

# Appendix 4



**London Borough of Tower Hamlets  
New Local Plan**

**Consultation and Engagement Strategy**

**Publication Stage (Regulation 19)**

**June 2017**

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## 1. Aims & Objectives

The London Borough of Tower Hamlets Council is preparing a new Local Plan to guide future growth and development in the borough over the next 15 years which reflects national and regional policies as well as changes in the local economy, population growth and infrastructure requirements.

The preparation of the Local Plan has involved two rounds of public consultation.

- Our Borough, Our Plan: A new Local Plan first steps (14 November 2015 and 8 February 2016). This set out the emerging scope of the plan and the key challenges and opportunities facing the borough.
- “Tower Hamlets – Draft Local Plan 2031. Managing Growth and Sharing the Benefits” (11 November 2016 and 2 January 2017).

All consultation responses received were considered and helped shape the draft Local Plan document

This Consultation and Engagement Strategy sets out the methods and techniques that will be used during the third and final stage of public consultation (known as the publication stage) to ensure that the requirements of the plan making process under regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 are satisfied.

This stage of the process is also guided by:

- the National Planning Policy Framework, which states that ‘local people’ should be empowered to ‘shape their surroundings’ with a positive vision for the future of the area; and
- Tower Hamlets Statement of Community Involvement (which was adopted in 2012).

The strategy is an evolving document and will be updated as the Local Plan moves towards the examination stage.

## 2. Requirements of consultation & engagement

A number of stages of consultation and engagement in preparing a Local Plan are identified in the Town and Country Planning (Local Planning) (England) Regulations 2012 and the Tower Hamlets Statement of Community Involvement (SCI) and this is shown in the table 1 below.

While there is slightly contrasting terminology used between sources, they have been set out against each other’s corresponding stages. See Table 1.

**Table 1: Stages of consultation**

Town and Country Planning (Local Planning) (England) Regulations 2012 - <b>STATUTORY</b>	Statement of Community Involvement (2012) – <b>LBTH COMMITMENT</b>
Preparation (Regulation 18)	Stage 1 - Community involvement and participation during preparation of revising the Local Plan, including notifying interested persons of the intention to review the existing Local Plan and inviting comments on what the revised document should contain.
Publication (Regulation 19) <b>Current Stage</b>	Stage 2 – Community involvement and participation following the publication of revisions to the Local Plan, before submission of the document to the secretary of state.
Submission of documents to the Secretary of State	Stage 3 – Making documents available to view and advising interested persons of submission of the revised Local Plan to the secretary of state.
Examination	Stage 4 – Publish details of the time and place of public examination including notifying those with un-withdrawn comments from stage 1.
Adoption	Stage 5 – Adoption, including outlining how aggrieved persons may make an application to the High Court for review

Appendix 1 (of this document) which outlines the engagement programme for the regulation 19 stage (see a separate attachment).

Appendix 2 (of this document) which outlines the specific and general consultees that will be contacted during this stage as set out in the Statement of Community Involvement.

Appendix 3 (of this document) which describes the statutory regulations related to consultation and engagement when preparing a Local Plan and the corresponding SCI requirements. The table also indicates the tasks and considerations to meet these requirements.

Appendix 4 (of this document) which outlines the statutory regulations of the Town and Country Planning (Local Planning) (England) Regulations 2012 relating to the publication stage of the Local Plan preparation process.

Our approach to consultation and engagement at all stages will reflect the principles set out in the SCI, namely that consultation is:

- **appropriate** to the level of planning issue and the type of document being consulted on;
- **from the beginning**, giving people the opportunity to shape the documents and make it their own;
- **a continuous process** and not just a one off event;

- **clear and straightforward** by using methods suitable to the communities being consulted; and
- **planned** as a central part of the planning and plan making process.

As noted in table 1, the Council is statutorily obliged to undertake community engagement at the Publication stage (Regulation 19). Such consultation, as summarised in the table and detailed fully in Appendix 4, is primarily concerned with the 'soundness' of the proposed document and representations at this stage should therefore focus on whether the plan meets the test of soundness which are set out in the National Planning Policy Framework included in Appendix 5 (of this document).

