style-type: none"> Sustainability report scoping document Sustainability appraisal report 	<ul style="list-style-type: none"> Scoping Reports and Updates. SA Reports.
<p>6. Have you consulted the statutory environment consultation bodies for five weeks on the scope and level of detail of the environmental information to be included in the sustainability appraisal report?</p>	<p>Regulations 9 and 13 of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633.</p>	<p>PPS12 paragraph 4.40 SEA Guide Ch 3</p>	<p>The Strategic Environmental Assessment consultation bodies are also amongst the 'specific consultation bodies' which are defined in Regulation 2)</p>	<p>Copies of the consultation letters sent to the bodies</p>	<ul style="list-style-type: none"> Yes. Ran from 25 April - 30 May 2007.

Stage two: Plan preparation - frontloading phase

Introduction

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

Information assembled during this phase contributes to:

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

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

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

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

Stage 2: Plan preparation - frontloading phase

Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
<p>7. Have you notified the specific consultation bodies that have an interest in the subject of the development plan document and invited them to make representations about its contents?</p>	<p>Regulation 25(1) and (2)(a)</p>	<p>PPS12 paragraphs 4.24 – 4.29</p>	<p>Specific consultation bodies are defined in Regulation 2 If any bodies are omitted, you should give a clear justification for doing so, including reference to the SCI.</p>	<p>i. Consultation statement ii. Copies of documents consulting these bodies iii. Record of discussions iv. Copies of representations made v. A brief statement setting out the reasons why any bodies have been omitted from consultation</p>	<ul style="list-style-type: none"> • Yes. • Consultation Statement. • LDF Issues Survey, Issues & Options, Preferred Options and Refining Options documents. • Copies of representations available in paper form and electronically on Limehouse. • Public schedules of comments received and council's responses. • Everyone on LDF mailing list consulted at each stage.
<p>8. Have you notified the general consultation bodies that you consider have an interest in the subject of the development plan</p>	<p>Regulation 25(1) and (2)(b)</p>	<p>PPS12 paragraphs 4.24 – 4.29</p>	<p>General consultation bodies are defined in Regulation 2. You should be able to give a clear justification for your selection of the</p>	<p>i. Consultation statement ii. Copies of documents consulting these bodies iii. Record of discussions</p>	<ul style="list-style-type: none"> • As above.

Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
document and invited them to make representations about its contents?			bodies, including reference to the statement of community involvement.	iv. Copies of representations made v. A brief statement setting out the reasons why any bodies were or were not included	
9. Are you inviting representations from people resident or carrying out business in your area about the content of the development plan document?	Regulation 25(3)	PPS12 paragraphs 4.24 – 4.29		i. Consultation statement ii. Copies of documents consulting these persons iii. Record of discussions iv. Copies of representations made	<ul style="list-style-type: none"> • As above.
10. Are you engaging with stakeholders responsible for delivery of the strategy?	Regulation 25	PPS12 paragraphs 4.4; 4.27 – 4.29; 4.45	PPS12 paragraph 4.29 gives examples of relevant delivery agencies	i. Consultation statement ii. Copies of documents consulting these people iii. Record of discussions	<ul style="list-style-type: none"> • As above. • LDF Stakeholder event on 19 November 2008 with Key Oldham Council officers and Oldham Partnership, Greater Manchester Chamber and education representatives. • Local Infrastructure Plan Workshop on 25 March 2009.

Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
					<ul style="list-style-type: none"> • Follow up meetings following workshop with key partners, including PCT, RSLs, Highways and council departments from 7 May – 3 June 2009. • Meetings with the Environment Agency on 31 January 2008, 2 September 2008, 3 April 2009 and 27 October 2010. • Meetings with Highways Agency on 4 February 2008, 8 April 2009 and 13 August 2009. • Meeting with English Heritage on 1 May 2008. • Meeting with Natural England on 23 May 2008. • Meetings with United Utilities on 14 May 2009 and 9 November 2010. • Oldham Strategic Flood Risk

Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
					<p>Assessment workshop with Oldham Council officers and HMR officers on 16 November 2009.</p> <ul style="list-style-type: none"> Affordable Housing and Economic Viability Assessment workshop on 25 May 2010.
11. Are you taking into account representations made?	Regulation 25(5)	PPS12 paragraphs 4.19-4.29; 4.37	Evidence from participation is part of the justification	<ul style="list-style-type: none"> i. Consultation statement ii. Any reports on the selection of alternatives and options for the development plan document 	<ul style="list-style-type: none"> As above.
12. Does the consultation contribute to the development and sustainability appraisal of alternatives?	<ul style="list-style-type: none"> 1. The Act section 19(5) 2. Regulations 12 and 13 of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633. 	<ul style="list-style-type: none"> 1. PPS12 paragraphs 4.39-4.43 2. SEA Guide, chapter three 		<ul style="list-style-type: none"> i. Consultation statement ii. Any reports on the selection of alternatives and options for the development plan document iii. Sustainability appraisal report 	<ul style="list-style-type: none"> As above. SA Reports.

Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
<p>13. Is the participation:</p> <ul style="list-style-type: none"> • following the principles set out in your statement of community involvement • integrating involvement with the sustainable community strategy • proportionate to the scale of issues involved in the development plan document? 	<ol style="list-style-type: none"> 1. The Act s.19(3) 2. Regulation 25 	PPS12 paragraphs 4.19 – 4.26; 4.42		<ol style="list-style-type: none"> i. Consultation Statement ii. The statement of community involvement iii. The relevant sustainable community strategies 	<ul style="list-style-type: none"> • Yes. • Consultation Statement and Update. • Adopted SCI and Review SCI. • SCS and LAA.
<p>14. Are you keeping a record of:</p> <ul style="list-style-type: none"> • the individuals or bodies invited to make representations • How this was done • The main issues raised? 	Regulation 24	PPS12 paragraphs 4.24 – 4.29	<p>You will need to submit a statement of representations under Regulation 30(1)(d): see Submission stage below.</p> <p>Regulation 49 deals with the availability of documents and the time of their removal</p>	<ol style="list-style-type: none"> i. Consultation statement ii. Reports by the council on the consultation iii. Copies of representations and relevant correspondence iv. Technical reports on the engagement process 	<ul style="list-style-type: none"> • Yes. • Consultation Statement. • Paper copies and electronic copies held on Limehouse. • Public schedules of comments received and council's responses.
<p>15. Are you developing a framework for monitoring the effects of</p>	<ol style="list-style-type: none"> 1. The Act section 35 2. Regulation 48 	<ol style="list-style-type: none"> 1. PPS12 paragraphs 4.39 – 4.43 		<ol style="list-style-type: none"> i. Sustainability appraisal report ii. The annual 	<ul style="list-style-type: none"> • Yes. • SA Reports.

Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
the development plan document?	Reg 17 of The Environmental Assessment of Plans and Programmes Regulations 2004 No1363	<p>and 4.47</p> <p>2. SEA Guide, Chapter five</p> <p>3. Office of the Deputy Prime Minister monitoring guide</p>		<p>monitoring report</p> <p>iii. Reports or documents setting out the appraisal and monitoring framework</p>	<ul style="list-style-type: none"> • Scoping Report and Updates. • AMRs 2004 to 2010. • LDF main documents include details of monitoring arrangements.
16. Have you arranged to send copies of documents used in consultation to the Government Office and Planning Inspectorate?	Not statutory, but will assist in identifying issues leading towards a sound development plan document	Plan Making Manual - New Regulation 25		Copies of correspondence with the Government Office and Planning Inspectorate	<ul style="list-style-type: none"> • Yes. • Consultation Statement.

Stage three: Plan preparation - formulation phase

Introduction

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

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

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

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

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

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

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

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

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

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

Stage three: Plan preparation - formulation phase

Activity	Statutory Requirement	Guidance reference	Additional Notes	Possible evidence	Evidence provided
17. Are you preparing reasonable alternatives for evaluation during the preparation of the development plan document?	Regulation 12 of The Environmental Assessment of Plans and Programmes Regulations 2004 No. 1633	1. PPS12 paragraph 4.38 2. SEA Guide, Chapter five	The sustainability appraisal report and supporting documents relevant to the preparation of the development plan document are part of the proposed submission documents (see Regulation 24)	Documents supporting decisions on alternatives and any preferred strategy	<ul style="list-style-type: none"> • Yes. • Issues & Options report. • Preferred Options report. • Refining Options report. • SA reports. • HRA reports. • Equalities Impact Assessment.
18. Have you assessed alternatives against: <ul style="list-style-type: none"> • consistency with national policy • general conformity with the regional spatial strategy? 	The Act section19(2), section 24	PPS12 4.30 – 33	General conformity with the regional spatial strategy is tested formally later but you need to consider it during preparation of the development plan document	<ul style="list-style-type: none"> i. Supporting documents ii. Correspondence with Government Offices and regional planning body (or Mayor of London) 	<ul style="list-style-type: none"> • Yes. • Consultation Statement. • SA reports. • Statement of Intentions.
19. Are you having regard to: <ul style="list-style-type: none"> • adjoining regional spatial strategies, the spatial development strategy for London, 	<ul style="list-style-type: none"> 1. The Act section19(2) 2. Regulation 15(1)(g) 			<ul style="list-style-type: none"> i. Supporting documents ii. Correspondence with the relevant bodies 	During the preparation of the LDF we have had meetings with planning colleagues at the Peak Park, Kirklees and Calderdale.

