



Southend Central Area Action Plan (SCAAP) (February 2017)

Local Plan Legal Compliance Checklist

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

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

Glossary:

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

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

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

LDS means **Local Development Scheme**

SCI means **Statement of Community Involvement**

DPD means **Development Plan Document**



Stage one: The early stages



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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)	NPPF para 153		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)	Local Development Scheme 2009; revised 2010; revised 2011; revised 2013; revised 2014; Full LDS Review June 2014; Full LDS review December 2015; revised 2016; revised 2017
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.	i. The SCI ii. The project plan for the DPD	Statement of Community Involvement 2009; revised 2013
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	i. The SCI ii. Reports and decisions setting out the approach to specific and general consultation bodies iii. Consultation statement	Statement of Community Involvement 2009; revised 2013 Consultation



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Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
			other. Only use what you need to.		Statement (Reg 22) 2017
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>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>i. Reports and decisions setting out the approach to be taken</p> <p>ii. Consultation statement</p>	<p>Duty to Co-operate Statement of Compliance (2017)</p> <p>Consultation Statement (Reg. 22) 2017</p>
5. How you will co-operate with any local enterprise partnerships (LEP) or local nature partnerships (LNP) to identify and address any issues or strategic priorities that will have a	<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>NPPF paras 178 to 181</p>	<p>Section 33A(4) defines a "strategic matter".</p> <p>Strategic priorities are listed at NPPF Para 156.</p> <p>Regulation 4(2) prescribes LEPs and LNPs for the purposes of</p>	<p>i. Reports and decisions setting out the approach to be taken.</p> <p>ii. Consultation statement</p>	<p>Duty to Co-operate Statement of Compliance (2017)</p> <p>Consultation Statement (Reg. 22) 2017</p>



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Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
significant impact on at least two planning areas?	Regulation 4		<p>section 33A(9).</p> <p>Under section 33A(6) the required engagement includes consulting on joint approaches to relevant activities.</p>		
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 section13	NPPF paras 158 - 177		<ul style="list-style-type: none"> i. Documents dealing with collection of baseline information ii. Relevant technical studies iii. The annual monitoring report 	<p>SCAAP Issues and Options Sustainability Appraisal (SA) 2010</p> <p>SA of the SCAAP Proposed Submission (Superseded) 2011</p> <p>SA of the SCAAP Preferred Approach 2015</p> <p>SA of the SCAAP Revised Proposed Submission 2016</p> <p>SA, non-technical summary, of the SCAAP Revised</p>

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
					<p>Proposed Submission 2016</p> <p>Habitat Regulations Assessment (Screening Report) 2010, HRA Addendum 2011, 2015 and 2016.</p> <p>AMRs</p> <p>SCAAP Key Documents and Evidence Base Reference</p>
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 paras 165 and 167</p> <p>Strategic Environmental Assessment Guide, chapter 5</p>		<p>i. Sustainability report scoping document</p> <p>ii. Sustainability appraisal report</p>	See above
8. Have you consulted the statutory environment consultation bodies for	Regulations 9 and 13 of The Environmental	NPPF paras 165 and 167	The Strategic Environmental Assessment consultation	Copies of the consultation letters sent to and any responses from the bodies	SA Scoping Report SA 2010, 2011, 2015



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Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
five weeks on the scope and level of detail of the environmental information to be included in the sustainability appraisal report?	Assessment of Plans and Programmes Regulations 2004 No 1633.	SEA Guide chapter 3	bodies are also amongst the 'specific consultation bodies' which are defined in Regulation 2).		and 2016 Consultation Statement 2017



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Stage two: Plan preparation - frontloading phase

Stage two: Plan preparation

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
1. Have you notified: <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.	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	Consultation Statement (Reg 22) 2017 Duty to Co-operate Statement 2017 Consultation Statement (Reg 19) 2015 – SCAAP Preferred Approach Document Consultation Statement (former Reg 27) 2011 – SCAAP Proposed Submission Document (Superseded)
2. Are you inviting representations from people resident or carrying out business in your area about the content of the DPD?	Regulation 18(1) and (2)(c)	NPPF paras 159 – 173		i. Consultation statement ii. Copies of documents consulting these persons iii. Record of discussions iv. Copies of representations made	As above
3. Are you engaging with stakeholders responsible	Regulation 18	NPPF para 155	NPPF paras 160-171 4.29 give examples of	i. Consultation statement ii. Copies of documents	As above

