

**Hastings Borough Council**

**Proposed Submission Planning Strategy**

**Legal Compliance Self Assessment**

**October 2012**

## Introduction

This 'Legal Compliance' Self-Assessment has been undertaken by Hastings Borough Council to check, and confirm, that its Planning Strategy has been prepared in accordance with the relevant legislative requirements and is legally "sound" to submit. As such, it supports the submission of the Council's 'Proposed Submission Planning Strategy on 31<sup>st</sup> October 2012.

It should be read in conjunction with the Council's parallel 'Soundness' Self-Assessment.

This Self-Assessment uses the Planning Advisory Service's Toolkit. This tool takes a chronological approach to plan preparation. There are five checklists with headings that reflect the broad stages:

1. Inception – planning the production of the DPD
2. Preparation – frontloading phase
3. Preparation – formulation phase
4. Publication – to enable representations to be made
5. Submission – to the Secretary of State

The Toolkit refers to The Town and Country Planning (Local Development) (England) Regulations 2004 (as amended 2008). It is appreciated that these have been consolidated and updated by The Town and Country Planning (Local Planning) (England) Regulations 2012. However, the 2004 Regulations were relevant to the preparation of the emerging Planning Strategy. Due reference is made to the new Regulations in relation to the publication and submission stages.

## **Stage one: Inception**

### **Introduction**

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

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

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

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

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

## Stage 1: Inception

Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
1. Is the development plan document identified in the adopted local development scheme and have you recorded the timetable for its production?	The Act section 15(2); section 19(1)	PPS12 paragraphs 4.50; 4.53-4.58  NPPF Paragraphs 153-157	Milestones are set out in PPS12 (box after paragraph 4.55).	i. The adopted local development scheme at the time of: <ul style="list-style-type: none"> <li>• commencement of the development plan document</li> <li>• the published development plan document</li> <li>• the submitted development plan document</li> </ul> ii. The relevant annual monitoring report (if changes need to be explained)	<p>The first Local Development Scheme (LDS) for the preparation of the then Local Development Framework was prepared in 2004 and adopted by Hastings Borough Council (HBC) Cabinet on 05.01.05. With the exception of 2008/09 following GOSE advice, annual updates of the LDS have taken place and amendments to the timetable duly reported to, and approved by, HBC Cabinet. Each of these LDS' have been placed on the HBC website and superseded by the next, the latest <a href="#">Local Development Scheme</a> (June 2012) includes the timetable for Planning Strategy production and the milestones achieved to date</p> <p>The <a href="#">Annual Monitoring Report</a> (AMR) includes a section that details progress on the published timetable.</p>
2. Have you considered how community engagement will be programmed into the preparation of the development plan document?	1. The Act section 19(3) 2. Regulation 25	PPS12 paragraphs 4.19-4.29  NPPF Paragraph 155	The SCI was updated and adopted in 2011 to reflect changes in legislation	i. The statement of community involvement  ii. The project plan for the development plan document	<p>Community engagement was fully considered at the outset and programmed into the preparation of the Planning Strategy. Following a period of informal stakeholder engagement through one-to-one meetings, a programme of focus groups on specific issues relating to community involvement, information days and dialogue with interested parties and consultation in 2005, a Statement of Community Involvement was adopted on 05.06.06.</p> <p>A revised <a href="#">Statement of Community Involvement</a> (SCI) was adopted at Cabinet on 05.09.11 although the engagement principles remain applicable and have been followed. The 2011 SCI replaced the previous version.</p> <p>Public participation on the Planning Strategy is listed in</p>

Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
					the key milestones in the <a href="#">Local Development Scheme</a> .
3. Have you considered the appropriate bodies you should consult?	Regulation 25	PPS12 paragraphs 4.25 -4.26  Plan Making Manual – Consultee list  NPPF Paragraphs 178 - 181	Regulation 2 defines the general and specific consultation bodies	i. The statement of community involvement  ii. Reports and decisions setting out the approach to be taken to specific and general consultation bodies  iii. Consultation statement	Appendix 1 & 2 of the original 2006 SCI confirmed the bodies to be consulted. They continued to be identified in appendix D & H of the 2011 <a href="#">Statement of Community Involvement</a>  The <a href="#">Consultation Statement</a> chronicles the rounds of consultation that the Planning Strategy has been through. Appendix A of this document lists all those bodies that were directly contacted at each stage and invited to comment.  A database of contact details was also set up in 2005. This has been added to and maintained since then, in order to ensure people and organisations are kept up-to-date with our work and the timetabling for Plan production.
4. Is baseline information being collected and evidence being gathered to keep the matters which affect the development of the area under review?	The Act, section13	PPS12 paragraphs 4.36 – 4.47 NPPF Paragraphs 158 - 177		i. Documents dealing with collection of baseline information  ii. Relevant technical studies  iii. The annual monitoring report	All reports and the Planning Strategy itself are supplemented by a range of background papers and <a href="#">Evidence Base</a> studies.  Work started on a Sustainability Appraisal Scoping Report and a draft was originally consulted upon in 2005. A workshop was held on the 27.07.05 with local organisations and statutory consultees to help develop the objectives of the appraisal framework and discuss the key sustainability issues facing the town then and in the future. Baseline information has continued to be identified and updated in the <a href="#">Revised Scoping Report</a> , 2011.  The Council's <a href="#">Annual Monitoring Report</a> provides an

Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
					annual review of baseline data through contextual information about the town and core indicators. Annual Monitoring Reports have been produced since 2005
5. Is baseline information being collected and evidence being gathered to set the framework for the sustainability appraisal?	The Act section 19(5)	PPS12 paragraphs 4.50; 4.39-4.43  Strategic Environmental Assessment Guide, chapter five  NPPF Paragraph 158	i.	Sustainability report scoping document  ii. Sustainability appraisal report	Each of the Scoping Reports produced have contained baseline information which has been updated and amended to take account of changing government guidance, and to focus on those issues and indicators most relevant to Hastings and used to devise a Sustainability Appraisal Framework against which options and strategies could be tested.  The latest baseline information is shown in the Sustainability Appraisal Scoping Report ' <a href="#">background paper 2</a> ' published in 2011.  Details from each of the Scoping Reports have been taken forward into the subsequent Sustainability Appraisals. The 2008 <a href="#">Sustainability Appraisal of Issues &amp; Options and Preferred Approaches</a> contains baseline information for the whole town at stage A (sustainability objectives, baseline and context) and was consulted upon alongside the Preferred Approaches document.
6. Have you consulted the statutory environment consultation bodies for five weeks on the scope and level of	Regulations 9 and 13 of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633.	PPS12 paragraph 4.40 SEA Guide Ch 3  NPPF Paragraph 157 states	The Strategic Environmental Assessment consultation bodies are also amongst the	Copies of the consultation letters sent to the bodies	Responses to the Initial consultation on the 2005 Scoping Report were incorporated into the appendix of the 2008 Scoping Report which showed the comments received from the Statutory Bodies. These were then incorporated into the later version of the document which was amended to take account of changing government guidance and update the baseline indicators in 2011. Consultation between 27.06.11 and 09.08.11 on the revised <a href="#">Sustainability Appraisal Scoping Report</a> provided no

Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
detail of the environmental information to be included in the sustainability appraisal report?		Local Plans must be based on cooperation with other organisations.	'specific consultation bodies' which are defined in Regulation 2		further comments.