Activity	Statutory Requirement	Guidance reference	Additional Notes	Possible evidence	Evidence provided
<p>or Welsh Spatial Plan (as appropriate)</p> <ul style="list-style-type: none"> the National Planning Framework for Scotland? 					
<p>20. Are you having regard to:</p> <ul style="list-style-type: none"> the sustainable community strategy of the authority or other authorities whose area comprises part of the area of the council any other local development documents adopted by the council? 	<p>The Act section19(2)</p>	<p>PPS12 paragraphs 1.6; 4.22 - 4. 23; 4.34 - 4. 35</p>		<ul style="list-style-type: none"> i. Supporting documents ii. The Sustainable community strategies iii. Relevant local development documents iv. Correspondence with the local strategic partners 	<ul style="list-style-type: none"> Yes. Sustainable Community Strategy and Local Area Agreement. Peak District National Park Authority LDF and Community Strategy event on 27 July 2007. Landscape workshop at Peak District National Park on 8 May 2007 and 13 February 2009.
<p>21. Do you have regard to other matters and strategies relating to:</p> <ul style="list-style-type: none"> resources the regional 	<ul style="list-style-type: none"> 1. The Act section19(2) 2. Regulation 15 		<p>As well as the matters and strategies listed in the Act and Regulations there are likely to be other</p>	<ul style="list-style-type: none"> i. Supporting documents ii. Correspondence with the relevant bodies and the Government Office 	<ul style="list-style-type: none"> Yes. LDF documents. Consultation Statement. Infrastructure Plan

Activity	Statutory Requirement	Guidance reference	Additional Notes	Possible evidence	Evidence provided
<p>development agencies' regional economic strategy</p> <ul style="list-style-type: none"> • the local transport plan and transport facilities and services • waste strategies • hazardous substances and accidents? 			<p>matters identified in planning policy statements, regional and local strategies that you will need to have regard to in preparing the development plan document.</p>		<p>and Update.</p>
<p>22. Are you having regard to the need to include policies on mitigating and adapting to climate change?</p>		<p>Annex to PPS1 on climate change</p>	<p>This is expected to be an amendment to section 19(2) of the Act.</p>	<p>Supporting documents</p>	<ul style="list-style-type: none"> • Yes. • SA reports. • HRA reports. • Equalities Impact Assessment. • LDF documents, particularly Policy 1. • Background Papers. • AGMA Energy Study, the Green Infrastructure work and the Transport Modelling work (in conjunction with the Highways Agency).

Activity	Statutory Requirement	Guidance reference	Additional Notes	Possible evidence	Evidence provided
23. Have you undertaken the necessary sustainability appraisal of alternatives, including consultation on the sustainability appraisal report?	1. The Act section 19(5) 2. Regulation 12 and 13 of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633	1. PPS12 paragraphs 4.38 – 4.43 2. SEA Guide, Chapter five	Regulation 13 of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633 sets out the consultation procedures	i. Reports on the sustainability of alternatives ii. Record of work undertaken on sustainability appraisal iii. Supporting documents	<ul style="list-style-type: none"> • Yes. • SA reports. • LDF documents.
24. Are you setting out clear reasons for any preferences between alternatives?	Regulation 13(1)	PPS12 paragraphs 4.36 – 4.38	This will include information from the sustainability appraisal.	i. Any reports setting out alternatives and choices considered ii. Supporting documents	<ul style="list-style-type: none"> • Yes. • SA Reports. • LDF documents.
25. Have you taken into account any representations made on the content of the development plan document and the sustainability appraisal? 26. Are you keeping a record?	1. Regulations 24, 25(5) and 30(1)(d)(iv) 2. Regulation 13(4) of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633	PPS12 paragraphs 4.19 – 4.29	Records on the sustainability appraisal should also include recording any assessment made under the Habitats Directive	i. Correspondence from those making representations ii. Any reports on issues raised iii. Consultation statement iv. sustainability appraisal report	<ul style="list-style-type: none"> • Yes. • SA reports. • HRA reports. • Equalities Impact Assessment. • Consultation Report. • Public schedules. • Background Papers.
27. Where sites are to be identified or areas for the application of	Regulations 9 and 14	PPS12 paragraphs 4.6 - 4.7; 8.1-8.3	1. Regulation 2 defines the terms 'submission' and	i. The adopted proposals map ii. Any reports on	<ul style="list-style-type: none"> • Yes. • A4 inset maps of proposed changes.

