

Northumberland Local Plan

Local Plan Legal Compliance Checklist

May 2019

1. Introduction

- 1.1. The Northumberland Local Plan has been formally submitted to the Secretary of State. It will now be formally examined by an independent Inspector to assess whether the Plan has been prepared in accordance with the legal and procedural requirements as set out by the Town and Country Planning (Local Planning) (England) Regulations 2012 ("2012 Regulations") and whether the Plan is "sound".
- 1.2. Examinations into Plans such as this can be lengthy and complex, especially for those who are unaccustomed to such processes. Regulations and good practice require the Council to complete and submit a range of statements as part of the Examination 'bundle' and invariably, participants at Examinations will refer to a myriad of their own documents to support their own viewpoints. It will be for the independent Planning Inspector to consider all of the material prior to reaching a conclusion on the Plan's soundness and compliance with the legal requirements.
- 1.3. To facilitate the examination process and for the benefit of the Planning Inspector and other Examination participants, local planning authorities are encouraged to submit a Legal Compliance Checklist issued by the Planning Advisory Service (updated April 2013 by PAS, and May 2019 by Northumberland County Council in respect of the NPPF 2019).
- 1.4. This completed checklist provides succinct reference points which demonstrates how the Local Plan is legally compliant. It further signposts the reader to a range of other supporting evidence that has been prepared and the processes undertaken to get the Plan to this point.
- 1.5. The Council reserves the right to bring forward additional information through the examination process.
- 1.6. Table 1 summarises the key stages in preparing the Local Plan to the point of submission. It will be referred to within the following Checklist. Unless otherwise stated, references to chapters, policies and paragraphs will be drawn from the Northumberland Local Plan Publication Draft Plan (Regulation 19).

Table 1 : Key Stages in preparing the Northumberland Local Plan

Northumberland Local Plan	Publication Date
Spring 2018 Consultation (Interactive Spatial Survey)	March 2018
Local Plan: Draft Plan for Regulation 18 Consultation	July 2018
Local Plan: Publication Draft Plan (Regulation 19)	Jan 2019
Local Plan: Publication Draft Plan (Regulation 19), Proposed Minor Modifications	May 2019

- 1.7. This checklist has been updated for PAS by SNR Denton. It supersedes the previous checklist and is based on Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2012. It should be used with the Soundness Self Assessment Checklist (also updated January 2013 by PAS and May 2019 by Northumberland County Council in respect of NPPF 2019).
- 1.8. Remember that the evidence you provide to support your plan should be relevant and proportionate. Please don't use this checklist as a reason to assemble more than is needed.
- 1.9. 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

2. Stage one: The early stages

- 2.1. 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.
- 2.2. 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.
- 2.3. 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.
- 2.4. 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	Evidence Provided
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)			<ul style="list-style-type: none"> i. The adopted LDS at the time of commencement, publication and submission of the DPD ii. The relevant authority monitoring report (if changes need to be explained) 	The preparation of the Local Plan was identified in the adopted LDS (November 2017) at the time of commencement of Local Plan preparation. The LDS was subsequently updated in April 2018 shortening the timetable for the preparation of the Local Plan. The LDS has not needed to be updated since April 2018.
2. How will community engagement be programmed into the preparation of the DPD?	The Act section 19(3) Regulation 18	NPPF paras 16, 25,	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.	<ul style="list-style-type: none"> i. The SCI ii. The project plan for the DPD 	<p>The latest version of the SCI was adopted in February 2015. The SCI sets out the consultation arrangements for the Council's Planning Service.</p> <p>The Regulation 22 Statement of Consultation (May 2019) and preceding versions of this document detail how community engagement has been undertaken for each stage of the Local Plan.</p>

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
3. Have you considered the appropriate bodies you should consult?	Regulation 18	NPPF paras 16, 24 to 27.	<p>Regulation 2 defines the general and specific consultation bodies.</p> <p>The possible evidence may duplicate each other. Only use what you need to.</p>	<ul style="list-style-type: none"> i. The SCI ii. Reports and decisions setting out the approach to specific and general consultation bodies iii. Consultation statement 	<p>The Specific and General Consultation Bodies are identified within Appendix A of the latest SCI (2015).</p> <p>These Bodies have been given the opportunity to engage at the earliest opportunity in preparing the Local Plan and where appropriate its supporting evidence.</p> <p>The Council also maintains a Consultee Database containing up to date details of all consultees. It has been updated after every consultation exercise (where new respondents to the Local Plan have been added) and when the Council is directly notified of changes in details or requests are made to be added to the list.</p> <p>At each stage of securing approval to consult on a draft plan document, reports to Cabinet have detailed the approaches that will be undertaken as part of the forthcoming consultation.</p> <p>Evidence of engagement with specific and general consultation bodies is set out the the Regulation 22 Statement of Consultation (May 2019) and preceding versions of this document.</p>

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
4. How you will cooperate 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>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 24 to 27</p> <p>Under NPPF Para 35, to be 'Effective' a plan should be based on effective joint working on crossboundary strategic matters that have been dealt with rather than deferred.</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>i. Reports and decisions setting out the approach to be taken</p> <p>ii. Consultation statement</p>	<p>The Duty to Cooperate Statement of Common Ground and Statement of Compliance (May 2019) has been produced alongside the submission of the Local Plan. This, together with preceding versions of this document, set out what work has been undertaken to identify and address any crossboundary strategic matters with:</p> <ul style="list-style-type: none"> • Neighbouring authorities (e.g. Newcastle and Gateshead); and • Other prescribed bodies (e.g. Highways England); <p>The Duty to Cooperate Statement of Common Ground and Statement of Compliance further sets out the policy outcomes of cooperation and evidences the continuous engagement with those parties. The document includes Statements of Common Ground with each neighbouring authority, as well as other prescribed bodies.</p>

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
5. How you will cooperate with any local enterprise partnerships (LEP) or local nature partnerships (LNP) to identify and address any issues or strategic priorities that will have a significant impact on at least two planning areas?	<p>The Act section 33A(1)(c) and section 33A(9), section 33A(3)(d) and (e)</p> <p>The Act section 20(5)(c).</p> <p>Regulation 4</p>	<p>NPPF paras 24 to 27</p> <p>Under NPPF Para 35, to be 'Effective' a plan should be based on effective joint working on crossboundary strategic matters.</p>	<p>Section 33A(4) defines a "strategic matter". Strategic policy matters are listed at NPPF Para 20.</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>i. Reports and decisions setting out the approach to be taken.</p> <p>ii. Consultation statement</p>	The Duty to Cooperate Statement of Common Ground and Statement of Compliance (May 2019) and preceding versions of this document, set out how the Council has involved, and worked with both the NE LEP and Local Nature Partnerships.