## **Stage two: Plan preparation - frontloading phase**

### **Introduction**

The Council is required to invite specific and general consultation bodies to make representations about the content of the development plan document. You should review all the legal requirements set out in this, as well as the following phase, to satisfy yourself that they are properly addressing all the matters they should.

Information assembled during this phase contributes to:

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

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

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

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

## Stage 2: Plan preparation - frontloading phase

Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
1. Have you notified the specific consultation bodies that have an interest in the subject of the development plan document and invited them to make representations about its contents?	Regulation 25(1) and (2)(a)	PPS12 paragraphs 4.24 – 4.29  NPPF Paragraphs 155 and 157	Specific consultation bodies are defined in Regulation 2. If any bodies are omitted, you should give a clear justification for doing so, including reference to the SCI.	i. Consultation statement ii. Copies of documents consulting these bodies iii. Record of discussions iv. Copies of representations made v. A brief statement setting out the reasons why any bodies have been omitted from consultation	The <a href="#">Consultation Statement</a> chronicles the rounds of consultation that the Planning Strategy has been through. Appendix A of this document lists all those bodies that were directly contacted at each stage and invited to comment.
2. Have you notified the general consultation bodies that you consider have an interest in the subject of the development plan document and invited them to make representations about its contents?	Regulation 25(1) and (2)(b)	PPS12 paragraphs 4.24 – 4.29  NPPF Paragraphs 155 and 157	General consultation bodies are defined in Regulation 2. You should be able to give a clear justification for your selection of the bodies, including reference to the statement of community involvement.	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 were or were not included	As 1 above
3. Are you inviting representations	Regulation 25(3)	PPS12 paragraphs		i. Consultation statement ii. Copies of documents consulting	The Planning Policy Team has maintained an extensive consultation

Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
<p>from people resident or carrying out business in your area about the content of the development plan document?</p>		<p>4.24 – 4.29</p> <p>NPPF Paragraphs 155 and 157</p>		<p>these persons</p> <p>iii. Record of discussions</p> <p>iv. Copies of representations made</p>	<p>database, which is updated as required at each stage of the plan production. Letters, emails, and update newsletters were sent to a whole range of local businesses and residents that were on this database inviting them to make comment at each stage in the process.</p> <p>Alongside this database, additional advertising and a series of consultation events, where necessary, have been held to explain the consultations and obtain views on the content of the Planning Strategy.</p> <p>Full details of the consultations including marketing and advertising methods utilised at each stage are contained in the Hastings Planning Strategy <a href="#">Consultation Statement</a>.</p>
<p>4. Are you engaging with stakeholders responsible for delivery of the strategy?</p>	<p>Regulation 25 Regulation 18 (2012 Regs)</p>	<p>PPS12 paragraphs 4.4; 4.27 – 4.29; 4.45</p> <p>NPPF Paragraphs 155 and 157</p>	<p>PPS12 paragraph 4.29 gives examples of relevant delivery agencies</p>	<p>i. Consultation statement</p> <p>ii. Copies of documents consulting these people</p> <p>iii. Record of discussions</p>	<p>The <a href="#">Infrastructure Delivery Plan</a> (IDP, July 2012) used to underpin policies in the Planning Strategy, has been informed by a variety of evidence base and supporting documents alongside contact with relevant bodies including East Sussex County Council. Section 4 of the IDP confirms the preparation process.</p> <p>Dialogue with infrastructure bodies will be ongoing throughout the plan period, to ensure that infrastructure</p>

Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
					<p>requirements continue to be monitored and are effectively planned for and delivered in a timely manner.</p> <p>Details of the consultations are contained in the Hastings Planning Strategy <a href="#">Consultation Statement</a>.</p> <p>Our <a href="#">Statement of Compliance: Duty to Co-operate</a> document also demonstrates contact with relevant bodies</p>
5. Are you taking into account representations made?	Regulation 25(5) Regulation 22 (2012 Regs)	PPS12 paragraphs 4.19-4.29; 4.37	Evidence from participation is part of the justification	i. Consultation statement ii. Any reports on the selection of alternatives and options for the development plan document	<p>The Planning Strategy <a href="#">Consultation Statement</a> includes a section for each stage of consultation which summarises the representations made; officer responses and any actions/changes made. Full details of the main issues raised for each stage and how these have influenced the emerging Planning Strategy are contained in Appendices B; D and E</p> <p>The final <a href="#">Sustainability Appraisal</a> report contains assessments of the alternatives and options for the Planning Strategy</p>
6. Does the consultation contribute to the development and sustainability	The Act section 19(5) Regulations 12 and 13 of	PPS12 paragraphs 4.39-4.43 SEA		i. Consultation statement ii. Any reports on the selection of alternatives and options for the development plan document	As 5 above

Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
appraisal of alternatives?	The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633.	Guide, chapter three		iii. Sustainability appraisal report	
7. Is the participation: <ul style="list-style-type: none"> <li>• following the principles set out in your statement of community involvement</li> <li>• integrating involvement with the sustainable community strategy</li> <li>• proportionate to the scale of issues</li> <li>• involved in the development plan document?</li> </ul>	The Act s.19(3)  Regulation 18 (2012 Regs)	PPS12 paragraphs 4.19 – 4.26; 4.42 NPPF Paragraphs 155 and 157		i. Consultation Statement ii. The statement of community involvement iii. The relevant sustainable community strategies	The <a href="#">Consultation Statement</a> demonstrates how participation at all stages was carried out in accordance with the <a href="#">Statement of Community Involvement</a>  The Planning Policy Team was involved in the development of the <a href="#">Hastings &amp; St Leonards Sustainable Community Strategy</a> . The Sustainable Community Strategy underwent an update in 2009 and the refreshed strategy was adopted in July 2009, covering the period 2009-2026. In July 2012 the Community Strategy targets were revised again, details available from:
8. Are you keeping a record of: <ul style="list-style-type: none"> <li>• the individuals or bodies invited to make representations</li> <li>• How this was</li> </ul>	Regulation 24	PPS12 paragraphs 4.24 – 4.29	You will need to submit a statement of representations under Regulation 22(1) (c)	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	The Local Plan database records the contact made to the people and organisations on it.  Publicity was undertaken at each stage in the process via various methods, details contained within the

Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
<p>done</p> <ul style="list-style-type: none"> <li>The main issues raised?</li> </ul>			<p>Regulation 49 deals with the availability of documents and the time of their removal. Regulation 50 deals with the availability of adopted documents (2004 Regs).</p>		<p><a href="#">Consultation Statement</a> along with a summary of the main issues raised.</p> <p>Our <a href="#">online consultation software</a> has been used to manage each consultation from Preferred Approaches onwards. All the comments, representations and Planning Policy team/Hastings Borough Council responses can be viewed on-line.</p>
<p>9. Are you developing a framework for monitoring the effects of the development plan document?</p>	<p>The Act section 35 Regulation 48 Reg 17 of The Environmental Assessment of Plans and Programmes Regulations 2004 No1363</p>	<p>SEA Guide, Chapter five Office of the Deputy Prime Minister monitoring guide</p>		<p>i. Sustainability appraisal report ii. The annual monitoring report iii. Reports or documents setting out the appraisal and monitoring framework</p>	<p>The <a href="#">Final Sustainability Appraisal report</a> of the Hastings Planning Strategy identifies relevant monitoring indicators which have been used throughout the preparation of the Planning Strategy</p> <p>Specific indicators to monitor the effect of policies in the Planning Strategy have been developed, and are set out in Part 6 of the <a href="#">Proposed Submission version of the Hastings Planning Strategy</a> These will be incorporated into future Annual Monitoring Reports.</p>
<p>10. Have you arranged to send copies of documents used in consultation to the Government</p>	<p>Not statutory, but will assist in identifying issues leading towards a sound</p>	<p>Plan Making Manual - New Regulation 25</p>		<p>Copies of correspondence with the Government Office and Planning Inspectorate</p>	<p>GOSE and PINs were notified throughout the process with specific liaison with GOSE on emerging documents and development of the evidence base. PINS &amp; GOSE were notified of the Preferred Approaches</p>

Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
Office and Planning Inspectorate?	development plan document				consultation on 12.05.08 and PINS of the informal consultation. PINs were specifically consulted on the Proposed Submission Planning Strategy on 25.05.12. Meetings have also been held with both organisations at points during the process.

## Stage three: Plan preparation - formulation phase

### Introduction

This stage has many legal matters, for process and content, to address. The council should be beginning to formulate the preferred strategy for the core strategy (or whichever vehicle the council chooses to address Regulation 18 requirements). To do this, the council should use the information gathered and previous collaborative work with stakeholders.

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

Paragraph 152 of the NPPF states that alternative options should be considered where significant adverse impacts are likely to occur on economic, social and environmental dimensions of sustainable development. Paragraph 155 of the NPPF states that early and meaningful work with neighbourhoods, local organisations and business is essential in developing a Local Plan. Paragraph 154 of the NPPF notes that Local Plans should address the spatial implications of economic, social and environmental change, setting out the opportunities for development and clear policies on what will or will not be permitted and where. Paragraph 156 notes that Local Plans should set out the strategic priorities for their area.

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

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

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

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

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

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

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

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

### Stage three: Plan preparation - formulation phase

Activity	Statutory Requirement	Guidance reference	Additional Notes	Possible evidence	Evidence provided
<p>1. Are you preparing reasonable alternatives for evaluation during the preparation of the development plan document?</p>	<p>Regulation 12 of The Environmental Assessment of Plans and Programmes Regulations 2004 No. 1633</p>	<p>PPS12 paragraph 4.38  SEA Guide, Chapter five</p>	<p>The sustainability appraisal report and supporting documents relevant to the preparation of the development plan document are part of the proposed submission documents (see Regulation 22 (2012 Regs4)</p>	<p>Documents supporting decisions on alternatives and any preferred strategy</p>	<p>Evaluation of alternatives has been undertaken through the <a href="#">Sustainability Appraisal of Core Strategy Issues and Option and Preferred Approaches</a> and the <a href="#">Final Sustainability report of the Hastings Planning Strategy</a></p> <p>The <a href="#">Consultation Statement</a> also details how different options and alternatives were tested with input from the community and other relevant bodies through the drafting of the Planning Strategy.</p> <p>A range of background evidence has been produced to underpin the selection of policies included in the Planning Strategy. This <a href="#">Evidence Base</a> supports the development of the strategy and the content of the Planning Strategy.</p>
<p>2. Have you assessed alternatives against:</p> <ul style="list-style-type: none"> <li>• consistency with national policy and;</li> <li>• general conformity with the regional spatial strategy?</li> </ul>	<p>The Act section19(2), section 24</p>	<p>PPS12 4.30 – 33  Paragraph 151 of the NPPF states that Local Plans should be consistent with the principles and policies set out in</p>	<p>General conformity with the regional spatial strategy is tested formally later but you need to consider it during preparation of the development plan document</p>	<p>i. Supporting documents ii. Correspondence with Government Offices and regional planning body (or Mayor of London)</p>	<p>Both national &amp; regional guidance has been considered throughout the development of the Plan. GOSE &amp; PINS have been consulted and provided advice both over the phone and at meetings at various points in the Plan preparation process; these have been taken forward into the production of the Planning Strategy.</p> <p>A self assessment of the Planning Strategy to ensure its compliance with the new National Planning Policy Framework was undertaken in July 2012. This <a href="#">Local</a></p>

Activity	Statutory Requirement	Guidance reference	Additional Notes	Possible evidence	Evidence provided
		the Framework, including the presumption in favour of sustainable development.			<a href="#">Plans and the National Planning Policy Framework - Compatibility Self Assessment Checklist</a> along with the Proposed Submission version of the Planning Strategy was discussed at a meeting with PINS on 03.08.12.
3. Are you having regard to: <ul style="list-style-type: none"> <li>• Adjoining regional spatial strategies, the spatial development strategy for London, or Welsh Spatial Plan (as appropriate)</li> <li>• the National Planning Framework for Scotland?</li> </ul>	1. The Act section 19(2) 2. Regulation 15(1)(g)			i. Supporting documents ii. Correspondence with the relevant bodies	N/A. All adjacent areas are within the South East Region.
4. Are you having regard to: <ul style="list-style-type: none"> <li>• the sustainable community</li> </ul>	The Act section 19(2)	PPS12 paragraphs 1.6; 4.22 - 4.23; 4.34 - 4.35		i. Supporting documents ii. The Sustainable community strategies iii. Relevant local development documents iv. Correspondence with the local	Regard is given to 'saved' local Plan policies from 2004, and specifically to whether these should continue to be saved following adoption of the Hastings Planning Strategy. They are referenced in <a href="#">Appendix 1</a> of the Planning Strategy

