



Gloucestershire
COUNTY COUNCIL

**Minerals
Local Plan for
Gloucestershire**

2018-2032



Legal Compliance Checklist

Local Plan Legal Compliance Checklist

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

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

Glossary:

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

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

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

LDS means Local Development Scheme

SCI means Statement of Community Involvement

DPD means Development Plan Document

Stage One: The early stages

In terms of legal compliance, the main issues for the early stages are in relation to:

- Planning for community engagement;
- planning the sustainability appraisal (including consultation with the statutory environment consultation bodies);
- identifying significant cross boundary and inter-authority issues; and
- 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.

Notes:

1. Regulation 17 notes that a statement setting out which bodies and people the council invited to make representations under Regulation 18 is one of the proposed submission documents. In this assessment, the term 'consultation statement' is used to describe this statement.
2. Section 33A of the Planning and Compulsory Purchase Act 2004 (introduced by the Localism Act 2011) introduces the Duty to Cooperate' as a mechanism to ensure that local planning authorities and other bodies engage with each other on issues which are likely to have a significant effect on more than one planning area. This pervades every stage of the plan preparation and the MLP may be found unsound if GCC cannot show that it has taken reasonable steps to comply with the Duty.

3. Where the 'possible evidence' column refers to a document that will not be complete until a later stage, 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.

Stage one: The beginning

Activity	Legal requirement	Guidance reference	Additional notes (from PAS assessment tool)	Findings inc. possible evidence
1. Is the DPD identified in the adopted LDS? Have you recorded the timetable for its production?	The Act section 15(2) and section 19(1)	NPPF para 153		<p>The DPD is identified within the current MWDS (April 2018) and its timetable for production is recorded.</p> <p>“Minerals-related Local Development Documents – Table 1: Timetable for preparation of a new Minerals Local Plan DPD (from April 2018)”</p> <p>The MWDS states that Reg 19 publication will take place during Q1 – 2018/19 (Apr-Jun 2018) and the document was published in May 2018.</p>
2. How will community engagement be programmed into the preparation of the DPD?	The Act section 19(3) Regulation 18	NPPF paras 150, 155 and 157	<p><i>If the SCI is up-to-date, use that. If not set out any changes to community engagement as a result of changes in legislation.</i></p>	<p>The SCI (March 2013) sets out how community engagement be programmed into the preparation of the MLP.</p> <p>The SCI states:</p> <p><i>“This SCI sets out guidelines for any development plan preparation that we intend to carry out in the foreseeable future. This includes the new Gloucestershire Minerals Local Plan, which will replace the Adopted Minerals Local Plan (1996 - 2006) and other Development Plan Documents, covering such matters as waste development management policies. All future Development Plan Documents will sit alongside the Gloucestershire Waste Core Strategy, which was adopted in November 2012.</i></p> <p><i>Consultation methods and processes for engagement will be chosen to make them as relevant and effective as possible based on the different stages of the plan-making process. Electronic communication, online representations and social media will be used as widely as possible. Where this is not possible a person may request a hard copy of consultations documents, although at certain stages of the plan-making process a charge may have to be made by the Council to cover costs. Where a person does not have an email address, letters shall be sent to them informing them of the consultation and written representations will be welcomed.</i></p> <p><i>[A table] provides information on who we particularly wish to engage with at each of the specific consultation stages. The ‘specific consultation bodies’ are those that we are statutorily required to consult with in preparing our new plans and proposals. In addition, there are a number of other ‘general consultation bodies’ that we will also consult as a matter of course, mostly comprising local organisations and groups representing different sections of the Gloucestershire</i></p>

