

## Stage five: Submission

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

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

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

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

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

## Stage five: Submission

Activity	Legal requirement	Guidance reference	Additional notes	Evidence
1. Has the DPD been prepared in accordance with the LDS? Does the DPD's listing and description in the LDS match the document? Have the timescales set out in the LDS been met?	The Act section 19(1)		The Act section 15(2) sets out the matters specified in the LDS. As at January 2013, no further matters are prescribed in the Regulations.	The Allocations Plan is included in the council's adopted Local Development Scheme (November 2012). The actual publication and submission dates are 4 months and 3 months respectively behind the dates in the LDS. This is not considered to be so materially different to warrant a revision to the LDS

Activity	Legal requirement	Guidance reference	Additional notes	Evidence
2. Has the DPD had regard to any sustainable community strategy for its area (like a county and district)?	The Act section 19(2)	NPPF para 182		The Allocations Plan is based on the strategic approach of the Core Strategy, which in turn is based on Bolton: Our Vision (the sustainable community strategy).
3. Is the DPD in compliance with the SCI (where one exists)? Has the council carried out consultation as described in the SCI?	The Act section 19(3)  Regulation 22(1)(c)		Before the SCI is formally amended to take into account the changes in the regulations, you may need to set out how the community engagement that you carried out met the regulations (as amended).	The council has carried out consultation in accordance with the SCI. This is evidenced by the April 2013 Consultation Statement
4. Have you identified and addressed any issues which are likely to have a significant impact on at least two planning areas. In doing so, have you co-operated with other local planning authorities, county councils where they are not a planning authority, LEPs, LNPs and the prescribed bodies in identifying and addressing any strategic cross-boundary issues  If you have not agreed on the approach is there a justification?	The Act section 33A(1) and section 20(5)	NPPF paras 181 and 182	Under NPPF para 182, the plan should be based on effective joint working on cross-boundary strategic priorities to be found 'Effective'.	The Explanatory Statement explains how the council has complied with the Duty to Cooperate for the limited number of strategic issues in the Plan
5. Has the DPD been subject	The Act section	NPPF para 165		The sustainability appraisal

Activity	Legal requirement	Guidance reference	Additional notes	Evidence
<p>to sustainability appraisal? Has the council provided a final report of the findings of the appraisal?</p>	<p>19(5)  Regulation 22(1)(a)</p>	<p>SEA Practical Guide, chapter 5</p>		<p>report shows how SA has been carried out and provides a final report.</p>
<p>6. Is the DPD to be submitted consistent with national policy?</p>	<p>The Act section 19(2) and Schedule 8</p>	<p>NPPF para 151</p>		<p>The Explanatory Statement shows how the Plan is consistent with national policy. This is supported by a soundness self-assessment.</p>
<p>7. Does the DPD contain any policies or proposals that are not in general conformity with the regional strategy where it still exists? If yes, is there local justification?  If the LPA is a London borough or a mayoral development corporation has it requested an opinion from the Mayor of London on the general conformity of the plan with the spatial development strategy?</p>	<p>The Act section 24(1)(a) and 24(4)  Regulation 21</p>	<p>NPPF para 218 footnote 41</p>	<p>In London the requirement is for general conformity with the spatial development strategy (The London Plan).</p>	<p>No longer relevant</p>
<p>8. Has the council published the prescribed documents, and made them available at their principal offices and their website?</p>	<p>The Act section 20(2), 20(3) and 20(5)(b)  Regulations 8 and 19</p>	<p>NPPF para 182</p>	<p>Requirements relating to publication of the prescribed documents are listed later in this table.</p>	<p>For publication of the Plan, see the legal self assessment for the publication stage. Appendix 5 of the Allocations Plan lists</p>

Activity	Legal requirement	Guidance reference	Additional notes	Evidence
<p>Has the council notified the relevant statutory and non-statutory bodies, and all persons invited to make representations on the plan?</p> <p>Does the DPD contain a list of superseded saved policies?</p>				<p>superseded save policies from the Unitary Development Plan.</p>
<p>9. Are there any policies applying to sites or areas by reference to an Ordnance Survey map or to amend an adopted policies map?</p> <p>If yes, have you prepared a submission policies map?</p>	<p>Regulations 5(1) (b), 9 (1), 17 &amp; 22(1)</p>			<p>The council has submitted a map showing amended designations on the policies map</p>
<p>10. Is the DPD consistent with any other adopted DPDs for the area? If the DPD is intended to supersede any adopted development plan policies, does it state that fact and identify the superseded policies?</p>	<p>Regulation 8(3) and (4)</p> <p>Regulation 8(5)</p>		<p>Development Plan is defined in Section 38 of the Act.</p>	<p>The Allocations Plan is consistent with the Core Strategy and this is set out in the Explanatory Statement. It is also consistent with the Greater Manchester Minerals and Waste Plans.</p> <p>Appendix 5 of the Allocations Plan lists superseded saved policies from the Unitary Development Plan.</p>
<p>11. Have you prepared a statement setting out:</p>	<p>The Act section 20</p>		<p>This will bring forward</p>	<p>The April 2013 consultation</p>