In order to comply with this requirement, a programme has been drafted outlining proposed tasks and activities, as well as how the consultation period will be promoted to ensure effective public engagement and participation. This can be found in Appendix 1 (of this document).

### 3. Engaging with stakeholders

There are a wide range of stakeholders who are key to the successful preparation of a Local Plan and in line with our Duty to Cooperate, and this will require a range of different methods and techniques to be considered.

In addition to the consultees outlined in Appendix 2 (of this document) and in accordance with the stages of consultation described above in Table 1, it is essential that consultation and engagement is undertaken with internal LBTH officers and key statutory external consultees from an early stage.

Appendix 3 (of this document) outlines in depth the requirements of each stage of consultation and engagement and the tasks associated with these. A range of methods will be utilised to engage with stakeholders during the publication stage on the Local Plan including:

- **Internal Stakeholder meetings**  
The Council will initiate a working group with internal officers from different service areas. These would be scheduled to occur every 4-6 weeks during the 'Initiation & programming' and 'Preparation' stages. These might include individual meetings where appropriate as well as workshops and other events for other staff. In addition, officers from the Plan Making team will seek to present progress updates to team meetings and management meetings.
- **External stakeholder meetings**  
The Council will meet with statutory consultees and representatives from key stakeholder groups where appropriate. These might include individual meetings where appropriate as well as workshops and other events. These meeting will also ensure that the council's duty to cooperate is complied with where there are any strategic cross boundary matters.
- **Member engagement**  
Members from all parties will be regularly briefed on items related to development of the Local Plan, particularly where directly related to the wards of individuals. Additionally, there will be regular (weekly) briefings to the Lead Member for Housing and Development and sign-off from the Mayor/Cabinet will be sought at appropriate times (for example, ahead of the release of information for wider public viewing and for permission to consult).

In addition, a bespoke session will be organised to engage with All Members in the New Local Plan publication process.

- Website (dedicated Local Plan review webpage on the LBTH website) and intranet notice (for staff)  
This will provide a summary of the Local Plan and associated appendices along with details of consultation and engagement activities. This will include contact details, the dates between which consultation will occur, when and where documents will be available for viewing and other important and statutory dates. Documents made available to view will remain live after any periods of engagement on them have ceased.
- Press adverts  
Public notices will be placed in local media publications to advise of public consultation and engagement and statutory processes associated with preparing and adopting a Local Plan, along with details of events and how documents can be viewed.
- News articles  
News pieces setting out the launch of the consultation, opportunities to engage with the consultation and campaign key messages will be published in local and BME media. It will also be published in the council's e-newsletter.
- Social media  
A social media campaign will be developed to promote the consultation. This will include images from the borough and key campaign messages.
- Marketing materials  
Marketing materials will be used to promote the consultation and key campaign messages. This includes a consultation booklet/leaflet and posters providing information on consultation events and activities, where documents can be seen and how people can get involved.
- Letters/emails  
The Council will write (by e-mail as a first preference and mail to those without an e-mail address) to persons and organisations registered on the Council's planning policy database at appropriate stages, as well as to statutory consultees. The emails will also be distributed to all neighbourhood planning forums as well as the council's network of organisations representing disabled people and equalities organisations, business forum organisations, developers forum.
- Public consultation session/s  
The Council will hold (a) public engagement session(s) during the preparation stage to set out the purpose of the regulation 19 stage, the meaning of the test of soundness and how representations can be submitted. It is intended that it will be led by an external planning facilitator and will aim to increase the public understanding of the more technical nature of this stage of the plan preparation process. These event/s will present an opportunity for a more meaningful consultation and empowering residents through education and outreach in order to enable communities to better participate and co-produce council plans and policies.
- Involving voluntary and community sector organisations  
Information and relevant links to all consultation documents will be distributed to all voluntary and community sector organisations on the Council's network database. In addition,

information will be publicised via the website of Tower Hamlets Council for Voluntary Services – the umbrella/membership organisation for the local voluntary and community sector.

In accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (Regulations 18.3 and 20), the Council will take into account all representations received during periods of public consultation and engagement, both in preparation of the document and before submission to the Secretary of State. These responses will be summarised with the Council indicating what action has been taken, and submitted to the Secretary of State. They will also be made available on the Council's website at appropriate times.

Appendix 1, which sets out the proposed activities for the publication stage of consultation, includes a range of consultation methods and activities which will ensure that the considerations outlined above are effectively addressed.

#### **4. Equality Assessment & Monitoring**

Equality impacts of the Local Plan will be outlined within an accompanying Integrated Impact Assessment which will inform the policies contained within the final document. It will also outline how we can most effectively consult and engage with all groups. The extensive process of consultation and engagement being undertaken for the review of the Local Plan seeks to encourage the involvement and participation of the entire community in the process without prejudice. This is regardless of status within the nine Protected Equality Groups. It is recognised that there may be some 'hard to reach' groups including the young, the elderly, those with disabilities, different ethnicities and those from deprived communities within some of the area's housing estates. In undertaking consultation and engagement, the Council will aim to ensure that all those being engaged with, including hard to reach groups, have been involved and the Council will monitor and evaluate the success of the overall consultation process.

For the organisation of public events, a selection of locations across the borough will be utilised to ensure easy accessibility to as many residents as possible. It will be ensured that events are held on different days of the week and at different times (daytime and evening) to maximise attendance taking into account the needs of different groups. Any venues used will be accessible, including having level access. They will be appropriately advertised, including using local BME media in languages other than English to raise awareness.

Appendix 1 – Engagement Programme (see a separate attachment)

Tower Hamlets Local Plan - Regulation 19 Engagement programme. Proposed Consultation Period: 2 October - 13 November 2017																						
Type of Engagement	Engagement Method	Objectives	Statutory Requirement	Target Group	Why are we taking this approach?	Budget	Task	Officer				DMT 19th	CMT 19th	MAB 8th	CAB 19th							
									March	April	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	
<b>1. Internal Engagement Events</b>																					Done	
1.1	Internal Stakeholder Meeting	Internal Working Group with Service Heads	• To engage staff in the process; • To better understand service needs; • Raises awareness of the forthcoming	N/A	LBTH Staff		Attend meeting	PM			13th											Comms
1.2	Session	Session - All Members	• To engage Cabinet Members post Regulation 18 consultation; • To seek Cabinet Members' views on amendments that have been made following Reg 18 consultation:	N/A	All Members		Organise workshop	RK/SL			12th											Plan Making
							Publicise in Members Bulletin	Comms				5th										Overdue
							Hold workshop	PM					6th									
1.3	Meeting	Meeting - Overview and Scrutiny Committee	• Early engagement to flag up any key issues with the proposed policies.	N/A	Overview and Scrutiny Committee		Identify suitable existing meetings	RK/SL			1st											
							Provide Briefing note ahead of meeting					6th										
							Attend meeting	HC/MRH				21st										
<b>2. External Engagement Events</b>																						
2.1	Public Events	PAS facilitated workshop(s)	• To engage with local people of different backgrounds; • To increase understanding of the purpose of regulation 19 engagement stage, the test of soundness and NPPF requirements. • To provide information on how representations can be submitted	N/A	• Local residents; • Planning professionals/ developers; • Other persons with an interest in the borough;		Clarify number of events to hold	RK/HC		1st												
							Book Venues	RK/HC				1st										
							Prepare materials (attendance sheets, response forms, maps, posters, stationary etc.)	RK/SL					1st									
							Hold drop in sessions	PM							w/c 11th							

2.2	Existing External Stakeholder meetings	CADAP	<ul style="list-style-type: none"> <li>To obtain information and response from those with specialist knowledge.</li> <li>To raise awareness of the forthcoming consultation.</li> <li>To demonstrate our commitment to reach different community groups, including faith groups, equality groups, disadvantaged groups and others.</li> </ul>	N/A	Interest groups, professional bodies, non-resident stakeholders			Attend CADAP	PM						10th July										
		Attend External stakeholder Meeting																							
		Attend Tower Hamlets Housing Forum						PM						TBC: 26th July											
		Attend meeting						PM								5th									
		Attend meeting						PM									TBC								
		Attend meeting						PM										TBC							