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				<p><i>community. Outside these two broad categories, interested parties or individuals will also be added to our main list of consultees if they wish to be notified of consultations. We will manage and review our consultation database regularly to keep it as up-to-date as possible.</i></p> <p><i>Consultation periods:</i> <i>All consultation periods will be for a minimum of six weeks but where possible we will extend this to eight weeks, or, if the consultation period occurs over a key holiday period, for longer.</i></p> <p><i>Availability of documents:</i> <i>All consultation documents and supporting material will be made available in hard copy as well as in electronic format. Hard copies will be made available for inspection in the main reception areas of the County Council (at Shire Hall, Westgate Street, Gloucester); the primary offices of Gloucestershire's district, borough and city councils; and throughout Gloucestershire County Council's libraries.</i></p> <p><i>Copies of consultation documents will be sent on request to specific bodies (such documents being in an electronic format). However, a charge to cover costs may be made for other requests. All documents will be freely available on our website.</i></p> <p><i>Consultation stages:</i> <i>The plan-making stages of consultation and engagement are governed by statutory procedures. National guidance is also provided to support the process. The later, decision-making stages are more formal in nature and we cannot deviate from these. The diagram over the page shows the key stages of consultation and broad engagement commitments we intend to carry out."</i></p> <p><i>The MWDS states:</i> <i>"The County Council proposes to review the adopted Gloucestershire County Council Statement of Community Involvement (SCI) (1st Review), which has been in place since March 2013. This review is in response to recent regulatory changes that introduce mandatory 5-yearly reviews for all local development documents from April 2018 onwards."</i></p> <p><i>Milestones include;</i> <i>- Internal officer-led review of SCI: Apr-Dec 2018</i></p>

Activity	Legal requirement	Guidance reference	Additional notes (from PAS assessment tool)	Findings inc. possible evidence
				<ul style="list-style-type: none"> - Draft revised SCI document for public consultation: Jan-Mar 2019 - Publication of revised SCI consultation statement: Jul-Sept 2019
3. Have you considered the appropriate bodies you should consult?	Regulation 18	NPPF paras 4.25 -4.26	<p><i>Regulation 2 defines the general and specific consultation bodies.</i></p> <p><i>The possible evidence may duplicate each other. Only use what you need to.</i></p>	<p>The Regulation 22 Consultation Statement, Dec 2018 <i>"describes the processes followed by Gloucestershire County Council in undertaking community participation and stakeholder involvement during the production of the Minerals Local Plan for Gloucestershire (2018 – 2032)..."</i></p> <p>The statement provides information on specific and general consultation bodies (pg4-6 – <i>Who has been invited to make comments during the preparation of the MLP</i>)</p> <p>The SCI (2013) provides a table of consultees on pg4.</p> <p>The summary of the responses to the Minerals Local Plan Site Options and Draft Policy Framework Consultation (SODPF) 2014 (also including the additional site option consultation 2015) provides details of who was contacted.</p> <p>The Site Options and Draft Policy Framework Main Consultation Response Report contains a table of all responses which detail the respondents</p> <p>The Duty to Cooperate Statement, Dec 2018, lists consultation bodies under <i>Section 3 What organisations have been involved?</i></p>
4. How you will co-operate with other local planning authorities, including counties, and prescribed bodies, to identify and address any issues or strategic priorities that will have a significant impact on at least two planning areas?	<p>The Act section 33A(1)(a) and (b), section 33A(3)(d) (e) & (4)</p> <p>The Act Section 20(5)(c)</p>	<p>NPPF paras 178 to 181 (which comprise the guidance referred to in the Act section 33A(7))</p> <p>Under NPPF Para 182, to be 'Effective' a plan should be based on</p>	<p><i>Section 33A(4) defines a "strategic matter". Under section 33A(6) the required engagement includes considering joint approaches to the plan making activities (including the preparatory activities) and considering whether to agree</i></p>	<p>Under <i>Section 5 What cooperative activities have occurred?</i> (pg15-35) of the Duty to Cooperate Statement, Dec 2018, is a set of detailed tables covering DtC activities and the relevant partners, actions(s), outcome(s) and date(s) for each of the following strategic minerals-related planning issues:-</p> <ul style="list-style-type: none"> a) Facilitating a steady and adequate supply of crushed rock b) Identifying allocations for the future of working of crushed rock c) Facilitating a steady and adequate supply of land-won sand and gravel d) Identifying allocations for the future of working of sand & gravel e) Effectively safeguarding mineral resources and mineral infrastructure f) Promoting the maximum use of recycled materials and secondary aggregates <p>A summary of each issue is under <i>Section 4 What are the strategic planning matters?</i> (pg11-14).</p>