Activity	Statutory Requirement	Guidance reference	Additional Notes	Possible evidence	Evidence provided
<p>strategy of the authority or other authorities whose area comprises part of the area of the council</p> <ul style="list-style-type: none"> <li>any other local development documents adopted by the council?</li> </ul>				strategic partners	<p>(Proposed Submission version)</p> <p>Hastings Borough Council worked with the other authorities In East Sussex and the various Local Strategic Partnerships to produce Pride of Place - the sustainable community strategy for East Sussex. <a href="#">East Sussex Sustainable Community Strategy 'Pride of Place'</a> This alongside the <a href="#">Hastings &amp; St Leonards Sustainable Community Strategy</a> was taken into account in the development of the Planning Strategy.</p> <p>There has been, and continues to be, close working with Rother District Council (RDC) as a neighbouring authority. Joint members briefings were held and each authority has made comment on the respective Planning Strategies and joint production of relevant documents making up the <a href="#">evidence base</a>.</p> <p>Local Strategic Partnership members have been consulted through our <a href="#">newsletters</a> and Planning Policy attendance at their meetings when required.</p> <p>There are no other adopted Development Plan Documents at this time.</p>
5. Do you have regard to other matters and strategies relating to:	4. The Act section19(2) 5. Regulation 15		As well as the matters and strategies listed in the Act and Regulations there are	i. Supporting documents ii. Correspondence with the relevant bodies and the Government Office	Matters relating to resources have been considered through the consultations with stakeholders and the development of the <a href="#">Infrastructure Delivery Plan</a> .

Activity	Statutory Requirement	Guidance reference	Additional Notes	Possible evidence	Evidence provided
<ul style="list-style-type: none"> <li>• resources</li> <li>• the regional development agencies' regional economic strategy</li> <li>• the local transport plan and transport facilities and services</li> <li>• waste strategies</li> <li>• hazardous substances and accidents?</li> </ul>			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 development plan document.		<p>Regard is given to the <a href="#">Local Transport Plan</a> (LTP3) in the Planning Strategy in Chapter 11 'Transport and Accessibility' of the <a href="#">Proposed Submission document</a></p> <p>The Waste Planning Authority (East Sussex County Council) was consulted and due regard was had to the <a href="#">Waste and Minerals Development Framework</a> and the <a href="#">Waste and Minerals Plan</a>. This is referenced in the introduction of the <a href="#">Proposed Submission document</a></p> <p>Due regard was also had to the Regional Economic Strategy for the South East. It was considered as part of the <a href="#">Hastings and Rother Employment Strategy and Land Review</a> jointly prepared by Hastings and Rother Councils in 2008 and updated in 2011 which underpins the Planning Strategy.</p> <p>Comments received from the relevant bodies were also given full regard and recommendations included in the Planning Strategy where appropriate.</p>
6. Are you having regard to the need to include policies on mitigating and adapting to climate		Annex to PPS1 on climate change  Paragraph 156 of the NPPF provides for	This is expected to be an amendment to section 19(2) of the Act.	Supporting documents	<p>A <a href="#">Renewable Energy and Low Carbon Development Study (August 2009)</a> was written to support the Planning Strategy.</p> <p>At each stage of drafting and consultation, options for addressing climate change were put forward and incorporated into the <a href="#">Submission Version of the Planning</a></p>

Activity	Statutory Requirement	Guidance reference	Additional Notes	Possible evidence	Evidence provided
change?		Local Plans to include strategic policies on climate change mitigation and adaptation.			<p><a href="#">Strategy</a></p> <p>The <a href="#">Strategic Flood Risk Assessment</a> was completed in 2008.</p> <p>An <a href="#">Appropriate Assessment</a> was prepared to inform our Sustainability Appraisal and Planning Strategy to test whether the Strategy would have an adverse impact on the integrity of the Hastings Cliffs Special Area of Conservation (SAC) or the Pevensey Levels Ramsar site.</p>
7. Have you undertaken the necessary 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	SEA Guide, Chapter five	Regulation 13 of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633 sets out the consultation procedures	<ul style="list-style-type: none"> <li>i. Reports on the sustainability of alternatives</li> <li>ii. Record of work undertaken on sustainability appraisal</li> <li>iii. Supporting documents</li> </ul>	The <a href="#">Sustainability Appraisal of Core Strategy Issues and Option and Preferred Approaches</a> and <a href="#">Final Sustainability Appraisal Report for the Proposed Submission Version of the Planning Strategy</a> were published for consultation alongside the corresponding Planning Strategy documents.
8. Are you setting out clear reasons for any preferences between alternatives?	Regulation 13(1)		This will include Information from the sustainability appraisal.	<ul style="list-style-type: none"> <li>i. Any reports setting out alternatives and choices considered</li> <li>ii. Supporting documents</li> </ul>	<p>Clear reasons for preference between alternatives are given in each Sustainability Appraisal.</p> <p>The Planning Strategy <a href="#">Evidence Base</a> contains documents which consider alternatives</p>
9. Have you taken into	Regulations 24, 25(5) and	PPS12 paragraphs	Records on the sustainability	<ul style="list-style-type: none"> <li>i. Correspondence from those making representations</li> </ul>	The <a href="#">Consultation Statement</a> summarises comments made at each consultation and

