

Local Plan Legal Compliance Checklist March 2018

This legal compliance checklist was produced by the Planning Advisory Service in April 2013. Huntingdonshire District Council has completed this to demonstrate that the Local Plan to 2036 and supporting documents meet the legal and procedural requirements of the relevant legislation.

Glossary:

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

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

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

LDS means **Local Development Scheme**

SCI means **Statement of Community Involvement**

DPD means **Development Plan Document**

Stage one: The early stages

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

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

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

Regulation 17 notes that a statement setting out which bodies and people the council invited to make representations under Regulation 18 is one of the proposed submission documents. In this tool, the term 'consultation statement' is used to describe this statement.

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

Stage one: The beginning

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
1. Is the DPD identified in the adopted LDS? Have you recorded the timetable for its production?	The Act section 15(2) and section 19(1)	NPPF para 153		The Local Plan to 2036 was first identified in the Local Development Scheme (2012). The LDS was last updated in December 2017 to reflect the additional public consultation undertaken in July-August 2017 and provide the correct timetable for the production and submission of the Local Plan which was publicised on the Council's website.
2. How will community engagement be programmed into the preparation of the DPD?	The Act section 19(3) Regulation 18	NPPF paras 150, 155 and 157	If the SCI is up-to-date, use that. If not set out any changes to community engagement as a result of changes in legislation.	The Statement of Community Involvement sets out how community engagement will be programmed into the preparation of the Local Plan. The SCI was approved in 2012.
3. Have you considered the appropriate bodies you should consult?	Regulation 18	NPPF paras 4.25 -4.26	Regulation 2 defines the general and specific consultation bodies. The possible evidence may duplicate each other. Only	General and specific consultation bodies are considered in the SCI 2012 and in the Statement of Consultation under Regulation 18 and Statement of Representations Received under

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
			use what you need to.	Regulation 20.
<p>4. How you will co-operate with other local planning authorities, including counties, and prescribed bodies, to identify and address any issues or strategic priorities that will have a significant impact on at least two planning areas?</p>	<p>The Act section 33A(1)(a) and (b), section 33A(3)(d) (e) & (4)</p> <p>The Act Section 20(5)(c)</p> <p>Regulation 4</p>	<p>NPPF paras 178 to 181 (which comprise the guidance referred to in the Act section 33A(7))</p> <p>Under NPPF Para 182, to be 'Effective' a plan should be based on effective joint working on cross-boundary strategic priorities.</p> <p>Strategic priorities are listed at NPPF Para 156</p>	<p>Section 33A(4) defines a "strategic matter".</p> <p>Under section 33A(6) the required engagement includes considering joint approaches to the plan making activities (including the preparatory activities) and considering whether to agree joint local development documents under section 28.</p> <p>The bodies prescribed by section 33A(1)(c) are set out at Regulation 4(1).</p>	<p>A series of seminars were held with Duty to Cooperate partners in the earlier phases of preparation of the Local Plan which have been followed up by individual meetings and discussions as appropriate along with formal periods of engagement. Use of established liaison groups has also been made for efficiency. Formal responses have been provided in respect of consultation on other local planning authorities' draft local plans as appropriate.</p> <p>Evidence to demonstrate this can be found in the Statement of Compliance with the Duty to Cooperate and the Statement of Consultation under Regulation 18 and Statement of Representations Received under Regulation 20.</p>
<p>5. How you will co-operate with any local enterprise partnerships (LEP) or local</p>	<p>The Act section 33A(1)(c) and section 33A(9),</p>	<p>NPPF paras 178 to 181</p>	<p>Section 33A(4) defines a "strategic matter".</p> <p>Strategic priorities are listed</p>	<p>The Council has engaged with the Greater Cambridge Greater Peterborough LEP throughout</p>

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
<p>nature partnerships (LNP) to identify and address any issues or strategic priorities that will have a significant impact on at least two planning areas?</p>	<p>section 33A(3)(d) and (e)</p> <p>The Act section 20(5)(c).</p> <p>Regulation 4</p>		<p>at NPPF Para 156.</p> <p>Regulation 4(2) prescribes LEPs and LNPs for the purposes of section 33A(9).</p> <p>Under section 33A(6) the required engagement includes consulting on joint approaches to relevant activities.</p>	<p>preparation of the Local Plan, particularly focusing on delivery of the Alconbury Enterprise Zone situated just north of Huntingdon. The Council has also worked closely throughout with Urban and Civic, the developers of Alconbury Enterprise Zone.</p> <p>The Council has engaged with the North Northamptonshire Joint Planning Unit regarding the Nene Valley Nature Improvement Area which affects a small area in the north of the district and has influenced the strategic green infrastructure policy.</p> <p>Evidence to demonstrate these can be found in the Statement of Compliance with the Duty to Cooperate and the Statement of Consultation under Regulation 18 and Statement of Representations Received under Regulation 20.</p>
<p>6. Is baseline information</p>	<p>The Act section13</p>	<p>NPPF paras 158 - 177</p>		<p>A wide range of evidence base</p>