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
6. Is baseline information being collected and evidence being gathered to keep the matters which affect the development of the area under review?	The Act section 13	NPPF paras 31 to 33		<ul style="list-style-type: none"> i. Documents dealing with collection of baseline information ii. Relevant technical studies iii. The annual monitoring report 	The Local Plan is supported by a comprehensive and proportionate body of evidence. This is detailed in the Core Documents and other documents shown in the Key Evidence and Supporting Documents schedule.
7. Is baseline information being collected and evidence being gathered to set the framework for the sustainability appraisal?	The Act section 19(5)	<p>NPPF para 32</p> <p>Strategic Environmental Assessment Guide, chapter 5</p>		<ul style="list-style-type: none"> i. Sustainability report scoping document ii. Sustainability appraisal report 	<p>A SA Scoping Report was published in March 2018. The scoping report informed the preparation of the Sustainability Report (June 2018) for the Draft Plan for Regulation 18 Consultation (July 2018).</p> <p>Updated baseline information was included in the SA report which informed the Publication Draft Plan (Regulation 19), and the final SA report (May 2019).</p>

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
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 para 32 SEA Guide chapter 3	The Strategic Environmental Assessment consultation bodies are also amongst the 'specific consultation bodies' which are defined in Regulation 2).	Copies of the consultation letters sent to and any responses from the bodies	<p>The Council consulted the statutory consultation bodies as required by the Regulations for the SA Scoping Report (2018) between 28 March 2018 and 2 May 2018.</p> <p>The Council also consulted more widely with other organisations that have social, environmental, or economic responsibilities and were likely to be concerned by the effects of any new Plan preparation. Comments received were duly considered and incorporated into the subsequent SA Reports.</p>

3. Stage two: Plan preparation - frontloading phase

- 3.1. 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.
- 3.2. 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.

The Council considers that the plan preparation - frontloading phase would apply to the following development plan documents:

Northumberland Local Plan:

- Spring 2018 Consultation (March 2018) (Interactive Spatial Survey)
- Draft Plan for Regulation 18 Consultation (July 2018)

Stage two: Plan preparation

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
<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 para 16, 24 to 27.	Specific and general consultation bodies are defined in Regulation 2.	<ul style="list-style-type: none"> i. Consultation statement ii. Copies of documents consulting these bodies iii. Record of discussions iv. Copies of representations made v. A brief statement setting out the reasons why any bodies have been omitted from or included in consultation 	<p>At each stage, the Specific and General consultation bodies were consulted according to Regulation 18 and the Council's SCI.</p> <p>During the spring 2018 consultation, an interactive map was made available on the Council's website, where consultees were invited to indicate where, in broad terms, they would like to see housing and employment sites located. Consultees were also invited to consider key issues that the plan needed to address. A SA scoping report was consulted upon during this stage. The Draft Plan for Regulation 18 Consultation document (July 2018), and supporting documents were made available on the Council's website, which linked to the Local Plan's dedicated consultation portal.</p> <p>At each stage, copies of the consultation documents were made available at libraries, customer contact centres and planning receptions throughout the County. Free copies of a CD containing the consultation documents were also made available.</p> <p>Copies of all representations made, are available via the Council's website; which linked to the Local Plan's dedicated consultation portal.</p> <p>The Regulation 22 Statement of Consultation (May 2019) and its preceding documents detail how community engagement has been undertaken for each stage of the Local Plan.</p>

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
2. Are you inviting representations from people resident or carrying out business in your area about the content of the DPD?	Regulation 18(1) and (2)(c)	NPPF para 16		<ul style="list-style-type: none"> i. Consultation statement ii. Copies of documents consulting these persons iii. Record of discussions iv. Copies of representations made 	<p>At each stage, the Specific and General consultation bodies were consulted according to Regulation 18 and the Council's SCI. In addition, the Council contacted all consultees listed on its Consultee Database, and undertook press releases and various drop-in sessions.</p> <p>The Regulation 22 Statement of Consultation (May 2019) and its preceding versions of this document detail how community engagement has been undertaken for each stage of the Local Plan.</p> <p>Copies of all documents were made available via the Council's website; which linked to the Local Plan dedicated consultation portal.</p> <p>At each stage, copies of the consultation documents were made available at libraries, customer contact centres and planning receptions throughout the County. Free copies of a CD containing the consultation documents were also available.</p> <p>Copies of all representations made were available via the Council's website; which linked to the Local Plan dedicated consultation portal.</p>

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
3. Are you engaging with stakeholders responsible for delivery of the strategy?	Regulation 18	NPPF para 16, 24 to 27.		<ul style="list-style-type: none"> i. Consultation statement ii. Copies of documents consulting these people iii. Record of discussions 	<p>The Regulation 22 Statement of Consultation (May 2019) details how stakeholders have been involved in each stage of the Local Plan.</p> <p>A range of stakeholders attended a workshop to assist in developing Economic Growth Options for Northumberland in January 2018. The council has engaged with the development industry and landowners through annual updates of SHLAA and 5 Year Housing Land Supply reports. This has helped to inform the future housing land supply position and whether potential housing sites are likely to come forward during the short, medium and long term. Viability workshops have also been held with developers.</p> <p>The Council has worked with Utility and infrastructure providers, and prepared an Infrastructure Delivery Plan (July 2018) to support the Regulation 18 consultation document.</p> <p>Since, then, the IDP has been maintained and updated as the Local Plan has advanced.</p>