## **Appendix 2: Statement of Community Involvement 2012 (SCI) - specific and general consultees**

### **Specific Consultees**

- Mayor of London (Greater London Authority)
- Government Office for London
- London Boroughs of Newham, Waltham Forest, Hackney, Southwark, Greenwich, Lewisham and City of London
- London Development Agency
- English Heritage
- Coal Authority
- Environment Agency
- Thames Water
- Natural England
- Lea Valley Regional Park Authority
- Secretary of State for Transport
- Transport for London
- NHS London
- Canal & River Trust

### **General Consultees**

- Ward Councillors;
- Residents' Associations;
- Housing Associations
- Police;
- Health Trusts and emergency services; and
- Other borough-wide groups and developers (where appropriate)
- Other voluntary bodies some or all of whose activities benefit any part of the Council's area; bodies which represent the interests of different racial, ethnic or national groups in the Council's area; amenity societies, residents associations, association representing women and bodies which represent the interests of different religious groups in the Council's area.
- All people who have advised the Council that they are interested in being informed about a particular plan being prepared.

**Appendix 3: Requirements for consultation and engagement from the ‘The Town and Country Planning (Local Planning) (England) Regulations 2012 and Statement of Community Engagement (2012) and how the Council will address these requirements during publication of the Local Plan**

Town & Country Planning Act (2012) requirements	Regs.	Corresponding SCI requirements	Tasks and dates/frequency
<b>Proposed submission document (Publication Stage) – Current Stage</b>			
Prepare a statement setting out: <ul style="list-style-type: none"> <li>• who was invited to make representations and how</li> <li>• a summary of issues raised and how they were addressed</li> </ul>	17. Proposed submission document (d), (d.i), (d.ii), (d.iii), (d.iv), (e)		<b>January-March 2017 (provisional dates)</b> <ul style="list-style-type: none"> <li>• Record and store comments received, summarise and outline how these have been reflected</li> </ul>
Make a copy of the each proposed submission document and Statement of the Representations Procedure available and outline where and when they can be inspected.	19, 19(a)	Make the DPD and all documents submitted to the SoS available at the places the DPD was made available during Stage 1.  Send to each of the specific consultation bodies mentioned in Stage 1 the DPD and other documents sent to the SoS, as well as a statement detailing where the DPD and information documents can be viewed.	<ul style="list-style-type: none"> <li>• Distribute materials e.g. to Idea Stores, libraries</li> <li>• Organise mailing of letters</li> <li>• Upload document on objective</li> </ul>
Ensure the information above is communicated to bodies and persons invited to make representations	19 (b)	Notify each of the general consultation bodies invited during Stage 1 details of where, when and how the DPD and other information can be viewed.	<ul style="list-style-type: none"> <li>• Send notification e-mails to everyone on the Objective database</li> <li>• Consider press release/public notice wording, sign off</li> <li>• Print/pack letters</li> <li>• Send letters for mailing, send e-mail</li> <li>• Liaise with local media in terms of publication dates and booking advertising space</li> </ul>

<p>Make request to Mayor of London on the day of making the proposed submission documents and Statement of the Representations Procedure available for opinion on conformity with the London Plan. Outline that a response should be received within 6 weeks of request being made</p>	<p>21(1), 21(2)</p>		<ul style="list-style-type: none"> <li>• Draft letter and obtain sign-off</li> <li>• Send letter</li> </ul>
<p><b>Submission of documents to the Secretary of State</b></p>			
<p>Prepare a statement setting out:</p> <ul style="list-style-type: none"> <li>• who was invited to make representations and how</li> <li>• a summary of issues raised at each stage of consultation and engagement and how they were addressed</li> <li>• the number of representations made under the Statement of the Representations Procedure and a summary of the main issues raised</li> </ul>	<p>22(1c), 22(1c.i), 22(1c.ii), 22(1c.iii), 22(1c.iv), 22(1c.v)</p>		<p>April 2017 (provisional)</p> <ul style="list-style-type: none"> <li>• Record and store comments received, summarise and outline how these have been reflected (informed by information collected in previous stages)</li> </ul>
<p>Submit copies of any representations made in accordance with the Statement of the Representations Procedure and any supporting</p>	<p>22(1d), 22(1e)</p>		<p>April 2017 (provisional)</p> <ul style="list-style-type: none"> <li>• Submit documents</li> </ul>