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		effective joint working on cross-boundary strategic priorities. Strategic priorities are listed at NPPF Para 156	<p><i>joint local development documents under section 28.</i></p> <p><i>The bodies prescribed by section 33A(1)(c) are set out at Regulation 4(1).</i></p> <p><i>Advice on the preparation of a 'schedule of cooperation' is included in the PAS publication; "Doing your Duty - Examples of early practice"</i></p>	<p>The Appendices include:-</p> <p>Appendix 1 Steady and adequate supply of sand and gravel – Memorandum of Understanding (MoU) Agreement between Somerset County Council (including Exmoor National Park) and Devon, Dorset and Gloucestershire County Councils and Wiltshire Council (2014)</p> <p>Appendix 2 Strategic planning and development issues Memorandum of Understanding (MoU) for Gloucestershire (Revised 2017)</p> <p>Appendix 3 Draft Memorandum of Understanding (MoU) for facilitating the steady and adequate supply of sand and gravel aggregates through the planning of sustainable minerals development across the Upper Thames Valley (UTV) Strategic Mineral Resource Block (incorporating Gloucestershire and Oxfordshire County Councils and Wiltshire and Swindon Borough Councils) (As of May 2018)</p> <p>Appendix 4 Revised draft Memorandum of Understanding (MoU) for facilitating the steady and adequate supply of aggregates and industrial minerals; meeting demand for other non-energy minerals; and delivering sustainable waste management across Gloucestershire, Herefordshire and Worcestershire (As of Nov 2018)</p> <p>Appendix 5 Revised draft Memorandum of Understanding (MoU) between the West of England Unitary Authorities (Bath and North East Somerset, Bristol City Council, North Somerset Council, South Gloucestershire Council) and Gloucestershire to aid collaborative working for facilitating steady and adequate supplies of land-won aggregates between the West of England and Gloucestershire, acknowledging the contribution made to such supplies from other local sources (including marine-won sand & gravel from the relevant parts of the South West inshore marine plan area) (As of Nov 2018)</p>
5. How you will co-operate with any local enterprise partnerships (LEP) or local nature partnerships (LNP) to identify and address any issues or	The Act section 33A(1)(c) and section 33A(9), section 33A(3)(d) and (e)	NPPF paras 178 to 181	<p><i>Section 33A(4) defines a "strategic matter".</i></p> <p><i>Strategic priorities are listed at NPPF Para 156.</i></p>	<p>Within the SCI (March 2013) LEPs are listed under the general consultation bodies but LNPs are not.</p> <p>Reg 22 interim consultation statement states: <i>"Consultations concerning the emerging MLP carried out since the adoption of the 1st Review SCI (2013), has routinely invited comments from the Gloucestershire LEP (GFirst LEP) and all other LEPs that share a border with it and the Gloucestershire Local Nature Partnership (GLNP)."</i></p>