Activity	Statutory Requirement	Guidance reference	Additional Notes	Possible evidence	Evidence provided
<p>policy in the development plan document, are you preparing sufficient illustrative material to:</p> <ul style="list-style-type: none"> • enable you to amend the currently adopted proposals map • inform the community about the location of proposals? 			<p>‘adopted’ proposals map.</p> <p>2. A map showing changes to the adopted proposals map is part of the proposed submission documents defined in Regulation 24.</p>	<p>proposals to amend the proposals map</p> <p>iii. Illustrative material that shows how the proposals map will be amended or replaced</p>	
<p>28. Are the participation arrangements compliant with the statement of community involvement?</p>	<p>1. The Act, section 19(3)</p> <p>2. Regulation 25</p>	<p>PPS12 paragraphs 4.19-4.29</p>	<p>You should make sure the arrangements remain in line with legislative changes affecting community engagement.</p>	<p>i. The statement of community involvement</p> <p>ii. Consultation statement</p>	<ul style="list-style-type: none"> • Yes. • SCI, adopted April 2007. • Review SCI, adopted July 2010. • Consultation Statement.
<p>29. Have you remained in close contact with the Government Office and discussed any emerging issues that might affect the soundness of the development plan document?</p>		<p>Plan Making Manual - New Regulation 25</p>		<p>i. Copies of correspondence with the Government Office</p> <p>ii. Copies of the relevant documents</p>	<ul style="list-style-type: none"> • Yes. • Consultation Statement, including correspondence with Government Office. • 1-2-1 meetings and regular meetings as

Activity	Statutory Requirement	Guidance reference	Additional Notes	Possible evidence	Evidence provided
					part of the Greater Manchester planners' networks.

Stage 4: Publication

Introduction

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

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

- do so and progress directly to publication
- OR
- produce and consult on a revised preferred strategy.

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

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

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

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

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

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

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

Stage 4: Publication

Activity	Statutory Requirement	Guidance Reference	Additional notes	Possible evidence	Evidence provided
30. Have you prepared the sustainability appraisal report?	1. The Act section 19(5) 2. Regulation 12 of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633	1. PPS12 paragraphs 4.38 – 4.43 2. SEA Guide Chapter five		Sustainability appraisal report	<ul style="list-style-type: none"> • Yes. • SA Report and Non-Technical Summary report.
31. Have you made clear where and within what period representations must be made?	Regulation 28(2) and (3)		The period must be at not less than 6 weeks from when you give notice under Regulation 27(e) (see below)	<ul style="list-style-type: none"> i. Report or record of decisions ii. The statement of community interest 	<ul style="list-style-type: none"> • Yes. • Public Notice (Statement of Representation Procedure and Statement of availability). • Copy of letters. • Record of sending emails. • Website. • Posters.
32. Have you made copies of the following available for inspection: <ul style="list-style-type: none"> • the proposed submission 	Regulation 27(a)		Regulation 24 gives definitions	<ul style="list-style-type: none"> i. Copies of the relevant statements ii. Report on where and when made available iii. Record of where and 	<ul style="list-style-type: none"> • Yes. • Copies in local libraries, civic centre 'Access Oldham' and

Activity	Statutory Requirement	Guidance Reference	Additional notes	Possible evidence	Evidence provided
<p>documents?</p> <ul style="list-style-type: none"> the statement of the representations procedure? 				when made available	<p>Planning Reception.</p> <ul style="list-style-type: none"> Copies in Parish Councils and Members Rooms. All these documents were available on the council's website from 14 October 2010.
<p>33. Have you published on your website the following:</p> <ul style="list-style-type: none"> the proposed submission documents? the statement of the representations procedure? statement and details of where and when documents can be inspected? 	Regulation 27(b)		Regulations 2 and 24 give definitions	Record of publication	<ul style="list-style-type: none"> Yes. Yes. Yes.
<p>34. Have you sent to each of the specific consultation bodies invited to make representations under Regulation 25(1):</p>	Regulation 27(c)		Regulations 2 and 24 give definitions	<ul style="list-style-type: none"> Copies of correspondence Record of sending 	<ul style="list-style-type: none"> Yes. Yes. Consultation Statement Update.