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
4. Are you taking into account representations made?	Regulation 18(3)	NPPF para 16	Evidence from participation is part of the justification. Show how you have taken representations into account.	i. Consultation statement ii. Any reports on the selection of alternatives and options for the DPD	The Regulation 22 Statement of Consultation (May 2019) and preceding versions of this document, detail how representations made have been taken into account as the Local Plan has progressed through its various stages of preparation.
5.Does the consultation contribute to the development and sustainability appraisal of alternatives?	The Act section 19(5) Regulations 12 and 13 of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633	NPPF paras 32, 35 SEA Guide, chapter 3		i. Consultation statement ii. Any reports on the selection of alternatives and options for the DPD iii. Sustainability appraisal report	The Sustainability Appraisal Report (June 2018) which informed the Draft Plan for Regulation 18 Consultation document set out and appraised a range of growth options and spatial development options, and considered site allocation alternatives. These options were supported by a range of evidence base documents and technical papers. The growth options were also set out in the Regulation 18 Consultation document. For each stage, formal SA reports and evidence base documents were subject to consultation alongside the Local Plan consultation documents.

<p>6. Is the participation:</p> <ul style="list-style-type: none"> • following the principles set out in your SCI? • integrating involvement with the sustainable community strategy? • proportionate to the scale of issues involved in the DPD? 	<p>The Act section 19(3)</p>	<p>NPPF para 16</p>		<p>i. Consultation Statement ii. The SCI iii. The relevant sustainable community strategies</p>	<p>The Regulation 22 Statement of Consultation (May 2019) and preceding versions of this document demonstrate that the participation was aligned to the principles of the SCI and was proportionate to the particular stage of the plan at that point i.e. to illicit ideas and generate debate.</p> <p>At each stage, the Council has widely advertised the consultation, and provided opportunities for members of the public to discuss the emerging plan, its supporting evidence and other documents. The range of measures undertaken included:</p> <ul style="list-style-type: none"> • Sending advance notice letters and emails to key groups of consultees • Contacting people on the Consultee Database • Arranging press releases and articles in the Council's County magazine • Using the Council's website • Using Facebook and twitter posts as well as a Facebook Forum • Sending leaflets to every household in the County • Holding drop-in sessions - 23 events at both the Regulation 18 and Regulation 19 stages. • Attending Area Committees at which Town and Parish Councils attended, and various partnership meetings, e.g. Northumberland Coast AONB Partnership • Holding meetings with stakeholders e.g. HBF, Northumberland and Newcastle Society <p>There is no longer a requirement to prepare a sustainable community strategy. However the Local Plan has regard to the corporate priorities set out in the Corporate Plan 2018-21, which was agreed in February 2018.</p>
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Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
<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>	NPPF para 16	<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>i. Consultation statement</p> <p>ii. Reports by the council on the consultation</p> <p>iii. Copies of representations and relevant correspondence</p> <p>iv. Technical reports on the engagement process</p>	<p>The Council has developed and maintained a live consultee database. This was set up during the preparation of the Core Strategy (which was subsequently withdrawn). This has grown, and been kept up to date as the Local Plan has been prepared. Individuals and bodies on the database have been notified of each stage of the Local Plan process and also invited to make representations.</p> <p>All representations are now recorded on the Council's consultation portal (available via the Council's webpage) which allows any person to view comments to any particular part of Local Plan. The portal allows representations to be submitted online during the consultation and representation periods.</p> <p>The Regulation 22 Statement of Consultation Statement (May 2019) and preceding versions of this document sets out how each draft of the Local Plan was consulted upon, and summarises the responses received. It also details how representations made have been taken into account in moving to the next stage of the Local Plan.</p>

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
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 crossboundary issues and strategic priorities of a body prescribed under Section 33A(1)(c)?	<p>The Act section 33A(1)(a) (b) and (c),</p> <p>section 33A(3)(d) & (e)</p> <p>section 33A(4)</p> <p>section 33A(9)</p> <p>The Act section 20 (5)(c)</p>	NPPF paras 24 to 27.	<p>Section 33A(3)(d) and (e) requires cooperation on significant crossboundary issues before and during plan preparation.</p> <p>Section 33A(2) requires you to engage constructively, actively and on an ongoing basis.</p>	<p>i. Consultation statement</p> <p>ii. Reports by the council on the consultation</p> <p>iii. Copies of representations and relevant correspondence</p> <p>iv. Technical reports on the engagement process</p>	<p>The Duty to Cooperate Statement of Common Ground and Statement of Compliance (May 2019) and preceding versions of this document contain details of what work has been undertaken to identify and address any cross-boundary issues or strategic priorities with:</p> <ul style="list-style-type: none"> • Neighbouring authorities (e.g. Newcastle and Gateshead); and • Other prescribed bodies (e.g. Highways England); <p>The Duty to Cooperate Statement further sets out the policy outcomes of cooperation and evidences the continuous engagement with those parties. Statements of Common Ground with each neighbouring authority, as well as other prescribed bodies have also been prepared, and are included in the May 2019 document.</p> <p>The Regulation 22 Statement of Consultation (May 2019) and preceding versions of this document also detail how engagement with neighbouring authorities and prescribe bodies has been undertaken for each stage in the preparation of the Local Plan.</p>