documents that are relevant to the preparation of the local plan			
Make these documents, a copy of the local plan and any other relevant documents available to view along with a statement that they are available for inspection	22(3), 22(3.a), 22(3.a.i), 22(3.a.ii), 22(3.a.iii), 22(3.a.iv)	Advertise locally the submission of the DPD and details of where, when and how the DPD can be viewed.  Publish on the website the DPD and all related documents sent to the SoS including details of where, when and how the DPD and other information can be viewed. We will also publish a summary of the comments made in relation to the DPD on the website.	April 2017 (provisional) <ul style="list-style-type: none"> <li>• Scope and draft content/information to be communicated including communication e-mail/letter, press release, publicity material</li> <li>• Obtain approval for publication/distribution of materials including details of events</li> <li>• Distribute materials e.g. to Idea Stores, libraries</li> <li>• Update website</li> </ul>
Send the notification above to the bodies previously contacted for consultation and advise of how and where documents can be viewed	22(3.b)		April 2017 (provisional) <ul style="list-style-type: none"> <li>• Print/pack letters</li> <li>• Send e-mails/letters</li> </ul>
Notify any persons that requested notification of submission to the Secretary of State that it has been submitted	22(3.c)	Notify anyone who requested to be notified of the submission of the DPD.	April 2017 (provisional) <ul style="list-style-type: none"> <li>• E-mail those on contact list</li> </ul>
<b>Examination</b>			
Make available the date, place and time of the hearing and the name of the appointed examiner	24(1), 24(1.a), 24(2.a), 24(2.b)	Publish on our website as well as advertise the time and place of where the examination will be taking place and the name of the person carrying out the examination.	July-August 2017 (provisional) <ul style="list-style-type: none"> <li>• Update website at least 6 weeks before the examination starts</li> <li>• Consider press release/public notice wording, sign off</li> </ul>
Notify persons who have made a representation and now withdrawn that representation	24(1.b)	Notify anyone who has made comments under Stage 1 and has not withdrawn that comments of the time and date of	<ul style="list-style-type: none"> <li>• Liaise with East End Life and other media in terms of publication dates and booking advertising space</li> </ul>

of those matters		the examination.	<ul style="list-style-type: none"> <li>E-mail those on contact list</li> </ul>	
<b>Decision</b>				
<p>Draft and publish as soon as possible after receipt of the recommendations or directions of the inspector a Decision Statement setting out:</p> <ul style="list-style-type: none"> <li>the decision of the Secretary of State</li> <li>the decision date</li> <li>details of any modifications specified</li> <li>that aggrieved persons may apply to the high Court for review, and the period in which they can do so</li> </ul>	17. Decision Statement (a), (b), (b.i), (b.ii), (b.iii), (b.iv), 25(a), 25(b)		<p>September 2017 (provisional)</p> <ul style="list-style-type: none"> <li>Draft statement, obtain sign-off</li> <li>Consider press release/public notice wording, sign off</li> <li>Liaise with East End Life and other media in terms of publication dates and booking advertising space</li> <li>E-mail those on contact list</li> </ul>	
Notify those who requested to be notified of these details	25(b)			
<b>Adoption</b>				
<p>Draft an Adoption Statement to set out:</p> <ul style="list-style-type: none"> <li>the date of adoption</li> <li>modifications made following examination</li> <li>that aggrieved persons may apply to the high Court for review, and the period in which they can do so</li> </ul>	17. Adoption Statement (a), (b), (c), (d)		<p>October 2017 (provisional)</p> <ul style="list-style-type: none"> <li>Draft statement, obtain sign-off</li> <li>Distribute materials</li> <li>Update website</li> <li>Consider press release/public notice wording, sign off</li> <li>Liaise with East End Life and other media in terms of publication dates and booking advertising space</li> </ul>	
Make this document along with the local plan and accompanying documents	(26.a.i), (26.a.ii), (26.a.iii)	Make the DPD and an adoption statement available for viewing in the places where the proposed DPD was		