Activity	Statutory Requirement	Guidance Reference	Additional notes	Possible evidence	Evidence provided
<ul style="list-style-type: none"> A copy of each of the proposed submission documents The statement of the representations procedure? 					
<p>35. Have you sent to each of the general consultation bodies invited to make representations under Regulation 25(1):</p> <ul style="list-style-type: none"> the statement of the representations procedure? where and when the documents can be inspected? 	Regulation 27(d)		Regulations 2 and 24 give definitions	<ul style="list-style-type: none"> Copies of correspondence Record of sending 	<ul style="list-style-type: none"> Yes. Yes. Consultation Statement Update.
<p>36. Have you given notice by local advertisement setting out:</p> <ul style="list-style-type: none"> the statement of the representations procedure where and when the documents can be inspected? 	Regulation 27(e)		Regulation 24 gives definitions	<ul style="list-style-type: none"> Copy of advertisement Where and when placed 	<ul style="list-style-type: none"> Yes. Oldham Advertiser – 14 October 2010. Oldham Evening Chronicle – 14 October 2010. Oldham Advertiser – 21 October 2010.
37. Have you requested	1. The Act	PPS12	The period is six	Copies of correspondence	<ul style="list-style-type: none"> Yes.

Activity	Statutory Requirement	Guidance Reference	Additional notes	Possible evidence	Evidence provided
<p>the opinion of the regional planning body (or the Mayor in London) on the general conformity of the development plan document with the regional spatial strategy (or spatial development strategy)?</p>	<p>section 24 2. Regulation 29</p>	<p>paragraph 4.21</p>	<p>weeks from when you make copies available for inspection under Regulation 27(a)</p>		<ul style="list-style-type: none"> • In preparing the LDF we have had regard to RSS at all relevant stages. During the Refining Options stage regional strategies were revoked by the Secretary of State, and during the publication stage regional strategies were re-instated as a result of the High Court legal challenge. • Statement of intentions – it sets out the likely affect the future loss of RSS may have on Oldham’s planning framework. It concludes that no loss of policy coverage is anticipated from the future loss of RSS. • See GONW (Dave Arstall) email of 7 July 2010. • Consultation

Activity	Statutory Requirement	Guidance Reference	Additional notes	Possible evidence	Evidence provided
					Statement and Update.

Stage five: Submission

Introduction

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

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

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

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

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

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

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

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

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

Stage five: Submission

Question	Statutory Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
<p>38. Are you ready to submit the DPD?</p> <p>39. Are there any major issues revealed by the representations on publication?</p> <p>40. Are all the relevant documents in place?</p>	<ol style="list-style-type: none"> 1. The Act section 20(2)(b) 2. The Act section 20(1) 3. Regulation 30(1) 		<p>If you are not ready to submit, you may need to do more work on the development plan document or consider withdrawing and republishing a revised version.</p> <p>Regulation 30(1) sets out the documents which must be submitted in addition to the development plan document.</p>	<ol style="list-style-type: none"> i. Report on issues resulting from Regulation 28 representations ii. Resolution to carry out more work on part of the development plan document or to withdraw plan iii. The development plan document iv. The documents prescribed at Regulation 30(1) 	<ul style="list-style-type: none"> • Yes. • No. • Yes. • Regulation 30 (1) (e) Statement. • LDF documents. • List of minor changes. • Proposals Map. • Sustainability Appraisal. • Habitats Regulations Assessment. • Equalities Impact Assessment. • Consultation Statement and Update. • Copies of representations and Public Schedule of Comments. • Evidence Base. • Background Papers.
<p>41. Has the development plan document been prepared in accordance</p>	<p>The Act, section 19(1)</p>	<p>PPS12 paragraph 4.50; 4.53 – 4.55</p>	<p>The Act section 15(2) and Regulation 8 note the matters specified in the local</p>	<ol style="list-style-type: none"> i. The local development scheme ii. Explanation of any 	<ul style="list-style-type: none"> • Yes. • Yes. • Yes.