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
<p>being collected and evidence being gathered to keep the matters which affect the development of the area under review?</p>				<p>studies have been completed to inform the preparation of the Local Plan. Baseline information is also identified within the Final Sustainability Appraisal. Annual Monitoring Reports have been produced each year throughout the preparation period of the Local Plan, with the latest being published in December 2017.</p> <p>Links to evidence base documents can be found on the Council's website primarily on pages for the New Local Plan to 2036 or the Monitoring, Research and Evidence Base</p>
<p>7. Is baseline information being collected and evidence being gathered to set the framework for the sustainability appraisal?</p>	<p>The Act section19(5)</p>	<p>NPPF paras 165 and 167</p> <p>Strategic Environmental Assessment Guide, chapter 5</p>		<p>A Scoping Report was prepared early in 2012 which set out the baseline information for the district relating to environmental, social and economic issues. This has been updated during the Local Plan preparation period to ensure it remains relevant and up-to-date.</p> <p>Evidence regarding this can be</p>

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
				found within chapter 3 of the Final Sustainability Appraisal.
8. Have you consulted the statutory environment consultation bodies for five weeks on the scope and level of detail of the environmental information to be included in the sustainability appraisal report?	Regulations 9 and 13 of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633.	NPPF paras 165 and 167 SEA Guide chapter 3	The Strategic Environmental Assessment consultation bodies are also amongst the 'specific consultation bodies' which are defined in Regulation 2).	Consultation on the draft Scoping Report took place between 24 February and 30 March 2012. The statutory bodies of Environment Agency, Natural England and English Heritage were consulted; the consultation was also widened to all registered consultees. Evidence regarding this can be found within chapter 3 of the Final Sustainability Appraisal (paragraphs 3.47-3.53).

Stage two: Plan preparation - frontloading phase

Information assembled during this phase contributes to:

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

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

Stage two: Plan preparation

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
<p>1. Have you notified:</p> <ul style="list-style-type: none"> • the specific consultation bodies? • the general consultation bodies that have an interest in the subject of the DPD and invited them to make representations about its contents? 	Regulation 18(1) and (2)(a) (b)	NPPF paras 159 – 173	Specific and general consultation bodies are defined in Regulation 2.	Details of engagement with the specific and general consultation bodies are set out in the Statement of Consultation under Regulation 18, in particular Stages 1 and 2 which reflect the earliest stages of plan preparation.
<p>2. Are you inviting representations from people resident or carrying out business in your area about the content of the DPD?</p>	Regulation 18(1) and (2)(c)	NPPF paras 159 – 173		<p>Residents and representatives of local businesses registered in the Council’s consultation database were directly contacted inviting representations. Leaflets, newspaper articles and exhibitions were also used to invite representations from others.</p> <p>The Statement of Consultation under Regulation 18 provides summaries of this consultation and responses to it in Stages 1 and 2 with details of the processes and those involved presented in</p>

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
				Appendices 1 and 2.
3. Are you engaging with stakeholders responsible for delivery of the strategy?	Regulation 18	NPPF para 155	NPPF paras 160-171 4.29 give examples of relevant bodies which should be consulted.	<p>The Council has engaged with statutory consultees, landowners/ developers and infrastructure providers throughout preparation of the Local Plan and relevant evidence base documents.</p> <p>The Statement of Consultation under Regulation 18 provides summaries of this consultation and responses to it in Stages 1 and 2 with details of the processes and those involved presented in Appendices 1 and 2.</p> <p>The Duty to Cooperate statement sets out details of engagement with stakeholders responsible for delivering elements of the strategy which have potential for cross-boundary impacts.</p>
4. Are you taking into account representations made?	Regulation 18(3)	NPPF para 155	Evidence from participation is part of the justification. Show how you have taken representations into account.	The Statement of Consultation under Regulation 18 provides evidence of how representations have influenced preparation of the Local Plan and changes made in response.

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
				The Appendices set out detailed representations made throughout the various phases of Local Plan preparation and the responses to them including identifying changes arising from representations received.
5. Does the consultation contribute to the development and sustainability appraisal of alternatives?	The Act section19(5) Regulations 12 and 13 of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633	NPPF paras 165 – 168 SEA Guide, chapter 3		Stages B2-B4 and Stage C of the Sustainability Appraisal provide evidence of the consideration of alternative approaches. Stages 1 and 2 of the Local Plan consultation focused strongly on alternative approaches, particularly in relation to housing provision, with outcomes presented for consultation in the Stage 3 version of the Local Plan in 2013. Evidence of these can be found in the Final Sustainability Appraisal and the Statement of Consultation under Regulation 18.
6. Is the participation: <ul style="list-style-type: none"> • following the principles set out in your SCI? 	The Act section19(3)	NPPF para 155		The participation has followed the principles set out in the Statement of Community Involvement and has been proportionate to the