Activity	Legal requirement	Guidance reference	Additional notes	Evidence
<ul style="list-style-type: none"> <li>• Which bodies and persons were invited to make representations under Regulation 18?</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>	(3)  Regulation 22(1)(c)		material from the Consultation statement (see Stage 2 above).	statement shows how Regulation 18 has been taken into account.
12. Have you prepared a statement giving: <ul style="list-style-type: none"> <li>• the number of representations made under Regulation 22?</li> <li>• a summary of the main issues raised?</li> </ul> OR <ul style="list-style-type: none"> <li>• that no representations were made?</li> </ul>	The Act section 20(3)  Regulation 22(1)(c)			The council has prepared a representations statement under Regulation 22 explaining who was invited to make representations and the content of those representations.
13. Have you collected together all the representations made under Regulation 28?	The Act section 20(3)  Regulation 22(1)(e)			The council has submitted all the representations.
14. Have you assembled the relevant supporting documents?	The Act section 20(3)  Regulation 22(1)(g)			The council has submitted the relevant evidence base
15. Has your council	The Act section 20		Check the LPA's	The council approved the

Activity	Legal requirement	Guidance reference	Additional notes	Evidence
approved the DPD for submission?			constitution/standing orders for the authorisation process appropriate for the type of DPD.	Allocations Plan for publication on 23 <sup>rd</sup> June 2013 and approved submission at the same time.
<p>16. Have you sent the Secretary of State (the Planning Inspectorate) both a paper copy and an email of the following:</p> <ul style="list-style-type: none"> <li>• the DPD?</li> <li>• the submission policies map (unless there are no site allocation policies)?</li> <li>• the documents prescribed in Regulation 22(1)?</li> </ul>	<p>The Act section 20(1) and 20(3)</p> <p>Regulations 22(1) and 22(2)</p>		<p>Regulation 35 deals with the availability of documents and the time of their removal.</p> <p>Electronic copies of some of the representations and supporting documents may not be practicable.</p> <p>Regulation 35 deals with the availability of documents and the time of their removal.</p>	<p>The council has sent these documents to the Secretary of State on the submission date</p>
<p>17. Have you made the following available at the same places where the proposed submission documents were to be seen:</p> <ul style="list-style-type: none"> <li>• The DPD?</li> <li>• The documents prescribed in Regulation 22(1)?</li> </ul>	Regulation 22(3)		You should do this as soon as reasonably practicable after submission.	<p>The council has made these documents available at Bolton Town Hall and the Borough's libraries</p>
<p>18. On your website, have you published the:</p> <ul style="list-style-type: none"> <li>• DPD?</li> <li>• submission policies map?</li> <li>• sustainability appraisal</li> </ul>	Regulation 22(3) and 35(1)(b)		You should do this as soon as reasonably practicable after submission.	<p>The council has published these documents on its website.</p>

Activity	Legal requirement	Guidance reference	Additional notes	Evidence
<p>report?</p> <ul style="list-style-type: none"> <li>• Regulation 22(1)(c) statement?</li> <li>• supporting documents (where practicable) ?</li> <li>• representations made under Regulation 20 (where practicable) ?</li> <li>• statement as to where and when the DPD and the documents are available?</li> </ul>				
<p>19. For each general consultation body invited to make representations under Regulation 18(1), have you sent:</p> <ul style="list-style-type: none"> <li>• notification that the documents prescribed in Regulation 22(3)(a)(i)-(iii) are available for inspection</li> <li>• where and when they can be inspected?</li> </ul>	Regulation 22(3)(b)		You should do this as soon as reasonably practicable after submitting to the Secretary of State.	The council has notified the general consultation bodies by letter or email
<p>20. Have you given notice to persons who have requested to be notified that submission has taken place?</p>	Regulation 22(3)(c)		You should do this as soon as reasonably practicable after submitting to the Secretary of State.	The council has notified anybody who made a representation by letter or email and who asked to be notified in the representations form.
<p>21. If an examination is being held, at least six weeks before its opening has the Programme Officer:</p>	The Act section 20 Regulations 24			This will take place once the time and place of the examination has been fixed.

Activity	Legal requirement	Guidance reference	Additional notes	Evidence
<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 DPD which have not been withdrawn of these details?</li> </ul>	and 35			