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<p>with the local development scheme?</p> <p>42. Does the development plan document's listing and description in the local development scheme match the document?</p> <p>43. Have the timescales set out in the local development scheme been met?</p>			<p>development scheme</p> <p>The box on local development schemes in PPS12 after paragraph 4.55 sets out milestones</p>	<p>changes from the milestones set out in the local development scheme</p> <p>iii. Relevant annual monitoring reports</p> <p>iv. Correspondence with the Government Office on the local development scheme</p>	<ul style="list-style-type: none"> • LDS. • AMR 2004- 2010. • Correspondence with the Government Office on the local development scheme.
<p>44. Has the development plan document had regard to any sustainable community strategy for its area (like a county and district)?</p>	<p>The Act section 19(2)</p>	<p>PPS12 paragraph 4.34 – 4.35; 4.50</p>		<p>i. The sustainable community strategy(ies)</p> <p>ii. Reference to sections of the development plan document showing how regard has been had to them</p>	<ul style="list-style-type: none"> • Yes. • Sustainability Community Strategy. • SA Scoping Report II. • LDF Main Document paragraphs 2.43, 2.48, 5.3, 5.4, 5.9, and 5.54. • LDF Policy Linkages Boxes.
<p>45. Is the development plan document in compliance with the statement of community involvement (where one exists)?</p>	<p>1. The Act s19(3)</p> <p>2. Regulation 32(1)(c)</p>	<p>PPS12 paragraph 4.50; box after paragraph 4.26</p>	<p>Before the statement of community involvement is formally amended to take into account the changes in the</p>	<p>i. The statement of community involvement</p> <p>ii. The Regulation 32(1)(c) statement</p>	<ul style="list-style-type: none"> • Yes. • Yes. • Adopted SCI and Review SCI. • Consultation

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46. Has the council carried out consultation as described in the statement of community involvement?			regulations, you may need to set out how the community engagement that you carried out met the regulations (as amended).		Statement and Update.
47. Has the development plan document been subject to sustainability appraisal? 48. Has the council provided a final report of the findings of the appraisal?	1. The Act section19(5) 2. Regulation 32(1)(a)	1. PPS12 paragraph 4.39 – 4.43; 4.50 2. SEA Practical Guide, chapter five		Sustainability appraisal report	<ul style="list-style-type: none"> • Yes. • Yes. • SA Report and Non Technical Report.
49. Is the development plan document to be submitted consistent with national policy?	The Act section20(2) and Schedule 8	PPS12 paragraphs 4.30 – 33; 4.50	You need to be sure changes made up to the time of submission are compliant with the requirements	<ul style="list-style-type: none"> i. Correspondence with Government Offices ii. Representations from Government Offices 	<ul style="list-style-type: none"> • Yes. • The LDF policies are consistent with national policy. • Evidence base studies – see LDF examination library list. • LDF documents. • Scoping Reports and Updates. • Sustainability Appraisal. • Public Schedules.

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					<ul style="list-style-type: none"> • Habitats Regulations Assessment reports. • Equalities Impact Assessment. • Background Papers. • Consultation Statement / Update. • Annual Monitoring Reports.
<p>50. Does the development plan document contain any policies or proposals that are not in general conformity with the regional spatial strategy?</p> <p>51. If yes, is there local justification?</p> <p>52. Has the council got confirmation from the regional planning body about the general conformity of the plan with the regional spatial strategy?</p>	<ol style="list-style-type: none"> 1. The Act s 24(1)(a); 24(2) and 24(4) 2. Regulation 29 	<p>PPS12 paragraphs 4.30 – 33; 4.50</p>	<p>In London the requirement is for general conformity with the spatial development strategy (The London Plan)</p>	<ol style="list-style-type: none"> i. Correspondence with or representations from the regional planning body, or Mayor of London ii. Confirmation of conformity from the regional planning body, or Mayor 	<ul style="list-style-type: none"> • No. • Consultation Statement Update, including correspondence from 4NW. • In addition, in preparing the LDF we have had regard to RSS at all relevant stages. During the Refining Options stage regional strategies were revoked by the Secretary of State, and during the publication stage regional strategies were re-instated as a result of the High Court legal