available for viewing		provided in Stage 1.  Publish the adoption statement on our website  Set up hotline and contact details for queries	<ul style="list-style-type: none"> <li>• E-mail those on contact list</li> <li>• Draft/sign-off letter</li> <li>• Send letters/e-mails to those who had asked to be notified of adoption of the Local Plan</li> <li>• Send Adoption Statement to Secretary of State</li> </ul>
Notify interested persons as to how and when these documents can be viewed	(26.a.iv)	Advertise details of where and when the SCI and the adoption statement is available to view  Run an article in East End Life	
Send a copy of the Adoption Statement to persons who had asked to be notified of the adoption of the local plan	26(b)	Send the adoption statement to anyone who has asked to be notified of the adoption of the DPD.	
Send a copy of the Adoption Statement to the Secretary of State	26(c)		
<b>Revocation of local plan</b>			
Make available a statement of fact and take any steps deemed necessary to advise persons living or working in the area	28(a), 28(c)		<p>October/November 2017 (provisional)</p> <ul style="list-style-type: none"> <li>• Draft/sign-off letter/e-mail</li> <li>• Consider press release/public notice wording, sign off</li> <li>• Liaise with East End Life and other media in terms of publication dates and booking advertising space</li> <li>• Send letters/e-mails to contacts on mailing list</li> </ul>

## **Appendix 4: Regulations in respect of preparing and adopting Local Plans from the Town and Country Planning Act 2012**

### **PART 6 Local plans**

#### **Application and interpretation of Part 6**

17. In this Part—

“adoption statement” means a statement specifying—

- (a) the date on which a local plan was adopted,
- (b) if applicable, any modifications made pursuant to section 23(2) or (3) of the Act,
- (c) that any person aggrieved by the local plan may make an application to the High Court under section 113 of the Act, and
- (d) the grounds on which, and the period within which, an application may be made;

“decision statement” means—

- (a) a statement that the Secretary of State has decided under section 21(9) of the Act to approve, approve subject to specified modifications or reject, a local plan or part of it, and
- (b) where the Secretary of State decides to approve or approve subject to specified modifications, the local plan or part of it, a statement specifying—
  - (i) the date on which it was approved,
  - (ii) if applicable, any modifications specified in the approval,
  - (iii) that any person aggrieved by it may make an application to the High Court under section 113 of the Act, and
  - (iv) the grounds on which, and the period within which, an application may be made;

“proposed submission documents” means the following documents—

- (a) the local plan which the local planning authority propose to submit to the Secretary of State,
- (b) if the adoption of the local plan would result in changes to the adopted policies map, a submission policies map,
- (c) the sustainability appraisal report of the local plan,
- (d) a statement setting out—
  - (i) which bodies and persons were invited to make representations under regulation 18,
  - (ii) how those bodies and persons were invited to make such representations,
  - (iii) a summary of the main issues raised by those representations, and
  - (iv) how those main issues have been addressed in the local plan, and
- (e) such supporting documents as in the opinion of the local planning authority are relevant to the preparation of the local plan; and

“statement of the representations procedure” means a statement specifying—

- (a) the title of the local plan which the local planning authority propose to submit to the Secretary of State;
- (b) the subject matter of, and the area covered by, the local plan;
- (c) the date by which representations about the local plan must be received by the local planning authority, which must be not less than 6 weeks from the day on which the statement is published;
- (d) the address to which representations about the local plan must be made;

- (e) that representations may be made in writing or by way of electronic communications; and
- (f) that representations may be accompanied by a request to be notified at a specified address of any of the following—
  - (i) the submission of the local plan for independent examination under section 20 of the Act,
  - (ii) the publication of the recommendations of the person appointed to carry out an independent examination of the local plan under section 20 of the Act, and
  - (iii) the adoption of the local plan.