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
9. Are you inviting representations on cross-boundary issues and strategic priorities from a local enterprise partnership (LEP) or a local nature partnership (LNP)?	<p>The Act section 33A(1)(c) and Section 33A(9).</p> <p>The Act section 20(5) c</p> <p>Regulation 4</p>	NPPF paras 24 to 27.	<p>Section 33A(3)(d) and (e) requires cooperation on significant crossboundary issues before and during plan preparation.</p> <p>Section 33A(2) requires you to engage constructively, actively and on an ongoing basis.</p>	<p>i. Consultation statement</p> <p>ii. Reports by the council on the consultation</p> <p>iii. Copies of representations and relevant correspondence</p> <p>iv. Technical reports on the engagement process</p>	<p>The Duty to Cooperate Statement of Common Ground and Statement of Compliance (May 2019) and preceding versions of this document, set out how the Council has involved and worked with both the NE LEP and Local Nature Partnership.</p> <p>The Regulation 22 Statement of Consultation (May 2019) and preceding versions of this document also details how engagement with the NE LEP and LNP has been undertaken for each stage of the Local Plan.</p>

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
10. Are you developing a framework for monitoring the effects of the DPD?	<p>The Act section 35</p> <p>Regulation 34</p> <p>Regulation 17 of The Environmental Assessment of Plans and Programmes Regulations 2004 No1363</p>	<p>NPPF Paras 31 to 33.</p> <p>SEA Guide, Chapter 5</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>i. Sustainability appraisal report</p> <p>ii. The authority monitoring report</p> <p>iii. Reports or documents setting out the appraisal and monitoring framework</p>	<p>It is considered there are no gaps in policies and that they are internally consistent as demonstrated by the SA Report (June 2018) and subsequent SA reports, which have considered the cumulative impact of policies and how they relate.</p> <p>A Monitoring and Implementation Framework was prepared to accompany the Publication Draft Plan (Regulation 19) (Dec 2018). This has subsequently been updated and built upon for submission. The MIF sets out the indicators and targets for Local Plan policies and the overall approach to monitoring and review. Furthermore, it sets out a range of trigger points for intervention as well as the appropriate range of remedial actions. This will ensure that the Local Plan can respond quickly to changing circumstances, should it become clear through annual monitoring that certain policies are not delivering their intended outcomes.</p> <p>The Authority Monitoring Report will also be the process through which any significant effects on the SA Objectives will be monitored.</p>

4. Stage three: Plan preparation - formulation phase

- 4.1. 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.
- 4.2. Para 182 of the NPPF makes it clear that explicit consideration of alternatives is a key part of the plan making process.
- 4.3. 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.
- 4.4. 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.
- 4.5. 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.
- 4.6. 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.
- 4.7. **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.

The Council considers that the formulation phase would apply to the following development plan documents:

Northumberland Local Plan:

- Spring 2018 Consultation (March 2018) (Interactive Spatial Survey)
- Draft Plan for Regulation 18 Consultation (July 2018)

Stage three: Plan preparation – writing the plan

Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
1. Are you preparing reasonable alternatives for evaluation during the preparation of the DPD?	Regulation 12 (2) of The Environmental Assessment of Plans and Programmes Regulations 2004 No. 1633	NPPF paras 32, 35 SEA Guide, chapter 5	The sustainability appraisal report and supporting documents relevant to the preparation of the DPD are part of the proposed submission documents (see Regulation 17).	Documents supporting decisions on alternatives and any preferred strategy	The Sustainability Appraisal Report (June 2018) which informed the Draft Plan for Regulation 18 Consultation set out and appraised a range of growth options and spatial development options for the plan, and considered site allocation alternatives. These options were supported by a range of evidence base documents and technical papers, including the Housing Site Selection and Appraisal Technical Paper. The growth options were also set out in the Regulation 18 Consultation document. Subsequent SA reports have also assessed these alternatives.

Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
<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? 	<p>The Act section 19 (2), section 24</p>	<p>NPPF para 35</p>	<p>For London boroughs and local authorities where regional strategies are still in force general conformity is tested formally later but you need to consider it during preparation of the DPD.</p>	<p>i. Supporting documents ii. Correspondence with Mayor of London (London Boroughs and Mayoral Development Corporations only)</p>	<p>Alternatives for policies and proposals were assessed against the relevant objectives within the SA report (June 2018) which informed the Regulation 18 Local Plan.</p> <p>The SA objectives have themselves been informed by the consideration of national policy. Furthermore, all policies have been assessed against their compatibility with national policy.</p> <p>The Regional Spatial Strategy for the North East of England was formally revoked in April 2013.</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 Framework for Scotland? 	<p>The Act sections 19 (2) and 24 (1) and (4)</p> <p>Regulation 10 and 21</p>		<p>Where the regional strategy has been revoked you should record that fact.</p>	<p>i. Supporting documents ii. Correspondence with the Mayor of London, relevant Welsh or Scottish regional planning bodies (as appropriate) iii CLG notice of revocation of the regional strategy</p>	<p>Not applicable. The Regional Spatial Strategy for the North East of England was formally revoked in April 2013.</p>

Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
<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>	NPPF paras 24 to 27		<p>i. Supporting documents</p> <p>ii. Correspondence with LPA/County Council</p>	<p>The Duty to Cooperate Statement (July 2018) outlines how the Council has cooperated on a range of issues. This builds upon work previously undertaken in the preparation of the subsequently withdrawn Core Strategy.</p> <p>Whilst the Council has not committed to preparing joint DPDs, it has worked effectively on the production of joint evidence base work for example, the Joint Local Aggregates Assessment has been undertaken jointly with the other six north east local planning authorities.</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>	NPPF paras 24 to 27	The bodies prescribed by The Act section 33A(1)(c) are set out at Regulation 4 (1).	<p>i. Supporting documents</p> <p>ii. Correspondence with prescribed bodies</p>	<p>The Duty to Cooperate Statement (July 2018) outlines how the Council has cooperated on a range of issues with other Prescribed Bodies and key agencies. This builds upon work previously undertaken in the preparation of the subsequently withdrawn Core Strategy.</p> <p>Examples of this include how this Council and its adjoining neighbours have worked with Northumbrian Water Ltd and the Environment Agency regarding capacity of Howdon Water Treatment Works and ways to accommodate growth across those authorities.</p>

Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
6. Are you cooperating with having regard to the activities of the LEP and LNP?	The Act section 33A(2)(b) and section 33A(9). Regulation 4(2)	NPPF paras 24 to 27		i. Supporting documents ii. Correspondence with LEP/LNP	The Duty to Cooperate Statement (July 2018) outlines how the Council has cooperated on a range of issues with both the NE LEP and Local Nature Partnership. This builds upon work previously undertaken in the preparation of the subsequently withdrawn Core Strategy.
7. Are you having regard to: • 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?	The Act section 19(2)			i. Supporting documents ii. The sustainable community strategies iii. Relevant local development documents iv. Correspondence with the local strategic partners	There is no longer a requirement to prepare a sustainable community strategy. However the Local Plan has regard to the corporate priorities set out in the Corporate Plan 2018-21, which was agreed in February 2018. When adopted, the Northumberland Local Plan will supersede existing LDDs.

Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
<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>i. Supporting documents</p> <p>ii. Correspondence with the relevant bodies</p>	<p>The council has consulted all the relevant bodies at each stage of the preparation of the Plan including the NEL EP, Highways England, the council's highways team, the Environment Agency and health providers. The Plan's growth strategy is aligned with the aspirations of the north east Strategic Economic Plan, and the Council's Economic Strategy, which was updated in late 2018.</p> <p>Issues addressed are explained in the Duty to Cooperate Statement.</p>
<p>9. Are you having regard to the need to include policies on mitigating and adapting to climate change?</p>	<p>The Act section 19(1A)</p>	<p>NPPF paras 8, 20, 148 to 169.</p>		<p>Supporting documents</p>	<p>Addressing climate change is one of the key objectives of the Local Plan. While there is one policy dedicated to climate change mitigation and adaptation, policies throughout the plan, aim to address the challenges of climate change. The spatial strategy is for development to be focussed in the larger settlements - these are the most sustainable locations in terms of accessibility to services and facilities and would provide the best opportunity to maximise and encourage the use of more sustainable transportation. The plan also includes policies which support renewable energy, minimise the use of resources, require sustainable design, and reduce the risk of flooding.</p>

Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
10. Have you undertaken the sustainability appraisal of alternatives, including consultation on the sustainability appraisal report?	The Act section 19(5) Regulation 12 and 13 of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633	NPPF para 32 SEA Guide, Chapter 5	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	The Sustainability Appraisal Report (June 2018) which informed the Draft Plan for Regulation 18 Consultation set out and appraised a range of growth options and spatial development options for the plan, and considered site allocation alternatives. These options were supported by a range of evidence base documents and technical papers, including the Housing Site Selection and Appraisal Technical Paper. The SA report was consulted on at the same time as the Regulation 18 Local Plan document.
11. Are you setting out reasons for any preferences between alternatives?	Regulation 8(2)	NPPF paras 32, 35	This will include Information from the sustainability appraisal.	i. Any reports setting out alternatives and choices considered ii. Supporting documents	The Sustainability Appraisal Report (June 2018) which informed the Draft Plan for Regulation 18 Consultation document set out and appraised a range of growth options and spatial development options for the plan, and considered site allocation alternatives. The SA sets out reasons why alternative growth and strategic distribution alternatives were discounted, and why chosen employment sites were selected and others discounted. Technical papers have been prepared which set out the rationale for the selection of housing, employment and aggregate minerals site allocations.

Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
12. Have you taken into account any representations made on the content of the DPD and the sustainability appraisal? Are you keeping a record?	<p>Regulations 17, 18(3) and 22 (1) (c) (iv)</p> <p>Regulation 13(4) of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633</p>	NPPF paras 16 and 32.	Records on the sustainability appraisal should also include recording any assessment made under the Habitats Directive.	<p>i. Correspondence from those making representations</p> <p>ii. Reports on issues raised</p> <p>iii. Consultation statement</p> <p>iv. Sustainability appraisal report</p>	<p>Copies of all representations made, are available via the Council's website; which linked to the Local Plan consultation portal.</p> <p>Subsequent SA reports detail how the comments received have been taken into account where relevant.</p> <p>The Regulation 22 Statement of Consultation (May 2019) and preceding version of the document details how representations made to the consultation documents have been taken into account in moving to the next stage of the Local Plan.</p>

Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
<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? 	Regulations 5(1)(b) and 9	NPPF para 23	<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>i. Adopted policies map</p> <p>ii. Any reports on proposals to amend the policies map</p> <p>iii. Illustrative material that shows how the policies map will be amended or replaced</p>	<p>A policies map was prepared to accompany the Draft Plan for Regulation 18 Consultation, and subsequent versions of the Local Plan. This showed site allocations. At drop in consultation events, details of allocations features on display materials.</p> <p>Areas identified for particular uses in the Local Plan will supersede all those currently identified in existing development plan documents.</p>
14. Are the participation arrangements compliant with the SCI?	The Act, section 19(3) Regulation 18	NPPF paras 16		<p>i. The SC</p> <p>ii. Consultation statement</p>	<p>The arrangements for the consultations were in full compliance with the SCI</p> <p>Further details are set out the Regulation 22 Statement of Consultation (May 2019) and preceding versions of this document.</p>

5. Stage four: Publication

- 5.1. 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.
- 5.2. 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.
- 5.3. 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.
- 5.4. 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.
- 5.5. 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.
- 5.6. 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'.

The Council considers that the publication phase would apply to the following development plan document:

Northumberland Local Plan

- Northumberland Local Plan Publication Draft Plan (Regulation 19) (January 2019)

Stage four: Publication

Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
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 para 32 SEA Guide Chapter 5		Sustainability appraisal report	A SA Report was published alongside the Publication Draft Plan (Regulation 19). This builds on the SA prepared to inform the Draft Plan for Regulation 18 Consultation and addresses comments received during the Regulation 18 consultation in relation to the SA.