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
<ul style="list-style-type: none"> • integrating involvement with the sustainable community strategy? • proportionate to the scale of issues involved in the DPD? 				<p>scale of issues involved in the Local Plan. Additional consultation phases were added during the Local Plan preparation period to ensure sufficient participation opportunities were available. This included an additional opportunity to make representations on a revised draft plan shortly before the proposed submission phase.</p> <p>Early on in its preparation the Local Plan took forward the principles set out in Huntingdonshire’s Sustainable Community Strategy 2008-2028; more recently the Corporate Plan has fulfilled this role.</p>
<p>7. 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? 	<p>The Act section 20(3)</p> <p>Regulation 17</p>	<p>NPPF paras 158 - 171</p>	<p>You will need to submit a statement of representations under Regulation 22 (1) (c): see Submission stage below.</p> <p>Regulation 35 deals with the availability of documents and the time of their removal.</p>	<p>The Statement of Consultation under Regulation 18 provides details of the consultation processes followed at each stage and the representations made.</p> <p>Individual representations made at each engagement phase of the Local Plan preparation are available to view via the Council’s</p>

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
				consultation portal . The consultation portal provides automatic invitations to all registered individuals and organisations to view new consultation material and provides instructions on how to submit representations if desired.
<p>8. Are you inviting representations on issues that would have significant impacts on both your areas from another local planning authority? Or county issues from an affected county council that is not a planning authority? Or significant cross-boundary issues and strategic priorities of a body prescribed under Section 33A(1)(c)?</p>	<p>The Act section 33A(1)(a) (b) and (c), section 33A(3)(d) & (e) section 33A(4) section 33A(9)</p> <p>The Act section 20 (5)(c)</p>	<p>NPPF paras 178 to 181</p>	<p>Section 33A(3)(d) and (e) requires cooperation on significant cross-boundary issues before and during plan preparation.</p> <p>Section 33A(2) requires you to engage constructively, actively and on an ongoing basis.</p>	<p>The Statement of Compliance with the Duty to Co-operate sets out the details of how the Council has worked with other public bodies, including the County Council and neighbouring authorities, to ensure that strategic cross boundary matters have been appropriately addressed.</p> <p>Detailed representations and responses are also identified through the Statement of Consultation under Regulation 18 and Statement of Representations Received under Regulation 20.</p>
<p>9. Are you inviting representations on cross-boundary issues and strategic</p>	<p>The Act section 33A(1)(c) and Section 33A(9).</p>	<p>NPPF paras 178 to 181</p>	<p>Section 33A(3)(d) and (e) requires cooperation on significant cross-boundary</p>	<p>Greater Cambridge Greater Peterborough LEP has been consulted at each stage of Local</p>

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<p>priorities from a local enterprise partnership (LEP) or a local nature partnership (LNP)?</p>	<p>The Act section 20(5) (c).</p> <p>Regulation 4</p>		<p>issues before and during plan preparation.</p> <p>Section 33A(2) requires you to engage constructively, actively and on an ongoing basis.</p>	<p>Plan preparation. In addition the Council have worked closely with Urban and Civic regarding the development of Alconbury Enterprise Zone.</p> <p>The Cambridgeshire and Peterborough Combined Authority was established in 2017 and will take over the business enterprise role of GCGP LEP when it is wound up at the end of March 2018. The Combined Authority has been invited to make representations on the Local Plan.</p>
<p>10. Are you developing a framework for monitoring the effects of the DPD?</p>	<p>The Act section 35</p> <p>Regulation 34</p> <p>Regulation 17 of The Environmental Assessment of Plans and Programmes Regulations 2004</p>	<p>NPPF paras 165 - 1687</p> <p>SEA Guide, Chapter 5</p>	<p>It is a matter for each council to decide what to include in their monitoring reports while ensuring they are prepared in accordance with relevant UK and EU legislation” Chief Planning Officer letter 30 March 2011 withdrawing ODPM guidance.</p>	<p>Monitoring indicators are integrated throughout the Local Plan to measure the effects of implementing each policy.</p> <p>These will be drawn together and presented in the Annual Monitoring Report each year.</p> <p>The Annual Monitoring Reports address both the plan objectives and the related sustainability appraisal objectives.</p>

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
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Stage three: Plan preparation - formulation phase

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

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

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

- completed body of information from evidence gathering
- results of sustainability appraisal
- findings from community participation
- findings from engagement with statutory cooperation bodies.