Activity	Statutory Requirement	Guidance reference	Additional Notes	Possible evidence	Evidence provided
<p>account any representations made on the content of the development plan document and the sustainability appraisal?</p> <p>10. Are you keeping a record?</p>	<p>30(1)(d)(iv) Regulation 13(4) of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633</p>	<p>4.19 – 4.29</p>	<p>appraisal should also include recording any assessment made under the Habitats Directive</p>	<p>ii. Any reports on issues raised iii. Consultation statement iv. sustainability appraisal report</p>	<p>details how these were taken into account in the production of the final Planning Strategy.</p> <p>The representations received at each stage and the officer responses given are also viewable on-line on the <a href="#">Hastings Borough Council Planning Consultations</a> page.</p>
<p>11. Where sites are to be identified or areas for the application of policy in the development plan document, are you preparing sufficient illustrative material to:</p> <ul style="list-style-type: none"> <li>• enable you to amend the currently adopted proposals map</li> <li>• inform the</li> </ul>	<p>Regulations 9 and 14</p>		<p>Regulation 2 defines the terms 'submission' and 'adopted' proposals map. A map showing changes to the adopted proposals map is part of the proposed submission documents defined in Regulation 24.</p>	<p>i. The adopted proposals map ii. Any reports on proposals to amend the proposals map iii. Illustrative material that shows how the proposals map will be amended or replaced</p>	<p>Whilst no sites are allocated in the Planning Strategy, maps in <a href="#">Chapter 4</a> of the Proposed Submission Planning Strategy show the locations for development and the Planning Focus Areas. <a href="#">The Key Diagram</a> at Part 5 illustrates, in broad terms, what is proposed.</p> <p>The <a href="#">Policies Map</a> displays those policies that have a specific spatial element (protection of certain ecological areas for example) and the <a href="#">Schedule of proposed changes to the Proposals Map (2004) to create Policies map document</a> indicates the changes that the Planning Strategy will require.</p> <p>Site specific Local Plan Policies and allocations are being addressed in the emerging Development Management</p>

Activity	Statutory Requirement	Guidance reference	Additional Notes	Possible evidence	Evidence provided
community about the location of proposals?					Plan.
12. Are the participation arrangements compliant with the statement of community involvement?	1. The Act, section 19(3) 2. Regulation 25		You should make sure the arrangements remain in line with legislative changes affecting community engagement.	i. The statement of community involvement ii. Consultation statement	The <a href="#">Consultation Statement</a> details the consultation process of each stage and its compliance with the <a href="#">Statement of Community Involvement</a> .
13. Have you remained in close contact with the Government Office and discussed any emerging issues that might affect the soundness of the development plan document?		Plan Making Manual – New Regulation 25		i. Copies of correspondence with the Government Office ii. Copies of the relevant documents	Up until the closure of the GOSE offices, advice from GOSE on the content of the Planning Strategy was obtained at each stage of consultation.  See 2 above.

## Stage 4: Publication

### Introduction

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

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

- do so and progress directly to publication

OR

- produce and consult on a revised preferred strategy.

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

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

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

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

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

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

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

## Stage 4: Publication

Activity	Statutory Requirement	Guidance Reference	Additional notes	Possible evidence	Evidence provided
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	PPS12 paragraphs 4.38 – 4.43  SEA Guide Chapter five		Sustainability appraisal report	The <a href="#">Final Sustainability Appraisal Report of the Proposed Submission version of the Planning Strategy</a> was prepared and published for consultation alongside the Proposed Submission version of the Hastings Planning Strategy
2. Have you made clear where and within what period representations must be made?	Regulation 28(2) and (3)  Regulation 17 (c) 'statement of representations procedure and Regulation 20 (2) of the 2012 Local Planning Regulations.		The period must be at not less than 6 weeks from when you give notice under Regulation 27(e) (see below)  The 2012 Regulations maintained this time period under Regulations 20 (2) and Regulation 17 (c)	i. Report or record of decisions ii. The statement of community interest	Consultation on the Proposed Submission Version of the Planning Strategy took place for 12 weeks in accordance with the SCI. The <a href="#">Consultation Statement</a> confirms the methods of engagement which included a statutory notice, press release and other advertising alongside a Local Plan update <a href="#">Newsletter</a> and website updates.  Workshops and drop in sessions were also held throughout the consultation period to help explain the process and assist in completion of representation forms.  The Statement of Representations Procedure (in Appendix F <a href="#">Consultation Statement</a> ) of the was sent to all those on our consultation database including statutory consultees alongside

Activity	Statutory Requirement	Guidance Reference	Additional notes	Possible evidence	Evidence provided
					<p>notification of consultation</p> <p>A <a href="#">Guidance Note</a> was produced alongside the representation form to assist people in making their responses.</p>
<p>3. Have you made copies of the following available for inspection:</p> <ul style="list-style-type: none"> <li>the proposed submission documents?</li> <li>the statement of the representations procedure?</li> </ul>	<p>Regulation 27(a)</p> <p>Regulation 19 (a) and (b) of the 2012 Local Plan Regulations</p>		<p>Regulation 24 gives definitions</p> <p>Regulation 17 gives definitions of these documents (2012 Local Plan Regulations)</p>	<ul style="list-style-type: none"> <li>i. Copies of the relevant statements</li> <li>ii. Report on where and when made available</li> <li>iii. Record of where and when made available</li> </ul>	<p>The Proposed Submission Version of the Hastings Planning Strategy, its Supporting Documents and Evidence Base were made available for inspection on the Planning Policy pages of the Hastings Borough Council website:  <a href="http://www.hastings.gov.uk/environment_planning/planning/localplan/">http://www.hastings.gov.uk/environment_planning/planning/localplan/</a></p> <p>All of these documents and the Statement of Representations Procedure were also available to view at Planning Reception at Aquila House; Hastings Reference Library and the Hastings Information Centre.</p> <p>The <a href="#">Consultation Statement</a> confirms full details of advertising and distribution methods.</p>
<p>4. Have you published on your website the following:</p> <ul style="list-style-type: none"> <li>the proposed submission documents?</li> </ul>	<p>Regulation 27(b)</p> <p>Regulation 19 and Regulation 35 (1) (b) of the Local Plan Regulations</p>		<p>Regulations 2 and 24 give definitions</p> <p>Regulation 17 gives definitions of these documents (2012 Local Plan Regulations)</p>	<p>Record of publication</p>	<p>As 3 above.</p>

Activity	Statutory Requirement	Guidance Reference	Additional notes	Possible evidence	Evidence provided
<ul style="list-style-type: none"> <li>the statement of the representations procedure?</li> <li>statement and details of where and when documents can be inspected?</li> </ul>	2012.				
<p>5. Have you sent to each of the specific consultation bodies invited to make representations under Regulation 19 (a) and (b) of the Local Plan 2008 Regulations:</p> <ul style="list-style-type: none"> <li>A copy of each of the proposed submission documents</li> <li>The statement of the representations procedure?</li> </ul>	Regulation 27(c) of the Local Development Regulations (2008)		Regulation 2 of the 2004 and 2008 Local Development Regulations gives definitions	<ul style="list-style-type: none"> <li>i. Copies of correspondence</li> <li>ii. Record of sending</li> </ul>	Details of the specific consultation bodies sent copies of the Proposed Submission Planning Strategy document (in some cases electronically) and the Statement of Representations Procedure are in the <a href="#">Consultation Statement</a> .
<p>6. Have you sent to each of the general consultation</p>	Regulation 27(d) of the Local Development		Regulation 2 and 24 of the 2004 and 2008 Local Development Regulations gives	<ul style="list-style-type: none"> <li>i. Copies of correspondence</li> <li>ii. Record of sending</li> </ul>	As above, everyone who was on the Planning Policy consultation database including those who had made representations at an earlier stage,