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
for delivery of the strategy?			relevant bodies which should be consulted.	consulting these people iii. Record of discussions	
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.	i. Consultation statement ii. Any reports on the selection of alternatives and options for the DPD	As above
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 165 – 168 SEA Guide, chapter 3		i. Consultation statement ii. Any reports on the selection of alternatives and options for the DPD iii. Sustainability appraisal report	Consultation Statement (Reg. 22) 2017 Consultation Statement (Reg 19) 2015 - Summarises SCAAP Preferred Approach Document Responses and SA Consultation Statement (former Reg 27) 2011 - Summarises SCAAP Proposed Submission Document (Superseded) Responses and SA Low Carbon Energy

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
					<p>and Sustainability Strategy 2015 - 2020</p> <p>SA Report 2016</p>
<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 section19(3)</p>	<p>NPPF para 155</p>		<ul style="list-style-type: none"> i. Consultation Statement ii. The SCI iii. The relevant sustainable community strategies 	<p>Consultation Statement (Reg. 22) 2017</p> <p>SCI 2009; revised 2013</p> <p>Southend Community Plan (2010-2020)</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 section20(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>	<ul style="list-style-type: none"> i. Consultation statement ii. Reports by the council on the consultation iii. Copies of representations and relevant correspondence iv. Technical reports on the engagement process 	<p>Consultation Statement (Reg. 22) 2017</p> <p>Duty to Co-operate Statement 2017</p> <p>Consultation Statement (Reg 19) 2015</p> <p>Consultation Statement (former Reg 27) 2011</p>

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
					Council Committee reports (2010 - 2016)
<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>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>Consultation Statement (Reg. 22) 2017</p> <p>Duty to Co-operate Statement 2017</p> <p>Consultation Statement (Reg 19) 2015</p> <p>Consultation Statement (former Reg 27) 2011</p>
<p>9. Are you inviting representations on cross-boundary issues and strategic priorities from a local enterprise partnership (LEP) or a local nature partnership (LNP)?</p>	<p>The Act section 33A(1)(c) and Section 33A(9).</p> <p>The Act section 20(5) (c).</p> <p>Regulation 4</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>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>As above</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 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>	<ul style="list-style-type: none"> i. Sustainability appraisal report ii. The authority monitoring report iii. Reports or documents setting out the appraisal and monitoring framework 	<p>Proposed Monitoring Framework</p> <p>AMR</p> <p>SA Report November 2016</p>



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Stage three: Plan preparation - formulation phase

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 152 - 182 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	SA Report 2010 SA Report 2011 SA Report 2015 SA Report 2016
2. Have you assessed alternatives against: <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.	i. Supporting documents ii. Correspondence with Mayor of London (London Boroughs and Mayoral Development Corporations only)	Consultation Statement (Reg. 22) 2017 Duty to Co-operate Statement 2017 East of England Plan revoked 3rd January 2013 (SI 2012/3046)

Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
					SCAAP PAS Self-Assessment (2017)
<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>		Where the regional strategy has been revoked you should record that fact.	<p>i. Supporting documents</p> <p>ii. Correspondence with the Mayor of London, relevant Welsh or Scottish regional planning bodies (as appropriate)</p> <p>iii. CLG notice of revocation of the regional strategy</p>	<p>As above</p> <p>PAS Soundness Self-Assessment Checklist Feb 2017</p>
<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 181 and 185	.	<p>i. Supporting documents</p> <p>ii. Correspondence with LPA/County Council</p>	<p>Duty to Co-operate Statement 2017</p> <p>Consultation Statement (Reg. 22) 2017</p>
<p>5. Are you cooperating with a person prescribed for the purposes of</p>	<p>The Act section 33A(2)(a), section</p>	NPPF paras 181 and 182	The bodies prescribed by The Act section 33A(1)(c) are set out at	<p>i. Supporting documents</p> <p>ii. Correspondence with</p>	Consultation Statement (Reg. 22)

Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
Regulation 33A(1)(c) to address significant cross boundary issues including preparing joint approaches?	33A(6)(a) The Act section 20 (5) (c) Regulation 4		Regulation 4 (1).	prescribed bodies	2017 Duty to Cooperate Statement 2017
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 para 181 and 182		i. Supporting documents ii. Correspondence with LEP/LNP	As above
7. Are you having regard to: <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? 	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	As above Core Strategy (2007) Southend Community Plan (2010-2020) Southend Corporate Plan & Annual Report (2016)
8. Do you have regard to other matters and relevant strategies relating to: <ul style="list-style-type: none"> resources 	The Act section 19(2)		As well as the matters and strategies listed in the Act and Regulations there are likely to be	i. Supporting documents ii. Correspondence with the relevant bodies	As above Southend Local Transport Plan 3 2012

Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
<ul style="list-style-type: none"> the local/regional economy the local transport plan and transport facilities and services waste strategies hazardous substances 	Regulation 10		other matters identified in planning policy statements, regional and local strategies that you will need to have regard to in preparing the DPD.		- 2026 (2015)
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		Supporting documents	<p>The Plans policies and proposals take into account the implications of climate change, particularly Policy DS4 relating to Flood Risk Management and Sustainable Drainage</p> <p>Policy DM2 of the Development Management Plan DPD (adopted 2015) refers to elements on mitigating or adapting to climate change.</p> <p>SCAAP PAS Self-Assessment (2017)</p>



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Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
					<p>See also Core Strategy policies KP2 (2007)</p> <p>Low Carbon Energy & Sustainability Strategy 2015-2020</p>
<p>10. Have you undertaken the sustainability appraisal of alternatives, including consultation on the sustainability appraisal report?</p>	<p>The Act section 19(5)</p> <p>Regulation 12 and 13 of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633</p>	<p>NPPF para 182</p> <p>SEA Guide, Chapter 5</p>	<p>Regulation 13 of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633 sets out the consultation procedures.</p>	<p>i. Reports on the sustainability of alternatives</p> <p>ii. Record of work undertaken on sustainability appraisal</p> <p>iii. Supporting documents</p>	<p>SA Scoping Report 2010</p> <p>SA Report 2011</p> <p>SA Report 2015</p> <p>SA Report 2016</p> <p>Consultation Statement (Reg. 22) 2017</p> <p>Consultation Statement (Reg 19) 2015 - Summarises SCAAP Preferred Approach Document</p>

Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
					<p>Responses and SA</p> <p>Consultation Statement (former Reg 27) 2011 - Summarises SCAAP Proposed Submission Document (Superseded) Responses and SA</p>
<p>11. Are you setting out reasons for any preferences between alternatives?</p>	<p>Regulation 8(2)</p>	<p>NPPF para 182</p>	<p>This will include Information from the sustainability appraisal.</p>	<p>i. Any reports setting out alternatives and choices considered</p> <p>ii. Supporting documents</p>	<p>SA Report 2010</p> <p>SA Report 2011</p> <p>SA Report 2015</p> <p>SA Report 2016</p>
<p>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>	<p>Regulations 17, 18(3) and 22 (1) (c) (iv)</p> <p>Regulation 13(4) of The Environmental Assessment of Plans and Programmes</p>	<p>NPPF paras 150, 155, 157 and 159-171</p>	<p>Records on the sustainability appraisal should also include recording any assessment made under the Habitats Directive.</p>	<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>Consultation Statement (Reg. 22) 2017</p> <p>Consultation Statement (Reg 19) 2015</p> <p>Consultation Statement (former Reg</p>

Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
	Regulations 2004 No 1633				<p>27) 2011</p> <p>SA Scoping Report 2010</p> <p>SA Report 2011</p> <p>SA Report 2015</p> <p>SA Report 2016</p>
<p>13. Where sites are to be identified or areas for the application of policy in the DPD, are you preparing sufficient illustrative material to:</p> <ul style="list-style-type: none"> 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 157	<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>SCAAP Revised Proposed Submission Policies Map 2016</p> <p>SCAAP Preferred Approach Policies Map 2015</p> <p>SCAAP Proposed Submission Document (Superseded) Policies Map 2011</p> <p>The Management of Designated Town</p>



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Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
					Centre Shopping Frontages in Southend-on-Sea Central Area (2016)
14. Are the participation arrangements compliant with the SCI?	The Act, section 19(3) Regulation 18	NPPF paras 150 and 155		i. The SCI ii. Consultation statement	SCI 2013 Consultation Statement (Reg. 22) 2017



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Stage four: Publication

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 paras 165 - 168 SEA Guide Chapter 5		Sustainability appraisal report	SA Report 2016
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).	i. Report or record of decisions ii. The statement of community interest	SCAAP Revised proposed Submission Publication Period 03/11/16 – 15/12/16 Notice of Publication and Regulation 19(b) Statement of Representation procedure available via: Council website, letters/ emails, Southend Libraries.