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

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

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

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

Stage three: Plan preparation – writing the plan

Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence
<p>1. Are you preparing reasonable alternatives for evaluation during the preparation of the DPD?</p>	<p>Regulation 12 (2) of The Environmental Assessment of Plans and Programmes Regulations 2004 No. 1633</p>	<p>NPPF paras 152 - 182 SEA Guide, Chapter 5</p>	<p>The sustainability appraisal report and supporting documents relevant to the preparation of the DPD are part of the proposed submission documents (see Regulation 17).</p>	<p>Stages B2-B4 and Stage C of the Sustainability Appraisal provide evidence of the consideration of alternative approaches. Following consultation changes to these are appraised in Stage D.</p> <p>Early stages of Local Plan consultation focused strongly on alternative approaches, particularly in relation to housing provision. The later stages of consultation focused more on the means of delivering the sustainable strategy which arose from these.</p> <p>Evidence of these can be found in the Final Sustainability Appraisal and the Statement of Consultation under Regulation 18.</p> <p>The Strategic Transport Study assessed 5 alternative development scenarios; evaluation of deliverability</p>

Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence
				resulted in preparation of a sixth scenario.
<p>2. Have you assessed alternatives against:</p> <ul style="list-style-type: none"> • consistency with national policy? • general conformity with the regional spatial strategy where still in force? 	The Act section 19 (2), section 24	NPPF para 151	For London boroughs and local authorities where regional strategies are still in force general conformity is tested formally later but you need to consider it during preparation of the DPD.	<p>The Local Plan is considered to be consistent with the NPPF (2012). A review was undertaken by Planning Officers Society Enterprises in March 2014 to provide an independent assessment of the draft Local Plan to aid further preparation.</p> <p>A Soundness Self-Assessment has been carried out to help ensure that the Local Plan complies with the NPPF.</p> <p>The Regional Spatial Strategy was revoked in 2010.</p>
<p>3. Are you having regard to (where relevant):</p> <ul style="list-style-type: none"> • adjoining regional spatial strategies? • the spatial development strategy for London? • Planning Policy for Wales? • the National Planning 	<p>The Act sections 19 (2) and 24 (1) and (4)</p> <p>Regulation 10 and 21</p>		Where the regional strategy has been revoked you should record that fact.	<p>There are no extant adjoining regional spatial strategies.</p> <p>The Mayor of London has been consulted at each stage of the Local Plan's preparation; no responses have been received.</p>

Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence
Framework for Scotland?				
<p>4. Are you co-operating with other local planning authorities including counties, to address significant cross boundary issues?</p> <p>Have you discussed doing joint local development documents?</p>	<p>The Act section 33A(2)(a)</p> <p>Section 33A(6)(a)(b)</p> <p>Section 20(5) (c)</p>	<p>NPPF paras 181 and 185</p>	<p>.</p>	<p>The Council has consulted and co-operated with neighbouring local authorities at all stages of the Local plan's preparation as evidenced in the Statement of compliance with the Duty to Co-operate.</p> <p>All authorities in the Cambridge housing market area have a long history of working together with a series of joint Strategic Housing Market Assessments being undertaken. The Cambridge SHMA 2013 informed the early preparation of the Local Plan. A close working relationship has been maintained with individual district updates being commissioned as appropriate reflecting authorities' varying progression with local plan preparation. These established networks have been used to ensure strategic issues are appropriately addressed.</p>

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				<p>The Cambridgeshire and Peterborough Memorandum of Co-operation was finalised in 2013 to support the spatial approach of development for 2011-2031.</p> <p>Evidence of the above can be found at Cambridgeshire Insight.</p> <p>Highways, particularly involving the A14, A428 and A1, raise significant cross-boundary issues. The Council has worked extensively with Cambridgeshire County Council on preparation of the Long Term Transport Strategy and with Highways England to address these issues.</p> <p>Huntingdonshire was a partner in the Cambridgeshire, King's Lynn and West Norfolk, Peterborough and West Suffolk Gypsy and Traveller Accommodation Assessment completed in October 2016 which replaced the Cambridge sub-regional Gypsy and Traveller Accommodation</p>

Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence
				<p>Needs Assessment 2011.</p> <p>The Cambridgeshire and Peterborough Combined Authority started preparing a non-statutory spatial strategy in July 2017. Phase one, due to report early in 2018, will focus on drawing together current/ proposed local plan strategies to 2031/36. This will act as a baseline for phase 2 which will look at growth beyond this timeframe.</p>
<p>5. Are you cooperating with a person prescribed for the purposes of Regulation 33A(1)(c) to address significant cross boundary issues including preparing joint approaches?</p>	<p>The Act section 33A(2)(a), section 33A(6)(a)</p> <p>The Act section 20 (5) (c)</p> <p>Regulation 4</p>	<p>NPPF paras 181 and 182</p>	<p>The bodies prescribed by The Act section 33A(1)(c) are set out at Regulation 4 (1).</p>	<p>The Statement of Compliance with the Duty to Co-operate sets out the bodies and cross-boundary issues addressed during preparation of the Local Plan.</p>
<p>6. Are you cooperating with having regard to the activities of the LEP and LNP?</p>	<p>The Act section 33A(2)(b) and section 33A(9). Regulation 4 (2)</p>	<p>NPPF para 181 and 182</p>		<p>Greater Cambridge Greater Peterborough LEP has been consulted at each stage of Local Plan preparation. In addition the</p>