Activity	Statutory Requirement	Guidance Reference	Additional notes	Possible evidence	Evidence provided
<p>bodies invited to make representations under Regulation 19 (a) and (b) of the Local Plan 2008 Regulations:</p> <ul style="list-style-type: none"> <li>the statement of the representations procedure?</li> <li>where and when the documents can be inspected?</li> </ul>	Regulations 2008		definitions		were notified. Details are contained in the <a href="#">Consultation Statement</a>
<p>7. Have you given notice by local advertisement setting out: the statement of the representations procedure</p> <ul style="list-style-type: none"> <li>where and when the documents can be inspected?</li> </ul>	Regulation 27(e) of the Local Development Regulations 2008			<ul style="list-style-type: none"> <li>i. Copy of advertisement</li> <li>ii. Where and when placed</li> </ul>	<p>A Statutory Notice was placed in the Hastings &amp; St Leonards Observer on 25.05.12 (<i>this also appeared in the Rother edition.</i>)</p> <p>Subsequent adverts were placed in the Hastings and St Leonards Observer on 25.05.12, 22.06.12 and 03.08.12 to notify our how to sessions offering guidance to people on how to fill in their response forms.</p> <p>Various other methods of advertising were undertaken including posters, website updates and an advert in the Hastings &amp; St Leonards Directory delivered to every house in the Borough. Full details are given in the</p>

Activity	Statutory Requirement	Guidance Reference	Additional notes	Possible evidence	Evidence provided
					<a href="#">Consultation Statement</a>
8. Have you requested the opinion of the regional planning body (or the Mayor in London) on the general conformity of the development plan document with the regional spatial strategy (or spatial development strategy)?	<ol style="list-style-type: none"> <li>1. The Act section 24</li> <li>2. Regulation 29 of the Local Development Regulations 2008</li> </ol>		The period is six weeks from when you make copies available for inspection under Regulation 27(a)	Copies of correspondence	<p>Following the abolition of the regional assemblies, SEERA ceased operating in July 2010. Therefore, there was no opportunity to seek its view on general conformity of the Proposed Submission Planning Strategy. However, as noted under Stage 2 Q10 and Stage 3 Q2 above, PINS and GOSE were consulted throughout the process and any comments made duly taken account of.</p> <p>A meeting was held with PINS on 03.08.12 to discuss the Proposed Submission Planning Strategy and its overall compliance with the new NPPF.</p>

## Stage five: Submission

### Introduction

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

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

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

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

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

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

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

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

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

## Stage five: Submission

Question	Statutory Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
<p>1. Are you ready to submit the DPD?</p> <p>2. Are there any major issues revealed by the representations on publication?</p> <p>3. Are all the relevant documents in place?</p>	<p>1. The Act section 20(2)(b)</p> <p>2. The Act section 20(1)</p> <p>3. Regulation 30(1)</p>		<p>If you are not ready to submit, you may need to do more work on the development plan document or consider withdrawing and republishing a revised version.</p> <p>Regulation 30(1) sets out the documents which must be submitted in addition to the development plan document.</p>	<p>i. Report on issues resulting from Regulation 28 representations</p> <p>ii. Resolution to carry out more work on part of the development plan document or to withdraw plan</p> <p>iii. The development plan document</p> <p>iv. The documents prescribed at Regulation 30(1)</p>	<p>The Council is confident that it can submit now. Representations have been analysed and it is considered that no major issues have been raised. These are identified in the <a href="#">Consultation Statement</a></p> <p>All submission documents together with the supporting <a href="#">evidence base</a> are available on the Council's website</p> <p>Some additional background papers have been prepared and published to support submission, namely <a href="#">Houses in Multiple Occupation</a>, a review of the <a href="#">Assessment of Housing Need in Hastings &amp; Rother</a>, an <a href="#">Explanation of Housing Evidence</a> and a paper setting requirements for the <a href="#">Provision of Permanent sites for Gypsies, Travellers and Travelling Showpeople</a>. and a document demonstrating <a href="#">Compliance with the NPPF</a></p>
<p>4. Has the development plan document been prepared in accordance with the local</p>	<p>The Act, section 19(1)</p>	<p>PPS12 paragraph 4.50; 4.53 – 4.55</p>	<p>The Act section 15(2) and Regulation 8 note the matters</p>	<p>i. The local development scheme</p> <p>ii. Explanation of any changes from the milestones set out in the local development scheme</p> <p>iii. Relevant annual monitoring</p>	<p>The Planning Strategy has been prepared in accordance with the adopted <a href="#">Local Development Scheme</a>.</p> <p>The <a href="#">Local Development Scheme</a> (LDS) web page is regularly updated. LDS</p>

Question	Statutory Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
<p>development scheme?</p> <p>5. Does the development plan document's listing and description in the local development scheme match the document?</p> <p>6. Have the timescales set out in the local development scheme been met?</p>			<p>specified in the local development scheme</p> <p>The box on local development schemes in PPS12 after paragraph 4.55 sets out milestones</p>	<p>reports</p> <p>iv. Correspondence with the Government Office on the local development scheme</p>	<p>timetable changes are reported to and agreed by Cabinet, and monitored via the <a href="#">Annual Monitoring Report</a>.</p> <p>The Planning Strategy listing and description in the LDS matches the Submission Planning Strategy document.</p>
<p>7. Has the development plan document had regard to any sustainable community strategy for its area (like a county and district)?</p>	<p>The Act section 19(2)</p>	<p>PPS12 paragraph 4.34 – 4.35; 4.50</p>		<p>i. The sustainable community strategy(ies)</p> <p>ii. Reference to sections of the development plan document showing how regard has been had to them</p>	<p>The Planning Strategy has been prepared having full regard to the Hastings &amp; St Leonards Sustainable Community Strategy 2009 – 2026 (see paragraph 1.13 of the <a href="#">Proposed Submission Planning Strategy</a>. The Local Strategic Partnership (LSP) has been engaged throughout the preparation of the Planning Strategy.</p>
<p>8. Is the development plan document in compliance with the statement of community involvement (where one exists)?</p> <p>9. Has the council</p>	<p>1. The Act s19(3)</p> <p>2. Regulation 32(1)(c)</p>	<p>PPS12 paragraph 4.50; box after paragraph 4.26</p>	<p>Before the statement of community involvement is formally amended to take into account the changes in</p>	<p>i. The statement of community involvement</p> <p>ii. The Regulation 32(1)(c) statement</p>	<p>Yes, the Submission Planning Strategy is in compliance with the <a href="#">Statement of Community Involvement</a> , this is set out in the <a href="#">Consultation Statement</a>.</p>