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strategic priorities that will have a significant impact on at least two planning areas?	The Act section 20(5)(c). Regulation 4		<p><i>Regulation 4(2) prescribes LEPs and LNPs for the purposes of section 33A(9).</i></p> <p><i>Under section 33A(6) the required engagement includes consulting on joint approaches to relevant activities.</i></p>	<p>Under <i>Section 3 What organisations have been involved?</i> of the Interim Duty to Cooperate Statement, May 2018, it states:-</p> <p><i>Local Enterprise Partnership (LEP) and Local Nature Partnership (LNP)</i></p> <p><i>There are two organisations that comprise the LEP and LNP for the entirety of Gloucestershire. Both have been subject to cooperative activities in support of the preparation of the MLP: -</i></p> <ul style="list-style-type: none"> - <i>Gloucestershire First (GFirst) Local Enterprise Partnership (LEP); and</i> - <i>Gloucestershire Local Nature Partnership (GLNP)</i> <p>Both of these are referred to within the activity tables under <i>Section 5 What cooperative activities have occurred?</i>, for example:</p> <ul style="list-style-type: none"> - <i>DtC Activity: Attendance of a GFirst LEP (Construction & Infrastructure Business Group) Meeting, Aug 2016 & Mar 2018</i> - <i>DtC Activity: Attendance of a GLNP (Local Authorities Biodiversity & Planning Sub-Group) Meeting, Oct 2014</i> - <i>Consultations: Jun 2014, Sept 2016.</i>
6. Is baseline information being collected and evidence being gathered to keep the matters which affect the development of the area under review?	The Act section 13	NPPF paras 158 – 177 With regards to transport information, see paragraph: 001 reference ID: 54-001-20141010 to 54-012-20150313 ¹	<p>Documents which might include evidence of compliance with this are:</p> <ol style="list-style-type: none"> i. Documents dealing with collection of baseline information ii. Relevant technical studies 	<p>Evidence on the relevant environmental/socioeconomic baseline included in Section 2 of the Plan with specific reference to how factors affect, and are affected by, minerals supply. Expanded on in extensive evidence base.</p> <p>The GMLP Site Options and Draft Policy Framework Consultation Document – Sustainability Appraisal including Strategic Environmental Assessment, Non-Technical Summary (May 2014) states that “<i>Appendix 4 of the full SA Report provides an extensive discussion on the relevant baseline information for the County and in particular the role of minerals development.</i>” (pg7) ...</p> <p><i>GCC Minerals and Waste Planning officers have developed a number of SA objectives that help form the SA Framework. This has been developed via the review of other policies, plans and programmes and baseline data, the identification of key sustainability issues, and input from stakeholders. The</i></p>

¹ <https://www.gov.uk/guidance/transport-evidence-bases-in-plan-making-and-decision-taking>

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			iii. The annual monitoring report	<p><i>original SA Framework Objectives have changed and evolved with the Minerals & Waste Development Framework. There are several reasons for this:</i></p> <p><i>a. SA is an iterative and evolving process. The Framework can be regularly updated, particularly in terms of presenting up-to-date baseline data.</i></p> <p><i>b. The SA process is a consultative one, both in terms of the Minerals & Waste Development Framework documents and the SA Reports. The GCC Minerals and Waste Planning Policy team have made every effort to take on board the comments of stakeholders and to make appropriate changes.</i></p> <p><i>c. Government guidance and planning legislation is constantly changing and being updated and the SA process has to reflect this.” (pg11)</i></p> <p>Evidence includes:-</p> <ul style="list-style-type: none"> - HRA Evidence Gathering / Baseline Report for the GMLP, updated Feb 2015 - 6th Local Aggregates Assessment, updated data covering the period: 01/01/2016 – 31/12/2016 (Nov 2017) - GMLP Supporting Evidence Paper, May 2018 (Section 3 aggregate requirements update – from 31/12/2016, pg14-26)
7. Is baseline information being collected and evidence being gathered to set the framework for the sustainability appraisal?	The Act section19(5)	NPPF paras 165 and 167 Strategic Environmental Assessment Guide, chapter 5		<p>Baseline information was published in the 2013 SA Scoping Report and was subject to consultation.</p> <p>The Minerals Local Plan for Gloucestershire (2018-2032): Publication Plan Sustainability Appraisal including Strategic Environmental Assessment: Non-Technical Summary (April 2018) states;</p> <p><i>“The SA Scoping Report was published for a five week consultation period (March-May 2013) with the statutory consultees under the SEA Regulations (Natural England, the Environment Agency and English Heritage). GCC updated the Scoping Report after the consultation to address and take account of all responses received during the consultation (see Appendix 1 of the full SA Report for the summary of consultation responses received and how they have been addressed).” (pg3)</i></p> <p><i>“Appendix 4 of the full SA Report provides an extensive discussion on the relevant baseline information for the County and in particular the role of minerals development.” (pg6) ...</i></p>