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				<p>Council have worked closely with Urban and Civic regarding the development of Alconbury Enterprise Zone.</p> <p>The Cambridgeshire and Peterborough Combined Authority was established in 2017 and will take over the business enterprise role of GCGP LEP when it is wound up at the end of March 2018. The Combined Authority has been invited to make representations on the Local Plan.</p>
<p>7. Are you having regard to:</p> <ul style="list-style-type: none"> • your sustainable community strategy or of 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>Early on in its preparation the Local Plan took forward the principles set out in Huntingdonshire’s Sustainable Community Strategy 2008-2028; more recently the Corporate Plan has fulfilled this role and has been reflected in the Local Plan.</p> <p>The Local Plan has considered the Cambridgeshire and Peterborough Minerals and Waste Core Strategy 2011 and</p>

Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence
				the St Neots Neighbourhood Plan (2016) when preparing the development strategy and identifying site allocations.
<p>8. Do you have regard to other matters and relevant strategies relating to:</p> <ul style="list-style-type: none"> • resources • the local/regional economy • the local transport plan and transport facilities and services • waste strategies • hazardous substances 	<p>The Act section 19(2)</p> <p>Regulation 10</p>		<p>As well as the matters and strategies listed in the Act and Regulations there are likely to be other matters identified in planning policy statements, regional and local strategies that you will need to have regard to in preparing the DPD.</p>	<p>The Council maintains ongoing partnership working with Cambridgeshire County Council on transport planning matters and has had regard to the Cambridgeshire and Peterborough Minerals and Waste Core Strategy 2011 in preparation of the Local Plan.</p> <p>Co-operation with utility providers and Highways England has ensured that the Council has had regard to a wide range of other strategies which have an impact on Huntingdonshire's residents, businesses and environment. This has also allowed others to make relevant input into their own strategies and plans where appropriate.</p> <p>Evidence is provided within the Statement of Consultation under</p>

Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence
				Regulation 18 and the Infrastructure Delivery Plan and Infrastructure Schedule.
9. Are you having regard to the need to include policies on mitigating and adapting to climate change?	The Act section19(1A)	NPPF paras 93 -108		The Local Plan includes several policies which specifically related to climate change issues. These LP5 Flood Risk, LP13 Design Implementation, LP17 Sustainable Travel and LP37 Renewable and Low Carbon Energy. Overall the Local Plan's strategy and policies seek to promote higher environmental standards within the realms of viability.
10. Have you undertaken the sustainability appraisal of alternatives, including consultation on the sustainability appraisal report?	The Act section19(5) Regulation 12 and 13 of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633	NPPF para 182 SEA Guide, Chapter 5	Regulation13 of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633 sets out the consultation procedures.	Sustainability Appraisal documents were published for consultation under Regulation 18 alongside the Stage 3 Local Plan in 2013 and the July 2017 Draft Local Plan. Sustainability appraisals of individual sites assessed for consideration as allocations were also undertaken and published in the Environmental Capacity Study

Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence
				consultation documents in May and November 2013 and later in the Housing and Employment Land Availability Assessment consultation documents in September 2016 and July 2017.
11. Are you setting out reasons for any preferences between alternatives?	Regulation 8(2)	NPPF para 182	This will include Information from the sustainability appraisal.	The Sustainability Appraisal identifies the alternatives assessed and significant changes arising throughout preparation of the Local Plan. These are highlighted in the non-technical summary.
12. Have you taken into account any representations made on the content of the DPD and the sustainability appraisal? Are you keeping a record?	Regulations 17, 18(3) and 22 (1) (c) (iv) Regulation 13(4) of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633	NPPF paras 150, 155, 157 and 159-171	Records on the sustainability appraisal should also include recording any assessment made under the Habitats Directive.	Representations received throughout the consultation on the Local Plan are presented in the Statement of Consultation. Representations on the Sustainability Appraisal are reflected in the final version of that document, particularly in section D. Representations on the Habitats Regulations Assessment are incorporated within an Addendum accompanying the final version of that document.

Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence
<p>13. Where sites are to be identified or areas for the application of policy in the DPD, are you preparing sufficient illustrative material to:</p> <ul style="list-style-type: none"> • enable you to amend the currently adopted policies map? • inform the community about the location of proposals? 	<p>Regulations 5 (1)(b) and 9</p>	<p>NPPF para 157</p>	<p>Regulation 2 defines the terms ‘submission’ and ‘adopted’ proposals map.</p> <p>A map showing changes to the adopted policies map is part of the proposed submission documents defined in Regulation 17.</p>	<p>A complete replacement Policies Map has been prepared which will wholly supersede the adopted Proposals Map which dates from 1995 with amendments from 2002. The replacement map has been published alongside the Regulation 19 Local Plan. Individual changes have not been set out on an electronic copy due to the poor quality resulting from trying to produce electronic versions of the 1995 maps.</p> <p>At each stage of plan preparation maps have been incorporated with each proposed site allocation to inform the community about the location of development proposals. Maps have also been incorporated indicating policy boundaries for established employment areas and town centre related boundaries.</p>
<p>14. Are the participation</p>	<p>The Act, section</p>	<p>NPPF paras 150 and</p>		<p>Consultation has been</p>

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arrangements compliant with the SCI?	19(3) Regulation 18	155		undertaken which exceeds the levels required by the Statement of Community Involvement and which meet the requirements of Regulation 18 of the Town and Country Planning (Local Development) (England) Regulations 2012 (as amended). The outcomes are reflected in the Statement of Consultation under Regulation 18 and Statement of Representations Received under Regulation 20.