Question	Statutory Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
carried out consultation as described in the statement of community involvement?			the regulations, you may need to set out how the community engagement that you carried out met the regulations (as amended).		
<p>10. Has the development plan document been subject to sustainability appraisal?</p> <p>11. Has the council provided a final report of the findings of the appraisal?</p>	<p>1. The Act section19(5)</p> <p>2. Regulation 32(1)(a)</p>	<p>1. PPS12 paragraph 4.39 – 4.43; 4.50</p> <p>2. SEA Practical Guide, chapter five</p>		Sustainability appraisal report	See the <a href="#">Final Sustainability Appraisal</a>
12. Is the development plan document to be submitted consistent with national policy?	The Act section20(2) and Schedule 8	PPS12 paragraphs 4.30 – 33; 4.50	You need to be sure changes made up to the time of submission are compliant with the requirements	<p>i. Correspondence with Government Offices</p> <p>ii. Representations from Government Offices</p>	This is demonstrated in the self assessment NPPF Compliance document, <a href="#">Local Plans and the National Planning Policy Framework - Compatibility Self Assessment Checklist</a>

Question	Statutory Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
<p>13. Does the development plan document contain any policies or proposals that are not in general conformity with the regional spatial strategy?</p> <p>14. If yes, is there local justification?</p> <p>15. Has the council got confirmation from the regional planning body about the general conformity of the plan with the regional spatial strategy?</p>	<p>1. The Act s 24(1)(a); 24(2) and 24(4)</p> <p>2. Regulation 29</p>	<p>PPS12 paragraphs 4.30 – 33; 4.50</p>	<p>In London the requirement is for general conformity with the spatial development strategy (The London Plan)</p>	<p>i. Correspondence with or representations from the regional planning body, or Mayor of London</p> <p>ii. Confirmation of conformity from the regional planning body, or Mayor</p>	<p>No. See response to 8 at Stage 4 above.</p> <p>The annualised housing requirement is less than the South East Plan but is regarded as being in general conformity following extensive consultation as well as reflecting changed circumstances since the South East Plan was prepared. This is detailed in the <a href="#">Explanation of Housing Evidence</a> paper</p>
<p>16. Does the development plan document comply with the 2004 regulations (as amended)?</p> <p>17. Specifically, has the council published the prescribed documents, and made them available at their principal offices</p>	<p>1. The Act section 20(2), 20(3) and 20(5)(b)</p> <p>2. Regulations 13(1), 13(2), 13(5) and 30(1)</p>	<p>PPS12 paragraphs 4.36; 4.50</p>	<p>Requirements relating to publication of the prescribed documents are listed later in this table.</p>	<p>i. The documents prescribed at Regulation 30(1)</p> <p>ii. Relevant annual monitoring reports</p> <p>iii. Records of the actions undertaken (see below)</p>	<p>Submission complies with the new 2012 Regulations and specifically Reg. 22 and Reg. 35, regarding publication and availability of the Sustainability Appraisal, as well as of representations and the issues raised which are contained in the <a href="#">Consultation Statement</a></p> <p>These and all other submission documents are on the Council's website, and the general and specific consultation bodies have been notified, along with others who asked to be</p>

Question	Statutory Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
<p>and their website?</p> <p>18. Has the council placed local advertisements?</p> <p>19. Has the council notified the development plan document bodies?</p> <p>20. Does the development plan document contain a list of superseded saved policies?</p>					<p>notified of submission. Paper copies of the submission documents are available at the Council's offices at Aquila House.</p> <p><a href="#">Appendix 1</a> of the Submission Planning Strategy contains a list of superseded policies.</p>
<p>21. Are there any policies applying to sites or areas by reference to an Ordnance Survey map or to amend an adopted proposals map?</p> <p>22. If yes, have you prepared a submission proposals map?</p>	<p>Regulations 13(4) 14 and 30(1)(b)</p>	<p>PPS12 paragraphs 4.6 -4.7; 8.1-8.3</p>		<p>i. Submission proposals map</p> <p>ii. Brief statement if a submission proposals map is not required</p>	<p>There is a Submission <a href="#">Policies Map</a> to accompany the Submission Planning Strategy.</p>
<p>23. If the development plan document is not a core strategy, is it in conformity with the core strategy?</p>	<p>Regulation 13(6)</p>			<p>i. The core strategy</p> <p>ii. Documents or reports demonstrating conformity</p>	<p>N/A</p>

Question	Statutory Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
<p>24. Have you prepared a statement setting out:</p> <ul style="list-style-type: none"> <li>• Which bodies and persons were invited to make representations under Regulation 25</li> <li>• How they were invited</li> <li>• A summary of the main issues raised</li> <li>• How the representations have been taken into account?</li> </ul>	<p>The Act section20(3) Regulation 30(1)(d)</p>		<p>This will bring forward material from the Consultation statement (see Stage 2 above)</p>	<ul style="list-style-type: none"> <li>i. Consultation statement</li> <li>ii. The Statement as required in Regulation 30(1)(d)</li> </ul>	<p>The information is consolidated in the <a href="#">Consultation Statement</a></p>
<p>25. Have you prepared a statement giving:</p> <ul style="list-style-type: none"> <li>• the number of representations made under Regulation 28(2)</li> <li>• a summary of the main issues raised</li> </ul> <p>OR</p> <ul style="list-style-type: none"> <li>• that no representations were made?</li> </ul>	<p>The Act section20(3) Regulation 30(1)(e)</p>			<p>The Statement as required in Regulation 30(1)(e)</p>	<p>This information is contained in the <a href="#">Consultation Statement</a></p>
<p>26 Have you collected together all the representations</p>	<p>The Act section20(3)</p>			<p>Copies of the representations</p>	<p>All representations are recorded in the Council's consultation database and are available to view <a href="#">online</a> or are available</p>