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				<p>GCC Minerals and Waste Planning officers have developed a number of SA objectives that help form the SA Framework. This has been developed via the review of other policies, plans and programmes and baseline data, the identification of key sustainability issues, and input from stakeholders. The original SA Framework Objectives have changed and evolved with the Minerals & Waste Development Framework. There are several reasons for this:</p> <ul style="list-style-type: none"> a. SA is an iterative and evolving process. The Framework can be regularly updated, particularly in terms of presenting up-to-date baseline data. b. The SA process is a consultative one, both in terms of the Minerals & Waste Development Framework documents and the SA Reports. The GCC Minerals and Waste Planning Policy team have made every effort to take on board the comments of stakeholders and to make appropriate changes. c. Government guidance and planning legislation is constantly changing and being updated and the SA process has to reflect this.” (pg11)
8. Have you consulted the statutory environment consultation bodies for five weeks on the scope and level of detail of the environmental information to be included in the sustainability appraisal report?	Regulations 9 and 13 of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633.	NPPF paras 165 and 167 SEA Guide chapter 3	<i>The Strategic Environmental Assessment consultation bodies are also amongst the 'specific consultation bodies' which are defined in Regulation 2).</i>	<p>The Minerals Local Plan for Gloucestershire (2018-2032): Publication Plan Sustainability Appraisal including Strategic Environmental Assessment: Non-Technical Summary (April 2018) states;</p> <p><i>“The SA Scoping Report was published for a five week consultation period (March-May 2013) with the statutory consultees under the SEA Regulations (Natural England, the Environment Agency and English Heritage). GCC updated the Scoping Report after the consultation to address and take account of all responses received during the consultation (see Appendix 1 of the full SA Report for the summary of consultation responses received and how they have been addressed).” (pg3)</i></p>
9. Is there a relationship between a Local Plan and Neighbourhood Plans?	Section 61 of the Town and Country Planning Act 1990 Section 38B of the	Para 013 NPPF paras 16 & 184	Neighbourhood plans when brought into force, become part of the statutory development plan for the area that they cover. There are	<p>Paragraph 424 of the Publication Minerals Local Plan (supporting text to Policy MR01 – Restoration, aftercare and facilitating beneficial after-uses) considers how, <i>inter alia</i>, neighbourhood plans might influence Restoration and aftercare plans as follows:</p> <p><i>“The aspirations of the following plans could prove relevant: - Gloucestershire’s local development plans including neighbourhood plans and their accompanying infrastructure delivery plans...”</i></p>

Activity	Legal requirement	Guidance reference	Additional notes (from PAS assessment tool)	<i>Findings inc. possible evidence</i>
	Planning and Compulsory Purchase Act 2004		<p>requirements for a local planning authority to support neighbourhood planning. Further detail is provided in the neighbourhood planning guidance².</p> <p>Where a neighbourhood plan is brought forward before an up-to-date Local Plan is in place the local planning authority should take a proactive and positive approach, working collaboratively with a qualifying body. This could include sharing evidence and seeking to resolve any issues to ensure the draft Neighbourhood plan has the greatest chance of success at independent examination.</p> <p>Where a neighbourhood plan</p>	

² <https://www.gov.uk/guidance/neighbourhood-planning-2>

Activity	Legal requirement	Guidance reference	Additional notes (from PAS assessment tool)	<i>Findings inc. possible evidence</i>
			<p>has been brought into force, the local planning authority should take it into account when preparing the Local Plan strategy and policies, and avoid duplicating the policies that are in the neighbourhood plan.</p>	

Stage Two: Plan preparation - frontloading phase

Information assembled during this phase contributes to:

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

Actions taken during this phase should be recorded 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.