Stage four: Publication

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

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

- do so and progress directly to publication

OR

- produce and consult on a revised preferred strategy.

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

- comply with the requirements of the SCI
- update the sustainability appraisal report.

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

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

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

Stage four: Publication

Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence
1. Have you prepared the sustainability appraisal report?	The Act section 19(5) Regulation 12 of the Environmental Assessment of Plans and Programmes Regulations 2004 No 1633	NPPF paras 165 - 168 SEA Guide Chapter 5		The Sustainability Appraisal was prepared and consulted upon alongside the various stages of Local Plan preparation.
2. Have you made clear where and within what period representations must be made?	Regulation 17, 19, 20 and 35		The period must not be less than 6 weeks from when you publish under Regulations 19 and 35 (see below).	The Statement of Representations procedure sets out these details. This is published on the Council's website and the consultation portal. The consultation portal provides direct notification of all registered users with an email address. A 7 week period was allowed to take account of the period including Christmas.
3. Have you made copies of the following available for inspection: <ul style="list-style-type: none">the proposed submission	Regulation 19(a)		Regulation 17 gives definitions.	Consultation was open from 18 December 2017 to 5 February 2018 during which time all material was available electronically through the

Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence
<p>documents?</p> <ul style="list-style-type: none"> the statement of the representations procedure? 				<p>Council's consultation portal. Paper copies of all documentation were made available to view at the Council's office in Huntingdon and paper copies of key documents were provided to all libraries in the district.</p>
<p>4. Have you published on your website:</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? 	<p>Regulations 19 and 35</p>		<p>Regulations 2 and 17 give definitions.</p>	<p>All this material was available on the Council's website from 18 December 2017 and can be seen on the Local Plan webpage.</p>
<p>5. 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"> A copy of each of the 	<p>Regulation 19(b)</p>		<p>Regulations 2 and 17 give definitions.</p>	<p>All specific consultation bodies are automatically notified of each new consultation event which provides a link to all consultation material including the statement of</p>

Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence
<p>proposed submission documents</p> <ul style="list-style-type: none"> The statement of the representations procedure? 				representations procedure.
<p>6. 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"> the statement of the representations procedure? where and when the documents can be inspected? 	Regulation 19(b)		Regulations 2 and 17 give definitions.	<p>All general consultation bodies are automatically notified of each new consultation event which provides a link to all consultation material including the statement of representations procedure.</p> <p>In additional publicity material was included in the Hunts Post local newspaper and placed on the Council's website.</p>
<p>7. Have you requested the opinion of the Mayor of London (if a London Borough or Mayoral DC) on the general conformity of the DPD spatial development strategy?</p>	<p>The Act section 24</p> <p>Regulation 21</p>		The request must be made on the day you publish the documents under Regulation 19(a) and a response must be made within six weeks from the request (Regulation 21).	This is not relevant.

Stage five: Submission

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

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

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

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

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

Stage five: Submission

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
1. Has the DPD been prepared in accordance with the LDS? Does the DPD's listing and description in the LDS match the document? Have the timescales set out in the LDS	The Act section 19(1)		The Act section 15(2) sets out the matters specified in the LDS. As at January 2013, no further matters are prescribed in the	The Local Plan to 2036 was first identified in the Local Development Scheme (2012). The description in this matches with the current Local Plan. The LDS was last updated in

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
been met?			Regulations.	December 2017 to reflect the additional public consultation undertaken in July-August 2017 and provide the correct timetable for the production and submission of the Local Plan. The LDS (December 2017) included proposed submission starting in December 2017 and submission In March 2018.
2. Has the DPD had regard to any sustainable community strategy for its area (like a county and district)?	The Act section 19(2)	NPPF para 182		Early on in its preparation the Local Plan took forward the principles set out in Huntingdonshire’s Sustainable Community Strategy 2008-2028; more recently the Corporate Plan has fulfilled this role and has been reflected in the Local Plan. The Local Plan has considered the Cambridgeshire and Peterborough Minerals and Waste Core Strategy 2011 the St Neots Neighbourhood Plan (2016) when preparing the development strategy and identifying site allocations.
3. Is the DPD in compliance with	The Act section		Before the SCI is formally	Consultation has been