### **Preparation of a local plan**

**18.**—(1) A local planning authority must—

- (a) notify each of the bodies or persons specified in paragraph (2) of the subject of a local plan which the local planning authority propose to prepare, and
- (b) invite each of them to make representations to the local planning authority about what a local plan with that subject ought to contain.

(2) The bodies or persons referred to in paragraph (1) are—

- (a) such of the specific consultation bodies as the local planning authority consider may have an interest in the subject of the proposed local plan;
- (b) such of the general consultation bodies as the local planning authority consider appropriate; and
- (c) such residents or other persons carrying on business in the local planning authority's area from which the local planning authority consider it appropriate to invite representations.

(3) In preparing the local plan, the local planning authority must take into account any representation made to them in response to invitations under paragraph (1).

### **Publication of a local plan**

**19.** Before submitting a local plan to the Secretary of State under section 20 of the Act, the local planning authority must—

- (a) make a copy of each of the proposed submission documents and a statement of the representations procedure available in accordance with regulation 35, and
- (b) ensure that a statement of the representations procedure and a statement of the fact that the proposed submission documents are available for inspection and of the places and times at which they can be inspected, is sent to each of the general consultation bodies and each of the specific consultation bodies invited to make representations under regulation 18(1).

### **Representations relating to a local plan**

**20.**—(1) Any person may make representations to a local planning authority about a local plan which the local planning authority propose to submit to the Secretary of State.

(2) Any such representations must be received by the local planning authority by the date specified in the statement of the representations procedure.

(3) Nothing in this regulation applies to representations taken to have been made as mentioned in section 24(7) of the Act.

### **Conformity with the London Plan**

**21.**—(1) A local planning authority which are a London borough council must make a request under section 24(4)(a) of the Act on the day they comply with regulation 19(a).

(2) Where a request is made under section 24(4)(a) of the Act, the Mayor must send the opinion sought to the Secretary of State and the local planning authority within 6 weeks from the day on which the request is made.

### **Submission of documents and information to the Secretary of State**

**22.**—(1) The documents prescribed for the purposes of section 20(3) of the Act are—

- (a) the sustainability appraisal report;
- (b) a submission policies map if the adoption of the local plan would result in changes to the adopted policies map;
- (c) a statement setting out—
  - (i) which bodies and persons the local planning authority invited to make representations under regulation 18,
  - (ii) how those bodies and persons were invited to make representations under regulation 18,
  - (iii) a summary of the main issues raised by the representations made pursuant to regulation 18,
  - (iv) how any representations made pursuant to regulation 18 have been taken into account;
  - (v) if representations were made pursuant to regulation 20, the number of representations made and a summary of the main issues raised in those representations; and
  - (vi) if no representations were made in regulation 20, that no such representations were made;
- (d) copies of any representations made in accordance with regulation 20; and
- (e) such supporting documents as in the opinion of the local planning authority are relevant to the preparation of the local plan.

(2) Notwithstanding regulation 3(1), each of the documents referred to in paragraph (1) must be sent in paper form and a copy sent electronically.

(3) As soon as reasonably practicable after a local planning authority submit a local plan to the Secretary of State they must—

- (a) make available in accordance with regulation 35—
  - (i) a copy of the local plan;
  - (ii) a copy of each of the documents referred to in paragraph (1)(a), (b) and (c);
  - (iii) any of the documents referred to in paragraph (1)(d) or (e) which it is practicable to so make available, and
  - (iv) a statement of the fact that the documents referred to in sub-paragraphs (i) to (iii) are available for inspection and of the places and times at which they can be inspected;
- (b) send to each of the general consultation bodies and each of the specific consultation bodies which were invited to make representations under regulation 18(1), notification that the documents referred to in paragraphs (a)(i) to (iii) are available for inspection and of the places and times at which they can be inspected; and
- (c) give notice to those persons who requested to be notified of the submission of the local plan to the Secretary of State that it has been so submitted.