Activity	Legal requirement	Guidance reference	Additional notes (from PAS Assessment tool)	Findings inc. possible evidence
1. Have you notified: <ul style="list-style-type: none">• the specific consultation bodies?• the general consultation bodies that have an interest in the subject of the DPD and invited them to make representations about its contents?	Regulation 18(1) and (2)(a) (b)	NPPF paras 159 – 173	<i>Specific and general consultation bodies are defined in Regulation 2.</i>	<p>Emerging Minerals Local Plan:</p> <ul style="list-style-type: none">- Minerals Local Plan for Gloucestershire 2018-2032, Publication (Pre-submission) Plan, May 2018- Draft Minerals Local Plan for Gloucestershire consultation, Sept 2016- Site and Options Draft Policy Framework consultation, Jun 2014 <p>The SCI (2013) provides a table of consultees on pg4.</p> <p>The Regulation 22 Consultation Statement, Dec 2018, provides information on specific and general consultation bodies (pg4-6 – <i>Who has been invited to make comments during the preparation of the MLP</i>) and on pg 6-9 '<i>how have the potentially interest bodies been consulted during the preparation of the MLP?</i>'</p> <p>The statement details the consultation process from 2008, and again from 2013 onwards.</p> <p><i>... "Between 23rd June and 18th August 2014 (an eight week period) the County Council launched a 3rd major minerals policy consultation – described as 'Site Options and Draft Policy Framework'. This introduced into the public arena eighteen site options for future mineral working, options for securing the future safeguarding of mineral resources and a suite of draft policies to be included in the emerging MLP. A comprehensive consultation document and a detailed site options</i></p>

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				<p>supporting paper formed the central part of the consultation. Additional published documents included an accompanying SA, HRA and DtC evidence paper. Individual notifications inviting comments were sent by post or email to all potentially interested parties contained on the County Council's planning consultation database and letters were sent to the occupants of the nearby properties for each of the site options. All consultation documents were made available for inspection at council offices and libraries throughout Gloucestershire and also on County Council's website. In addition, six drop-in sessions were organised between the 1st and 15th July 2014 to facilitate enhanced access to information for local communities that could be affected by the proposed site options⁷. Each session provided access to the consultation documents, displayed information about the consultation and was attended throughout by officers from the County Council involved in the preparation of the emerging MLP.</p> <p>An addendum consultation focused on an additional site option also took place from the 4th February until 18th March 2015. This followed the same approach as the previous consultation from summer 2014. A local drop-in session was also arranged on the 24th February 2015. This took place near to the location of the additional site option being considered.</p> <p>The last consultation exercise to be carried out under regulation 18 was the draft MLP for Gloucestershire (2018-2032). This presented a full and comprehensive version of the minerals plan including the site option (now known as candidate allocations) that the Council, at that time, considered necessary to deliver the plan's vision, objectives and strategy. The consultation started on the 29th September 2016 and representations were recommended by no later than the 24th November 2016. The consultation incorporated: - the draft MLP document; a supporting technical evidence paper; updated SA and HRA; and a DtC progress report. Individual notifications were sent out via post or email to all potentially interested parties contained on the County Council's planning consultation database and all consultation documents were made available for inspection at council offices and libraries throughout Gloucestershire and also on County Council's website. Throughout the consultation period, social media techniques were also employed to stimulate wider public interest. Messages including a web link to the relevant consultation webpage were periodically posted on the County Council's twitter account."</p>
2. Are you inviting	Regulation	NPPF paras		The Regulation 22 Consultation Statement, Dec 2018, pg 5-6 – Who has