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Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
					<p>Note of Publication also promoted via local press and social media.</p> <p>Consultation Statement (Reg. 19) 2016.</p> <p>Consultation Statement (Reg. 22) 2017.</p>
<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"> Copies of the relevant statements Report on where and when made available Record of where and when made available 	<p>As above.</p> <p>Documents available via Council website, at Council office, and at local libraries. Hard copies also available by request (small print charge)</p>
<p>4. Have you published on your website:</p> <ul style="list-style-type: none"> the proposed submission documents? 	Regulations 19 and 35		Regulations 2 and 17 give definitions.	Record of publication	<p>Consultation Statement (Reg. 22) 2017</p> <p>All made available</p>



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Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
<ul style="list-style-type: none"> the statement of the representations procedure? statement and details of where and when documents can be inspected? 					<p>on Council website.</p> <p>All made available on Council website</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 proposed submission documents The statement of the representations procedure? 	Regulation 19(b)		Regulations 2 and 17 give definitions.	<ul style="list-style-type: none"> Copies of correspondence Record of sending 	<p>Consultation Statement (Reg. 22) 2017</p> <p>Notification sent on 03/11/16</p>
<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 	Regulation 19(b)		Regulations 2 and 17 give definitions.	<ul style="list-style-type: none"> Copies of correspondence Record of sending 	<p>As above</p>



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Activity	Statutory requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
representations procedure? <ul style="list-style-type: none">• where and when the documents can be inspected?					
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?	The Act section 24 Regulation 21		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).	Copies of correspondence	Not applicable



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Stage five: Submission

Stage five: Submission

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
<p>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?</p>	<p>The Act section 19(1)</p>		<p>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.</p>	<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>Local Development Scheme 2009; revised 2010; revised 2011; revised 2013; revised 2014; Full LDS Review June 2014; Full LDS Review December 2015; revised 2016; revised 2017 Document matches that provided in the LDS. Consultation Statement (Reg. 22) 2017</p>
<p>2. Has the DPD had regard to any sustainable community strategy for its area (like a county and district)?</p>	<p>The Act section 19(2)</p>	<p>NPPF para 182</p>		<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>Southend Community Plan (2010-2020) The SCAAP is in conformity with the Core Strategy where reference is made to the Southend</p>

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
<p>3. Is the DPD in compliance with the SCI (where one exists)? Has the council carried out consultation as described in the SCI?</p>	<p>The Act section 19(3) Regulation 22(1)(c)</p>		<p>Before the SCI is formally amended to take into account the changes in the regulations, you may need to set out how the community engagement that you carried out met the regulations (as amended).</p>	<p>i. The SCI ii. The Regulation 22(1)(c) statement</p>	<p>Community Plan. SCI 2013 Consultation Statement (Reg. 22) 2017</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, 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?</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>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</p>	<p>Duty to Co-operate Statement 2017 Core Strategy 2007 Consultation Statement 2017</p>

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
<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>Sustainability appraisal report</p>	<p>SCAAP Issues and Options Sustainability Appraisal (SA) 2010</p> <p>SA of the SCAAP Proposed Submission (Superseded) 2011</p> <p>SA of the SCAAP Preferred Approach 2015</p> <p>SA of the SCAAP Revised Proposed Submission 2016</p> <p>SA, non-technical summary, of the SCAAP Revised Proposed Submission 2016</p>
<p>6. Is the DPD to be submitted consistent with national policy?</p>	<p>The Act section 19(2) and Schedule 8</p>	<p>NPPF para 151</p>		<p>i. Correspondence with PINS? ii. PAS Soundness self assessment checklist</p>	<p>SCAAP PAS soundness self-assessment checklist 2017</p>
<p>7. Does the DPD contain any policies or proposals that</p>	<p>The Act section 24(1)(a) and</p>	<p>NPPF para 218 footnote 41</p>	<p>In London the requirement is for general conformity</p>	<p>i. Correspondence with or representations from</p>	<p>East of England Plan revoked 3rd January 2013</p>