### **Consideration of representations by appointed person**

**23.** Before the person appointed to carry out the independent examination under section 20 of the Act makes a recommendation under section 20(7), (7A) or (7C)(25) of the Act the person must consider any representations made in accordance with regulation 20.

### **Independent examination**

**24.**—(1) At least 6 weeks before the opening of a hearing held for the purpose of giving persons the opportunity to appear before and be heard by the person appointed to carry out the independent examination under section 20 of the Act, the local planning authority must—

(a) make the matters mentioned in paragraph (2) available in accordance with regulation 35; and

(b) notify any person who has made a representation in accordance with regulation 20 and not withdrawn that representation, of those matters.

(2) The matters referred to in paragraph (1) are—

(a) the date, time and place at which the hearing is to be held, and

(b) the name of the person appointed to carry out the independent examination.

### **Publication of the recommendations of the appointed person**

**25.**—(1) The local planning authority must comply with section 20(8) of the Act—

(a) as soon as reasonably practicable after receipt of the report of the person appointed to carry out the independent examination under section 20 of the Act, or

(b) if the Secretary of State gives a direction under section 21(1) or (4) of the Act after the person appointed to carry out the independent examination has made a recommendation under section 20(7), (7A) or (7C) of the Act, as soon as reasonably practicable after receipt of the direction.

(2) When the local planning authority comply with section 20(8) of the Act they must—

(a) make the recommendations of the person appointed and the reasons given by that person for those recommendations available in accordance with regulation 35; and

(b) give notice, to those persons who requested to be notified of the publication of those recommendations, that the recommendations are available.

### **Adoption of a local plan**

**26.** As soon as reasonably practicable after the local planning authority adopt a local plan they must—

(a) make available in accordance with regulation 35—

(i) the local plan;

(ii) an adoption statement;

(iii) the sustainability appraisal report; and

(iv) details of where the local plan is available for inspection and the places and times at which the document can be inspected;

(b) send a copy of the adoption statement to any person who has asked to be notified of the adoption of the local plan; and

(c) send a copy of the adoption statement to the Secretary of State.

### **Withdrawal of a local plan**

**27.** Where a local planning authority withdraw a local plan pursuant to section 22(1) of the Act, the local planning authority must as soon as reasonably practicable after withdrawing it—

(a) make available a statement of that fact in accordance with regulation 35;

(b) send, to each of the bodies notified under regulation 22(3)(b), notification that the local plan has been withdrawn; and

(c) cease to make any documents relating to the withdrawn local plan (other than the statement mentioned in sub-paragraph (a)) available in accordance with regulation 35.

### **Revocation of a local plan**

**28.** Where a local plan is revoked under section 25 of the Act, the local planning authority must as soon as reasonably practicable after revoking it—

- (a) make available a statement of that fact in accordance with regulation 35;
- (b) cease to make any documents relating to the revoked local plan (other than the statement mentioned in sub-paragraph (a)) available in accordance with regulation 35; and
- (c) take such other steps as they consider necessary to draw the revocation of the local plan to the attention of persons living or working in their area.

### **Direction in respect of a local plan**

**29.** Where the Secretary of State gives a direction under section 21(1) of the Act in respect of a local plan, the local planning authority must—

- (a) make a copy of the direction and the local plan available in accordance with regulation 35; and
- (b) at the time they comply with regulation 26, make—
  - (i) the local plan; and
  - (ii) a statement that the Secretary of State has withdrawn the direction, or a copy of the Secretary of State's notice under section 21(2)(b) of the Act, available in accordance with regulation 35.

### **Call-in**

**30.** The provisions in Schedule 1 apply where the Secretary of State gives a direction under section 21(4) of the Act.

### **Secretary of State's default power**

**31.** The provisions of Schedule 2 apply where the Secretary of State prepares a local plan under section 27 of the Act.

## Appendix 5: Test of Soundness

<b>Tests of Soundness</b>	
<b>Positively Prepared</b>	The plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.
<b>Justified</b>	The plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on a proportionate evidence base.
<b>Effective</b>	The plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities.
<b>Consistent with national policy</b>	The plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.