<p>2. Have you made clear where and within what period representations must be made?</p>	<p>Regulation 17, 19, 20 and 35</p>		<p>The period must not be less than 6 weeks from when you publish under Regulations 19 and 35 (see below).</p>	<p>i. Report or record of decisions ii. The statement of community interest</p>	<p>The Publication Draft Plan (Regulation 19) document sets out the six week representation period as between 30 January 2019 and 13 March 2019.</p> <p>Publicity relating to the representation period included::</p> <ul style="list-style-type: none"> • Early notification emails to statutory and other consultees, including Town and Parish Councils and those registered on the consultation database; • Formal consultation letters and emails – at the start of the consultation period; • Leaflet to all addresses in Northumberland; • Statutory notice placed in Newcastle Journal at the beginning of the consultation; • Press releases – before the consultation commenced, at the start, middle, towards the end of the consultation; • Series of 23 drop-in consultation events across the County; • Use of social media to raise awareness about the start of the consultation – and in advance of consultation events; • Clear links on the front page of the Council website; • Parish Councils received a hard copy of the Core Strategy and were asked to raise awareness of the consultation; <p>All documentation expressly set out where the Publication Draft Plan (Regulation 19) document and its supporting documents could be viewed, how comments could be submitted and the timescales by which representations must be submitted.</p> <p>The Regulation Statement of Consultation (May 2019) also sets out how the Regulation 19 plan was consulted on.</p>
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Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
<p>3. Have you made copies of the following available for inspection:</p> <ul style="list-style-type: none"> the proposed submission documents? the statement of the representations procedure? 	Regulation 19(a)		Regulation 17 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 when made available 	<p>The Publication Draft Plan (Regulation 19), the statement of representations procedure, and supporting documents were published electronically on the Council's website. These documents were made available on Council's website which, linked to the dedicated Local Plan dedicated consultation portal.</p> <p>Paper copies of the Publication Draft Plan (Regulation 19) document, the statement of representations procedure, representation forms for completion (and guidance notes), were made available, together with SA Report, Habitats Regulations Assessment and Consultation Statement, at libraries, customer contact centres and planning receptions throughout the County. Free copies of a CD containing the consultation documents were also available.</p> <p>Full details of how the Publication Draft Plan (Regulation 19) are set out in the Council's Regulation 22 Statement of Consultation document (May 2019).</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? 	Regulations 19 and 35		Regulations 2 and 17 give definitions.	Record of publication	<p>The Publication Draft Plan (Regulation 19), the statement of representations procedure, and supporting documents were published electronically on the Council's website, linked to the Local Plan dedicated consultation portal.</p> <p>The Council's website clearly displayed where and when documents could be inspected, and details of 23 drop in events held across the county.</p>

Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
<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 proposed submission documents • The statement of the representations procedure? 	Regulation 19(b)		Regulations 2 and 17 give definitions.	<p>i. Copies of correspondence</p> <p>ii. Record of sending</p>	<p>Notification letters/e-mails were sent to all consultees on the consultation database (including the specific consultation bodies) that clearly identified where the documents could be inspected (including on-line) and how and when representations could be submitted.</p> <p>It was considered unnecessary and too costly to send all the specific consultation bodies a full paper set of the documents given the number of places and ways in which these could be viewed. Indeed, many of these bodies now prefer to receive notifications and links electronically rather than receive a hard copy. Free copies of a CD were made available on request. However, paper copies of the Publication Draft Plan (Regulation 19) document were sent to all Parish and Town Councils.</p> <p>Full details of how the Local Plan was consulted upon is set out in the Council's Regulation 22 Statement of Consultation document (May 2019).</p>

Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
<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>i. Copies of correspondence</p> <p>ii. Record of sending</p>	<p>Notification letters/e-mails were sent to all consultees on the consultation database (including general consultation bodies), that clearly identified where the documents could be inspected (including on-line) and how and when representations could be submitted. Free copies of a CD were made available on request.</p> <p>Full details of how the Local Plan was consulted upon is set out in the Council's Regulation 22 Statement of Consultation document (May 2019).</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>		<p>The request must be made on the day you publish the documents under Reg19(a) & a response must be made within six weeks from the request (Regulation 21).</p>	Copies of correspondence	Not applicable.

6. Stage five: Submission

- 6.1. 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.
- 6.2. 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.
- 6.3. 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.
- 6.4. 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).
- 6.5. Apart from notification of the examination, this tool does not deal with the legal requirements that need to be followed after submission.

The Council considers that the submission phase would apply to the following development plan document:

Northumberland Local Plan Local Plan

- Northumberland Local Plan: Publication Draft Plan (Regulation 19) (January 2019)
- Northumberland Local Plan : Publication Draft Plan (Regulation 19) - Schedule of Proposed Minor Modifications (May 2019)

Stage five: Submission

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
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 been met?	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 Regulations.	<ul style="list-style-type: none"> i. The LDS ii. Explanation of any changes from the milestones set out in the LDS iii. Relevant authority monitoring reports 	<p>The Local Plan is identified in the latest Local Development Scheme (LDS) which was adopted In April 2018. This LDS brings forward the timetable for the preparation of the Local Plan from the previous version which was adopted in November 2017. The listing and description of the Local Plan in the LDS matches the document which has been submitted.</p> <p>The timescales for Regulation 18, Regulation 19 and Regulation 22 - Submission have been met.</p>
2. Has the DPD had regard to any sustainable community strategy for its area (like a county and district)?	The Act section 19(2)			<ul style="list-style-type: none"> i. The sustainable community strategy(ies) ii. Reference to sections of the DPD showing how regard has been had to them 	<p>There is no longer a requirement to prepare a sustainable community strategy. However the Local Plan has regard to the corporate priorities set out in the Corporate Plan 2018-21, which was agreed in February 2018.</p>

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
3. Is the DPD in compliance with the SCI (where one exists)? Has the council carried out consultation as described in the SCI?	The Act section 19(3) Regulation 22(1)(c)		Before the SCI is formally amended to take into account the changes in the regulations, you may need to set out how the community engagement that you carried out met the regulations (as amended).	i. The SCI ii. The Regulation 22(1)(c) statement	All consultation undertaken up to the Publication Draft Plan (Regulation 19) stage has been carried out in accordance with the SCI (2015). Full details are set out in the Council's Regulation 22 Statement of Consultation (May 2019). The Council is proposing a series of Minor Modifications to the Publication Draft Plan (Regulation 19) which are submitted with the document. It is not considered that these need to be subject to an additional consultation stage.