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<p>are not in general conformity with the regional strategy where it still exists? If yes, is there local justification?</p> <p>If the LPA is a London borough or a mayoral development corporation has it requested an opinion from the Mayor of London on the general conformity of the plan with the spatial development strategy?</p>	<p>24(4) Regulation 21</p>		<p>with the spatial development strategy (The London Plan).</p>	<p>Mayor of London (where appropriate) ii. Confirmation of (where appropriate) conformity from the Mayor or that no Regional Strategy is in place</p>	<p>(SI 2012/3046)</p>
<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 non-statutory bodies, and all persons invited to make representations on the plan?</p>	<p>The Act section 20(2), 20(3) and 20(5)(b) Regulations 8 and 19</p>	<p>NPPF para 182</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) ii. Relevant authority monitoring reports iii. Records of the actions undertaken (see below)</p>	<p>Documents available on Council Website and at Council offices and all Southend Libraries.</p> <p>Consultation Statement (Reg. 22) 2017</p> <p>Replaced Saved Policies listed in Appendix 7 of SCAAP Revised Proposed Submission 2016.</p>



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<p>Does the DPD contain a list of superseded saved policies?</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>i. Submission policies map ii. Brief statement if a submission policies map is not required</p>	<p>SCAAP Revised Proposed Submission Policies Map (2016)</p>
<p>10. Is the DPD consistent with any other adopted DPDs for the area? If the DPD is intended to supersede any adopted development plan policies, does it state that fact and identify the superseded policies?</p>	<p>Regulation 8(3) and (4)</p> <p>Regulation 8(5)</p>		<p>Development Plan is defined in Section 38 of the Act.</p>	<p>i. The core strategy ii. Documents or reports demonstrating conformity</p>	<p>Core Strategy 2007</p> <p>SCAAP Revised Proposed Submission (2016) contains a Core Strategy Linkage box after each Proposed Policy.</p> <p>SCAAP Revised Proposed Submission (2016) Appendix 7:</p>



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					Replaced Saved Planning Policies
11. Have you prepared a statement setting out: <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? 	The Act section 20 (3) Regulation 22(1)(c)		This will bring forward material from the Consultation statement (see Stage 2 above).	i. Consultation statement ii. The Statement as required in Regulation 22(1)(c)	Consultation Statement (Reg. 22) 2017
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)	As above
13. Have you collected together all the	The Act section 20(3)			Copies of the representations	As above



planning advisory service

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representations made under Regulation 20?	Regulation 22(1)(e)				
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	SCAAP Revised Proposed Submission 2016 Key Documents and Evidence Reference available on Council's website together with all submission documents.
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	Council Resolution 20th October 2016
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 map (unless there are no site allocation policies)? the documents prescribed in Regulation 22(1)? 	The Act section 20(1) and 20(3) Regulations 22(1) and 22(2)		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.	<ul style="list-style-type: none"> i. Record of sending ii. Reasons why documents cannot be sent electronically 	Electronic and paper copies of all documents required under Reg. 22 submitted to Secretary of State.



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<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)? 	Regulation 22(3)		You should do this as soon as reasonably practicable after submission.	Record of where and when made available	Submission documents (in accordance with Reg.22) made available on Council website, at the Council offices and at local libraries.
<p>18. On your website, have you published the:</p> <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 	Regulation 22(3) and 35(1)(b)		You should do this as soon as reasonably practicable after submission.	Record of publication	As above

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence	Evidence Provided
and when the DPD and the documents are available?					
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	Emails and letters (where no email address provided) sent under Reg. 22(3)(b) Notification on Council website. Notification to consultation bodies and persons requested to be notified
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	As above
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 	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 published in due course



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<p>person appointed to carry out the examination on your website?</p> <ul style="list-style-type: none">notified those who have made representations on the published DPD which have not been withdrawn of these details?					