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
<p>the SCI (where one exists)? Has the council carried out consultation as described in the SCI?</p>	<p>19(3) Regulation 22(1)(c)</p>		<p>amended to take into account the changes in the regulations, you may need to set out how the community engagement that you carried out met the regulations (as amended).</p>	<p>undertaken which exceeds the levels required by the Statement of Community Involvement. The outcomes are reflected in the Statement of Consultation under Regulation 18 and Statement of Representations Received under Regulation 20.</p>
<p>4. Have you identified and addressed any issues which are likely to have a significant impact on at least two planning areas. In doing so, have you co-operated with other local planning authorities, county councils where they are not a planning authority, LEAs, LNEs and the prescribed bodies in identifying and addressing any strategic cross-boundary issues If you have not agreed on the approach is there a justification?</p>	<p>The Act section 33A(1) and section 20(5)</p>	<p>NPPF paras 181 and 182</p>	<p>Under NPPF para 182, the plan should be based on effective joint working on cross-boundary strategic priorities to be found 'Effective'.</p>	<p>The Council has consulted and co-operated with neighbouring local authorities at all stages of the Local plan's preparation as evidenced in the Statement of compliance with the Duty to Co-operate. All authorities in the Cambridge housing market area have a long history of working together with a series of joint Strategic Housing Market Assessments being undertaken. The Cambridge SHMA 2013 informed the early preparation of the Local Plan. A close working relationship has been maintained with individual district updates being</p>

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
				<p>commissioned as appropriate reflecting authorities' varying progression with local plan preparation. These established networks have been used to ensure strategic issues are appropriately addressed.</p> <p>The Cambridgeshire and Peterborough Memorandum of Co-operation was finalised in 2013 to support the spatial approach of development for 2011-2031.</p> <p>Evidence of the above can be found at Cambridgeshire Insight.</p> <p>Highways, particularly involving the A14, A428 and A1, raise significant cross-boundary issues. The Council has worked extensively with Cambridgeshire County Council on preparation of the Long Term Transport Strategy and with Highways England to address these issues.</p> <p>Huntingdonshire was a partner in the Cambridgeshire, King's Lynn and West Norfolk, Peterborough</p>

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
				<p>and West Suffolk Gypsy and Traveller Accommodation Assessment completed in October 2016 which replaced the Cambridge sub-regional Gypsy and Traveller Accommodation Needs Assessment 2011.</p> <p>The Cambridgeshire and Peterborough Combined Authority started preparing a non-statutory spatial strategy in July 2017. Phase one, due to report early in 2018, will focus on drawing together current/ proposed local plan strategies to 2031/36. This will act as a baseline for phase 2 which will look at growth beyond this timeframe.</p>
<p>5. Has the DPD been subject to sustainability appraisal? Has the council provided a final report of the findings of the appraisal?</p>	<p>The Act section 19(5) Regulation 22(1)(a)</p>	<p>NPPF para 165 SEA Practical Guide, chapter 5</p>		<p>The Local Plan has been subject to sustainability appraisal throughout its preparation as set out above. The Final Sustainability Appraisal is provided and available via the Council's consultation portal.</p>
<p>6. Is the DPD to be submitted</p>	<p>The Act section</p>	<p>NPPF para 151</p>		<p>The Local Plan is considered to be</p>

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
consistent with national policy?	19(2) and Schedule 8			consistent with the NPPF 2012. A soundness self-assessment has been carried out to help ensure this is the case.
7. Does the DPD contain any policies or proposals that are not in general conformity with the regional strategy where it still exists? If yes, is there local justification? If the LPA is a London borough or a mayoral development corporation has it requested an opinion from the Mayor of London on the general conformity of the plan with the spatial development strategy?	The Act section 24(1)(a) and 24(4) Regulation 21	NPPF para 218 footnote 41	In London the requirement is for general conformity with the spatial development strategy (The London Plan).	The RSS was revoked in 2010 so this is no longer relevant. Huntingdonshire is not a London borough or a mayoral development corporation so these are not relevant either.
8. Has the council published the prescribed documents, and made them available at their principal offices and their website?	The Act section 20(2), 20(3) and 20(5)(b) Regulations 8 and 19	NPPF para 182	Requirements relating to publication of the prescribed documents are listed later in this table.	The core submission documents and all supporting documentation will be published on the Council's website as soon as practicable after submission. A paper copy of the

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
<p>Has the council notified the relevant statutory and non-statutory bodies, and all persons invited to make representations on the plan?</p> <p>Does the DPD contain a list of superseded saved policies?</p>				<p>Huntingdonshire Local Plan to 2036: Proposed Submission 2017 (as amended March 2018) was made available for inspection at the Council's main office in Huntingdon on 28th March 2018.</p> <p>Appendix A of the Huntingdonshire Local Plan to 2036: Proposed Submission 2017 (as amended March 2018) sets out all elements to be superseded.</p>
<p>9. Are there any policies applying to sites or areas by reference to an Ordnance Survey map or to amend an adopted policies map?</p> <p>If yes, have you prepared a submission policies map?</p>	<p>Regulations 5(1) (b), 9 (1), 17 & 22(1)</p>			<p>A submission Policies Map has been prepared and is available to view on the Council's consultation portal.</p> <p>A paper copy of the submission Policies Map accompanies the submission Local Plan.</p>
<p>10. Is the DPD consistent with any other adopted DPDs for the area? If the DPD is intended to supersede any adopted development plan policies, does it state that fact and identify the</p>	<p>Regulation 8(3) and (4)</p> <p>Regulation 8(5)</p>		<p>Development Plan is defined in Section 38 of the Act.</p>	<p>The Local Plan to 2036 states in Appendix A all elements of the development plan which it is intended to supersede.</p>