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					<p>challenge.</p> <ul style="list-style-type: none"> • Statement of intentions – it sets out the likely affect the future loss of RSS may have on Oldham’s planning framework. It concludes that no loss of policy coverage is anticipated from the future loss of RSS.
<p>53. Does the development plan document comply with the 2004 regulations (as amended)?</p> <p>54. Specifically, has the council published the prescribed documents, and made them available at their principal offices and their website?</p> <p>55. Has the council placed local advertisements?</p> <p>56. Has the council notified the development plan document bodies?</p> <p>57. Does the development plan</p>	<ol style="list-style-type: none"> 1. The Act section 20(2), 20(3) and 20(5)(b) 2. Regulations 13(1), 13(2), 13(5) and 30(1) 	<p>PPS12 paragraphs 4.36; 4.50</p>	<p>Requirements relating to publication of the prescribed documents are listed later in this table.</p>	<ol style="list-style-type: none"> i. The documents prescribed at Regulation 30(1) ii. Relevant annual monitoring reports iii. Records of the actions undertaken (see below) 	<ul style="list-style-type: none"> • Yes. • Yes. • Yes. • Yes. • Yes. • LDF documents. • List of minor changes. • Proposals Map. • Sustainability Appraisal. • Habitats Regulations Assessment. • Equalities Impact Assessment. • Consultation Statement and Update. • Copies of

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document contain a list of superseded and saved policies?					<ul style="list-style-type: none"> representations and Public Schedule of Comments. • Regulation 30 (1) (e) Statement. • Evidence Base – see LDF examination library list. • Background Papers. • Annual Monitoring Reports 2004 – 2010.
<p>58. Are there any policies applying to sites or areas by reference to an Ordnance Survey map or to amend an adopted proposals map?</p> <p>59. If yes, have you prepared a submission proposals map?</p>	Regulations 13(4) 14 and 30(1)(b)	PPS12 paragraphs 4.6 - 4.7; 8.1-8.3		<ul style="list-style-type: none"> i. Submission proposals map ii. Brief statement if a submission proposals map is not required 	<ul style="list-style-type: none"> • Yes. • Inset map changes.
60. If the development plan document is not a core strategy, is it in conformity with the core strategy?	Regulation 13(6)			<ul style="list-style-type: none"> i. The core strategy ii. Documents or reports demonstrating conformity 	<ul style="list-style-type: none"> • Yes. • The joint DPD includes core policies and development management policies. The development management policies are in conformity with

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					the core policies.
<p>61. Have you prepared a statement setting out:</p> <ul style="list-style-type: none"> • Which bodies and persons were invited to make representations under Regulation 25 • How they were invited • A summary of the main issues raised • How the representations have been taken into account? 	<p>The Act section20(3) Regulation 30(1)(d)</p>		<p>This will bring forward material from the Consultation statement (see Stage 2 above)</p>	<ul style="list-style-type: none"> i. Consultation statement ii. The Statement as required in Regulation 30(1)(d) 	<ul style="list-style-type: none"> • Yes. • Yes. • Yes. • Yes. • Consultation Statement (Regulation 30 (1) (d). • Public Schedule.
<p>62. Have you prepared a statement giving:</p> <ul style="list-style-type: none"> • the number of representations made under Regulation 28(2) • a summary of the main issues raised <p>OR</p> <ul style="list-style-type: none"> • that no representations were 	<p>The Act section20(3) Regulation 30(1)(e)</p>			<p>The Statement as required in Regulation 30(1)(e)</p>	<ul style="list-style-type: none"> • Yes. • Yes. • Regulation 30 (1) (e) Statement. • Consultation Statement Update. • Public Schedule.

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made?					
63. Have you collected together all the representations made under Regulation 28?	The Act section 20(3) Regulation 30(1)(f)			Copies of the representations	<ul style="list-style-type: none"> • Yes. • Copies of the Representations received. • Public Schedule.
64. Have you assembled the relevant supporting documents?	<ol style="list-style-type: none"> 1. The Act section 20(3) 2. Regulation 30(1)(g) 			All necessary evidence and records of decisions relevant to the development plan document	<ul style="list-style-type: none"> • Yes. • LDF documents. • EDRS Reports (decision making). • List of minor changes. • Proposals Map. • Sustainability Appraisal. • Habitats Regulations Assessment. • Equalities Impact Assessment. • Consultation Statement and Update. • Regulation 30 (1) (e) Statement. • Copies of representations and Public Schedule of Comments.

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					<ul style="list-style-type: none"> • Regulation 30 (1) (e) Statement. • Evidence Base. • Background Papers.
65. Has your council approved the development plan document for submission?	The Act section20		The full council has to approve the development plan document for submission (requirements are set out in Local Authorities Functions Regulations)	Report and resolution of the council	<ul style="list-style-type: none"> • Yes. • EDRS Report.
66. Have you sent the Secretary of State (the Planning Inspectorate) a paper copy of the following: <ul style="list-style-type: none"> • the development plan document? • the submission proposals map (unless there are no site allocation policies)? • the documents prescribed in Regulation 30(1)? 	<ol style="list-style-type: none"> 1. The Act s20(1) and 20(3) 2. Regulations 30(1) and 30(2)(a) 		Regulation 49 deals with the availability of documents and the time of their removal.	Record of sending	<ul style="list-style-type: none"> • Yes. • Yes. • Yes. • Proof of Posting by courier.