4. Have you identified and addressed any issues which are likely to have a significant impact on at least two planning areas. In doing so, have you co-operated with other local planning authorities, county councils where they are not a planning authority, LEPs, LNPs and the prescribed bodies in identifying and addressing any strategic cross-boundary issues If you have not agreed on the approach is there a justification?	The Act section 33A(1) and section 20(5)	NPPF paras 24 to 27, 35	Under NPPF para 35, the plan should be based on effective joint working on cross-boundary strategic matters that have been dealt with, rather than deferred, as evidenced by the statement of common ground to be found 'Effective'.	Statement identifying any strategic cross-boundary issues or impacts on county matters addressed in the document and explaining the approach taken to co-operate with the relevant bodies. Supporting correspondence and reports e.g. Memorandum of Understanding, shared and agreed evidence	The Council has identified the key issues that will have an impact on two planning areas. The Council's Duty to Cooperate Statement of Common Ground and Statement of Compliance (May 2019) together with its preceding documents demonstrate the approaches taken to cooperate with the relevant bodies. Joint position statements, memorandums of understanding and agreed evidence and policies are detailed within this statement. Where an agreed resolution has not been reached at the point of submission, the Statement sets out those steps the respective parties will undertake to reach an agreed position.
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Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
5. Has the DPD been subject to sustainability appraisal? Has the council provided a final report of the findings of the appraisal?	The Act section 19(5) Regulation 22(1)(a)	NPPF para 32 SEA Practical Guide, chapter 5		Sustainability appraisal report	The Local Plan has been subject to SA, and a SA report has been prepared for each stage. The Council has prepared an updated SA Report (May 2019) for submission.
6. Is the DPD to be submitted consistent with national policy?	The Act section 19(2) and Schedule 8	NPPF para 35		i. Correspondence with PINS? ii. PAS Soundness self assessment checklist	The Council considers the Local Plan is consistent with national policy. A Soundness Self-Assessment Checklist has been completed and submitted with the plan. This demonstrates consistency with national policy.
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		In London the requirement is for general conformity with the spatial development strategy (The London Plan).	i. Correspondence with or representations from Mayor of London (where appropriate) ii. Confirmation of (where appropriate) conformity from the Mayor or that no Regional Strategy is in place	Not applicable. The Regional Spatial Strategy for the North East of England was formally revoked in April 2013.

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
<p>8. Has the council published the prescribed documents, and made them available at their principal offices and their website?</p> <p>Has the council notified the relevant statutory and nonstatutory 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>The Act section 20(2), 20(3) and 20(5)(b)</p> <p>Regulations 8 and 19</p>		<p>Requirements relating to publication of the prescribed documents are listed later in this table.</p>	<p>i. The documents prescribed at Regulation 22(1)</p> <p>ii. Relevant authority monitoring reports</p> <p>iii. Records of the actions undertaken (see below)</p>	<p>The prescribed documents have been prepared and collated, and are to be submitted to the Secretary of State to be received by 31 May 2019. These documents will be publically available from the Council's principal offices and via the Council's website.</p> <p>Formal submission notification of the relevant statutory consultees and all persons invited to make representations will commence w/c 3 June 2019. The prescribed documents will also be made available at libraries and Council customer service from w/c 3 June 2019.</p> <p>The Local Plan will supersede all existing DPDs:</p> <ul style="list-style-type: none"> all the policies in the adopted Core Strategies adopted in 2007 in the former Alnwick and Blyth Valley and Tynedale Districts, and the former Blyth Valley Development Control Document; all saved policies from the Local Plans of former planning authorities; and all saved policies in the Northumberland Minerals and Waste Local Plans Policy S5 of the Northumberland County and National Park Joint Structure Plan. <p>Therefore a list of superseded policies is not included.</p>

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
<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>	Regulations 5(1)(b), 9(1), 17 & 22(1)			<p>i. Submission policies map</p> <p>ii. Brief statement if a submission policies map is not required</p>	<p>A number of policies apply to sites or areas by reference to an Ordnance Survey map.</p> <p>A Policies Map has been prepared for submission, entitled Northumberland Local Plan: Publication Draft Plan (Regulation 19) including erratum.</p>
10. Is the DPD consistent with any other adopted DPDs for the area? If the DPD is intended to supersede any adopted development plan policies, does it state that fact and identify the superseded policies?	<p>Regulation 8(3) and (4)</p> <p>Regulation 8(5)</p>		Development Plan is defined in Section 38 of the Act.	<p>i. The core strategy</p> <p>ii. Documents or reports demonstrating conformity</p>	<p>The Local Plan will supersede all existing DPDs:</p> <ul style="list-style-type: none"> all the policies in the adopted Core Strategies adopted in 2007 in the former Alnwick and Blyth Valley and Tynedale Districts, and the former Blyth Valley Development Control Document; all saved policies from the Local Plans of former planning authorities; and all saved policies in the Northumberland Minerals and Waste Local Plans Policy S5 of the Northumberland County and National Park Joint Structure Plan. <p>This is set out in para 1.8 in the Publication Draft Plan (Regulation 19).</p>
<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>		This will bring forward material from the Consultation statement (see Stage 2 above).	<p>i. Consultation statement</p> <p>ii. The Statement as required in Regulation 22(1)(c)</p>	The Council has prepared a Regulation 22 Statement of Consultation (May 2019) in accordance with Regulation 22(1)(c). This details which bodies and persons were invited to make representations under Regulation 18, how they were invited and a summary of the main issues raised and how the representations have been taken into account.