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
superseded policies?				
<p>11. 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 18? • How they were invited? • A summary of the main issues raised? • How the representations have been taken into account? 	<p>The Act section 20 (3)</p> <p>Regulation 22(1)(c)</p>		<p>This will bring forward material from the Consultation statement (see Stage 2 above).</p>	<p>The Statement of Consultation under Regulation 18 provides details of the consultation processes followed at each stage and the representations made. It also sets out how the representations have been taken into account and changes made. Individual representations made at each engagement phase of the Local Plan preparation are available to view via the Council's consultation portal. The consultation portal provides automatic invitations to all registered individuals and organisations to view new consultation material and provides instructions on how to submit representations if desired.</p>
<p>12. Have you prepared a statement giving:</p> <ul style="list-style-type: none"> • the number of representations made under Regulation 22? • a summary of the main 	<p>The Act section 20(3)</p> <p>Regulation 22(1)(c)</p>			<p>A separate Statement of Representations March 2018 has been prepared setting out the number of representations made under Regulation 22. This contains a summary of the main</p>

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
<p>issues raised?</p> <p>OR</p> <ul style="list-style-type: none"> that no representations were made? 				issues raised and responses to these along with more detailed summaries of representations.
13. Have you collected together all the representations made under Regulation 22?	<p>The Act section 20(3)</p> <p>Regulation 22(1)(e)</p>			All representations have been collated electronically in both plan order and respondent order.
14. Have you assembled the relevant supporting documents?	<p>The Act section 20(3)</p> <p>Regulation 22(1)(g)</p>			All supporting documents have been drawn together and submitted electronically accompanied by a document listing them grouped by topic.
15. Has your council approved the DPD for submission?			Check the LPA's constitution/standing orders for the authorisation process appropriate for the type of DPD.	The Local Plan was approved at the Full Council meeting held on 13 December 2017. This is recorded in the Minutes of this meeting.
16. Have you sent the Secretary of State (the Planning Inspectorate) both a paper copy and an email of the following: <ul style="list-style-type: none"> the DPD? the submission policies 	<p>The Act section 20(1) and 20(3)</p> <p>Regulations 22(1) and 22(2)</p>		<p>Regulation 35 deals with the availability of documents and the time of their removal.</p> <p>Electronic copies of some of the representations and supporting documents may not be practicable.</p>	<p>A paper copy of the Huntingdonshire Local Plan to 2036: Proposed Submission 2017 (as amended March 2018) and the Policies Map are being sent on 28th March 2018.</p> <p>Electronic copies of these and all</p>

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
map (unless there are no site allocation policies)? <ul style="list-style-type: none"> the documents prescribed in Regulation 22(1)? 			Regulation 35 deals with the availability of documents and the time of their removal.	supporting materials will accompany these.
17. Have you made the following available at the same places where the proposed submission documents were to be seen: <ul style="list-style-type: none"> The DPD? The documents prescribed in Regulation 22(1)? 	Regulation 22(3)		You should do this as soon as reasonably practicable after submission.	This will be completed as soon as practicable after submission.
18. On your website, have you published the: <ul style="list-style-type: none"> DPD? submission policies map? sustainability appraisal report? Regulation 22(1)(c) statement? supporting documents (where practicable) ? representations made 	Regulation 22(3) and 35(1)(b)		You should do this as soon as reasonably practicable after submission.	This will be completed as soon as practicable after submission.

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
<p>under Regulation 20 (where practicable) ?</p> <ul style="list-style-type: none"> statement as to where and when the DPD and the documents are available? 				
<p>19. For each general consultation body invited to make representations under Regulation 18(1), have you sent:</p> <ul style="list-style-type: none"> notification that the documents prescribed in Regulation 22(3)(a)(i)-(iii) are available for inspection where and when they can be inspected? 	Regulation 22(3)(b)		You should do this as soon as reasonably practicable after submitting to the Secretary of State.	The Council will notify all relevant bodies as soon as is reasonably practical.
<p>20. Have you given notice to persons who have requested to be notified that submission has taken place?</p>	Regulation 22(3)(c)		You should do this as soon as reasonably practicable after submitting to the Secretary of State.	The Council will notify all relevant persons as soon as is reasonably practical.
<p>21. If an examination is being held, at least six weeks before its opening has the Programme Officer:</p>	The Act section 20 Regulations 24 and			The Council will liaise with the Programme Officer accordingly.

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
<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 DPD which have not been withdrawn of these details? 	35			