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<p>67. Have you sent the Secretary of State (the Planning Inspectorate) an electronic copy of the:</p> <ul style="list-style-type: none"> • development plan document? • submission proposals map (unless there are no site allocation policies)? • documents prescribed in Regulation 30(1)? 	<ol style="list-style-type: none"> 1. The Act s20(1) and 20(3) 2. Regulations 30(1) and 30(2)(b) 		<p>Electronic copies of some of the representations and supporting documents may not be practicable.</p> <p>Regulation 49 deals with the availability of documents and the time of their removal.</p>	<ol style="list-style-type: none"> i. Record of sending ii. Reasons why documents cannot be sent electronically 	<ul style="list-style-type: none"> • Yes. • Yes. • Yes. • Record of email. • CD - Proof of Posting by courier.
<p>68. Have you made the following available at the same places where the proposed submission documents were to be seen:</p> <ul style="list-style-type: none"> • The development plan document? • The documents prescribed in Regulation 30(1)? 	Regulation 30(3)(a)		You should do this as soon as reasonably practicable after submitting to the Secretary of State	Record of where and when made available	<ul style="list-style-type: none"> • Yes. • Yes. • Documents made available at Planning Reception and 'Access Oldham' Civic Centre, at local libraries and to all Councillors.
<p>69. On your website, have you published the:</p> <ul style="list-style-type: none"> • development plan document • submission 	Regulation 30(3)(b)		You should do this as soon as reasonably practicable after submitting to the Secretary of State	Record of publication	<ul style="list-style-type: none"> • Yes. • Yes. • Yes. • Yes.

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<p>appraisal report</p> <ul style="list-style-type: none"> • adopted statement of community involvement • Regulation 30(1)(d) statement • Regulation 30(1)(e) statement • supporting documents you consider relevant to each body • statement as to where and when the development plan document and the documents are available? 					<ul style="list-style-type: none"> • Copy of letters. • Record of sending email. • Consultation Statement Update. • Copy of CD with submission documents. • Copy of Statement of Availability (Public Notice).
<p>71. For each general consultation body invited to make representations under Regulation 25(1), have you sent:</p> <ol style="list-style-type: none"> 1. notification that the documents prescribed in Regulation 30(1) are available for inspection 2. where and when they 	Regulation 30(3)(d)		You should do this as soon as reasonably practicable after submitting to the Secretary of State	<ol style="list-style-type: none"> i. Copies of correspondence ii. Record of sending 	<ul style="list-style-type: none"> • Yes. • Yes. • Record of sending email. • Copy of letters. • Consultation Statement Update. • Copy of Statement of Availability (Public Notice).

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can be inspected?					
<p>72. Have you given notice by local advertisement setting out:</p> <ul style="list-style-type: none"> the title of the development plan document? the subject and area covered by the development plan document? notification that the documents prescribed in Regulation 30(1) are available for inspection where and when they can be inspected? 	Regulation 30(3)(e)		You should do this as soon as reasonably practicable after submitting to the Secretary of State	<ul style="list-style-type: none"> i. Copy of advertisement ii. Where and when placed 	<ul style="list-style-type: none"> • Yes. • Yes. • Yes. • Yes. • Statement of Availability published.
73. Have you given notice to persons who have requested to be notified that submission has taken place?	Regulation 30(3)(f)		You should do this as soon as reasonably practicable after submitting to the Secretary of State	<ul style="list-style-type: none"> i. Copies of correspondence ii. Record of sending 	<ul style="list-style-type: none"> • Yes. • Copy of letter. • Record of sending emails.
74. If an examination is being held, at least six weeks before its opening has the Programme	<ol style="list-style-type: none"> The Act section 20 Regulation 			<ul style="list-style-type: none"> i. Record of publication of information 	A Programme Officer has been appointed and will fulfil the duties as required by the Planning

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<p>Officer:</p> <ul style="list-style-type: none"> • published the time and place of the examination and the name of the person appointed to carry out the examination on your website • notified those who have made representations on the published development plan document which have not been withdrawn of these details • advertised these details? 	34			<ul style="list-style-type: none"> ii. Record of sending iii. Copies of correspondence iv. Copy of advertisement 	Inspectorate.