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
12. Have you prepared a statement giving: <ul style="list-style-type: none"> the number of representations made under Regulation 22? a summary of the main issues raised? OR <ul style="list-style-type: none"> that no representations were made? 	The Act section 20(3) Regulation 22(1)(c)			The Statement as required in Regulation 22(1)(c)	The Council has prepared a Regulation 22 Statement of Consultation (May 2019) in accordance with Regulation 22(1)(c). This details the number and includes a summary of those representations made during the Regulation 18 and Regulation 19 stages, under Regulation 22. It summarises the main issues raised.
13. Have you collected together all the representations made under Regulation 20?	The Act section 20(3) Regulation 22(1)(e)			Copies of the representations	The representations submitted under Regulation 20 have all been entered onto the Council's consultation portal and can be viewed online. Schedules of representations have been submitted to the planning inspectorate in respondent order, and policy order as required.
14. Have you assembled the relevant supporting documents?	The Act section 20(3) Regulation 22(1)(g)			All necessary evidence and records of decisions relevant to the DPD	All necessary Local Plan supporting documents, including technical papers and evidence reports is available on the Council's website. A schedule of core documents and evidence has been compiled and submitted with the plan.

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
15. Has your council approved the DPD for submission?	The Act section 20.		Check the LPA's constitution/standing orders for the authorisation process appropriate for the type of DPD.	Report and resolution of the appropriate council body	<p>At the Full Council meeting on 9 January 2019 it was resolved that approval be given for the Publication Draft Plan (Regulation 19) to be submitted, and delegated powers given for the submission of the plan and subsequent modifications as necessary. The full resolution (relating to the Local Plan) was as follows:</p> <ol style="list-style-type: none"> 1. the Northumberland Local Plan – Publication Draft Plan (Regulation 19) (Appendix A - Local Plan and Appendix B - Policies Map) ("the Northumberland Local Plan") be agreed and published for a period of six weeks from 30 January 2019 to 13 March 2019 for representations as to technical and legal soundness in accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) ("the 2012 Regulations"); 2. Council agree the submission of the Northumberland Local Plan, along with representations received, to the Minister for Housing, Communities and Local Government for Independent Examination under section 20 of the Planning Compulsory Purchase Act 2004 (as amended) ("the 2004 Act"), together with the submission documents prescribed by Regulation 22 of the 2012 Regulations before 31 May 2019, following the conclusion of the Regulation 19 publication period; 3. the Interim Executive Director: Place be authorised, in consultation with the Cabinet Member for Planning, Housing and Resilience, to make non-material typographical, formatting, mapping and other minor amendments to the

					<p>Northumberland Local Plan prior to publication on 30 January 2019 and prior to submission of the Local Plan to the Minister for Housing, Communities and Local Government;</p> <p>4. the Interim Executive Director: Place be authorised, in consultation with the Cabinet Member for Planning, Housing and Resilience, to write to the Local Plan Inspector appointed to carry out the Examination of the submitted Northumberland Local Plan asking him/her to recommend such modifications of the submitted Northumberland Local Plan as may be necessary to make the Plan sound and legally compliant, in accordance with section 20(7C) of the 2004 Act;</p> <p>5. the Interim Executive Director: Place be authorised, in consultation with the Cabinet Member for Planning, Housing and Resilience, to produce and submit any supplementary information and documentation to the Local Plan Inspector as may be required to complete the examination;</p> <p>6. the Interim Executive Director: Place be authorised, in consultation with the Cabinet Member for Planning, Housing and Resilience, to submit a schedule of proposed main modifications of the submitted Northumberland Local Plan to address any issues relating to soundness and legal compliance identified by the Local Plan Inspector.</p>
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Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
<p>16. Have you sent the Secretary of State (the Planning Inspectorate) both a paper copy and an email of the following:</p> <ul style="list-style-type: none"> the DPD? the submission policies map (unless there are no site allocation policies)? the documents prescribed in Regulation 22(1)? 	<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. Electronic copies of some of the representations and supporting documents may not be practicable. Regulation 35 deals with the availability of documents and the time of their removal.</p>	<p>i. Record of sending</p> <p>ii. Reasons why documents cannot be sent electronically</p>	<p>A paper copy of the Northumberland Local Plan Publication Draft Plan (Regulation 19) + erratum, a Publication Draft Plan (Regulation 19) - Policies Map including erratum, and a schedule of proposed Minor Modifications, together with electronic copies on a memory stick of these and the other documents prescribed in Regulation 22 (1) (SA report, Consultation Statement, Copies of representations received) are scheduled to be sent to the Planning Inspectorate for delivery by 31 May 2019.</p>
<p>17. Have you made the following available at the same places where the proposed submission documents were to be seen:</p> <ul style="list-style-type: none"> The DPD? The documents prescribed in Regulation 22(1)? 	<p>Regulation 22(3)</p>		<p>You should do this as soon as reasonably practicable after submission.</p>	<p>Record of where and when made available</p>	<p>This is scheduled to commence w/c 3 June 2019.</p>

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
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 under Regulation 20 (where practicable) ? • statement as to where and when the DPD and the documents are available? 	Regulation 22(3) and 35(1)(b)		You should do this as soon as reasonably practicable after submission.	Record of publication	This is scheduled to commence w/c 3 June 2019.
19. For each general consultation body invited to make representations under Regulation 18(1), have you sent: <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.	i. Copies of correspondence ii. Record of sending	This is scheduled to commence w/c 3 June 2019.

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
20. Have you given notice to persons who have requested to be notified that submission has taken place?	Regulation 22(3)(c)		You should do this as soon as reasonably practicable after submitting to the Secretary of State.	i. Copies of correspondence ii. Record of sending	This is scheduled to commence w/c 3 June 2019.
21. If an examination is being held, at least six weeks before its opening has the Programme Officer: <ul style="list-style-type: none"> published the time and place of the examination and the name of the person 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? 	The Act section 20 Regulations 24 and 35			i. Record of publication of information ii. Record of sending iii. Copies of correspondence iv. Copy of advertisement	To be arranged in due course.