Question	Statutory Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
made under Regulation 28?	Regulation 30(1)(f)				for inspection at the Council's offices
27 Have you assembled the relevant supporting documents?	<ol style="list-style-type: none"> <li>1. The Act section 20(3)</li> <li>2. Regulation 30(1)(g)</li> </ol>			All necessary evidence and records of decisions relevant to the development plan document	All the documents can be accessed from the <a href="#">Documents</a> section of the Council's Local Plan webpages and are available for inspection at the Council offices.
28 Has your council approved the development plan document for submission?	The Act section 20		The full council has to approve the development plan document for submission (requirements are set out in Local Authorities Functions Regulations)	Report and resolution of the council	The Full Council resolved to submit the Planning Strategy on 24.10.12, minutes can be accessed via <a href="http://www.hastings.gov.uk/decisions_democracy/council_meetings/meetings/">http://www.hastings.gov.uk/decisions_democracy/council_meetings/meetings/</a>
29 Have you sent the Secretary of State (the Planning Inspectorate) a paper copy of the following: <ul style="list-style-type: none"> <li>• the development plan document?</li> <li>• the submission proposals map (unless there are no site allocation</li> </ul>	<ol style="list-style-type: none"> <li>1. The Act s20(1) and 20(3)</li> <li>2. Regulations 30(1) and 30(2)(a)</li> </ol>		Regulation 49 deals with the availability of documents and the time of their removal.	Record of sending	They were sent by courier/special delivery to PINS on 30 <sup>th</sup> October 2012

Question	Statutory Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
<p>policies)?</p> <ul style="list-style-type: none"> <li>the documents prescribed in Regulation 30(1)?</li> </ul>					
<p>30 Have you sent the Secretary of State (the Planning Inspectorate) an electronic copy of the:</p> <ul style="list-style-type: none"> <li>development plan document?</li> <li>submission proposals map (unless there are no site allocation policies)?</li> <li>documents prescribed in Regulation 30(1)?</li> </ul>	<ol style="list-style-type: none"> <li>The Act s20(1) and 20(3)</li> <li>Regulations 30(1) and 30(2)(b)</li> </ol>	Electronic	<p>copies of some of the representations and supporting documents may not be practicable. Regulation 49 deals with the availability of documents and the time of their removal.</p>	<ol style="list-style-type: none"> <li>Record of sending</li> <li>Reasons why documents cannot be sent electronically</li> </ol>	<p>A CD(s) with all the relevant documents on was sent by courier on 30<sup>th</sup> October 2012</p>
<p>31. 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"> <li>The development plan document?</li> <li>The documents prescribed in</li> </ul>	Regulation 30(3)(a)		<p>You should do this as soon as reasonably practicable after submitting to the Secretary of State</p>	Record of where and when made available	As 27 above.

Question	Statutory Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
Regulation 30(1)?					
<p>32 On your website, have you published the:</p> <ul style="list-style-type: none"> <li>• development plan document</li> <li>• submission proposals map</li> <li>• sustainability appraisal report</li> <li>• Regulation 30(1)(d) statement</li> <li>• Regulation 30(1)(e) statement</li> <li>• supporting documents (where practicable)</li> <li>• representations made under Regulation 28 (where practicable)</li> <li>• statement as to where and when the development plan document and the documents are available?</li> </ul>	Regulation 30(3)(b)		You should do this as soon as reasonably practicable after submitting to the Secretary of State	Record of publication	As 27 above.
33 For each specific consultation body invited to make representations under Regulation	Regulation 30(3)(c)		You should do this as soon as reasonably practicable	<ul style="list-style-type: none"> <li>i. Copies of correspondence</li> <li>ii. Record of sending</li> </ul>	Following Regulation 19(b) general consultation bodies and specific consultation bodies have been notified by letter and email.

Question	Statutory Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
<p>25(1), have you sent the:</p> <ul style="list-style-type: none"> <li>• development plan document</li> <li>• submission proposals map</li> <li>• sustainability appraisal report</li> <li>• adopted statement of community involvement</li> <li>• Regulation 30(1)(d) statement</li> <li>• Regulation 30(1)(e) statement</li> <li>• supporting documents you consider relevant to each body</li> <li>• statement as to where and when the development plan document and the documents are available?</li> </ul>			<p>after submitting to the Secretary of State</p>		
<p>34 For each general consultation body invited to make representations under Regulation 25(1), have you sent:</p> <ul style="list-style-type: none"> <li>• notification that the</li> </ul>	<p>Regulation 30(3)(d)</p>		<p>You should do this as soon as reasonably practicable after submitting to the Secretary</p>	<ul style="list-style-type: none"> <li>i. Copies of correspondence</li> <li>ii. Record of sending</li> </ul>	<p>As 33 above</p>

Question	Statutory Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
<p>documents prescribed in Regulation 30(1) are available for inspection</p> <ul style="list-style-type: none"> <li>• where and when they can be inspected?</li> </ul>			of State		
<p>35 Have you given notice by local advertisement setting out:</p> <ul style="list-style-type: none"> <li>• the title of the development plan document?</li> <li>• the subject and area covered by the development plan document?</li> <li>• notification that the documents prescribed in Regulation 30(1) are available for inspection</li> <li>• where and when they can be inspected?</li> </ul>	Regulation 30(3)(e)		You should do this as soon as reasonably practicable after submitting to the Secretary of State	<ul style="list-style-type: none"> <li>i. Copy of advertisement</li> <li>ii. Where and when placed</li> </ul>	A statutory notice was placed in the Hastings & St Leonards Observer on 25.05.12. Further details are contained in the <a href="#">Consultation Statement</a>
<p>36 Have you given notice to persons who have requested to be notified that</p>	Regulation 30(3)(f)		You should do this as soon as reasonably practicable	<ul style="list-style-type: none"> <li>i. Copies of correspondence</li> <li>ii. Record of sending</li> </ul>	Letters/emails sent to those persons requesting notification. Details are contained in the <a href="#">Consultation Statement</a>

Question	Statutory Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
submission has taken place?			after submitting to the Secretary of State		
<p>37 If an examination is being held, at least six weeks before its opening has the Programme Officer:</p> <ul style="list-style-type: none"> <li>• published the time and place of the examination and the name of the person appointed to carry out the examination on your website</li> <li>• notified those who have made representations on the published development plan document which have not been withdrawn of these details</li> <li>• advertised these details?</li> </ul>	<ol style="list-style-type: none"> <li>1. The Act section20</li> <li>2. Regulation 34</li> </ol>			<ol style="list-style-type: none"> <li>i. Record of publication of information</li> <li>ii. Record of sending</li> <li>iii. Copies of correspondence</li> <li>iv. Copy of advertisement</li> </ol>	<p>A Programme officer has been appointed (September 2012). The Council anticipate that the EIP is likely to be held in February 2013. Following submission of the Planning Strategy, as soon as is reasonably practicable, a notice will be placed on the Council's Local Plan web page, and all bodies and individuals similarly notified in compliance with Regulation 24 of the 2012 regulations.</p>