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representations from people resident or carrying out business in your area about the content of the DPD?	18(1) and (2)(c)	159 – 173		<p><i>been invited to make comments during the preparation of the MLP states; ...” the SCI (2005) set out key community target groups for future engagement. Whilst not creating a detailed and exhaustive list, it identified in general terms, the types of community organisations that should be encouraged to get involved, beyond the specific and general consultation bodies already highlighted. They included: - local interest and action groups; developers; individual residents of Gloucestershire and those in neighbouring areas within the sphere of influence of development within the county; landowners; representative residents associations and groups and also local businesses. All consultation activities and events have actively sought representations from the wider community and individual members of the public. Unless a specific request has been made to disengage from the preparation of the MCS or emerging MLP, all local community participants and members of the public who have expressed an interest in being involved, and / or made representations have been recorded on the County Council’s planning consultation database and routinely notified of subsequent consultations...</i></p> <p><i>In 2014 the County Council consulted upon possible site options for future mineral working. The introduction of very-localised issues in this way, resulted in the County Council extending its previous notification procedures so as to specifically target all individual properties (both commercial and residential) within 250 metres of the boundary of each of the site options, irrespective of whether the occupants were already being notified due to previous interest in the preparation of the MCS or emerging MLP. The 250 metre buffer acted as a basic guide rather than a strict limit. In many circumstances individual properties located beyond 250 metres, but which could also be affected were included. All subsequent MLP consultations involving sites have included invitations to nearby individual properties, except where a specific request has been received from the occupant to be removed from the County Council’s planning consultation database.</i></p> <p><i>The County Council’s planning consultation database has expanded considerably during the numerous consultation activities and events that have taken place since 2005. The most recent MLP consultation, which took place between September and November 2016, involved the individual notification by either post or email of 2,911 potentially interested parties... (pg8-9) Individual notifications were sent out via post or email to all potentially interested parties contained on the County Council’s planning consultation database and all consultation documents were made available for inspection at council offices and libraries throughout Gloucestershire and</i></p>

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				<p>also on County Council's website. Throughout the consultation period, social media techniques were also employed to stimulate wider public interest. Messages including a web link to the relevant consultation webpage were periodically posted on the County Council's twitter account."</p> <p>The Statement of Representation Procedure and Availability of Documents, May 2018, states on pg1-2:</p> <p><i>"Period of invitation to make representations:</i></p> <p><i>The adopted Gloucestershire Statement of Community Involvement (SCI) commits the County Council to undertake consultation on plan-making matters for a period of at least six weeks, alongside Regulation 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. As a consequence the Minerals Local Plan for Gloucestershire (2018-2032) and supporting documents will be available to view and comment upon from Thursday 31st May 2018 through to 5pm on Friday 13th July 2018. All representations need to be submitted by this date to meet with Regulation 20 (2) of the Town and Country Planning (Local Planning) (England) Regulations 2012."</i></p> <p>The Statement of Representation Procedure and Availability of Documents, September 2016, states on pg2:</p> <p><i>"Period of invitation to make representations:</i></p> <p><i>The adopted Gloucestershire Statement of Community Involvement (SCI) commits the County Council to undertake consultation on plan-making matters for a period of at least six weeks, but wherever possible to extend this to eight weeks. As a consequence the Draft Minerals Local Plan for Gloucestershire (2018-2032) and supporting documents will be available to view and comment upon from 29th September 2016 through to 5pm on 24th November 2016."</i></p>
3. Are you engaging with stakeholders responsible for delivery of the strategy?	Regulation 18	NPPF para 155	NPPF paras 160-171 4.29 give examples of relevant bodies which should be consulted.	The Regulation 22 Consultation Statement, Dec 2018, pg4, includes ... "operators and trade bodies representing the minerals and waste industries and other related business-activities;" under general consultation bodies.

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4. Are you taking into account representations made?	Regulation 18(3)	NPPF para 155	<p><i>Evidence from participation is part of the justification. Show how you have taken representations into account.</i></p>	<p>The Regulation 22 Consultation Statement, Dec 2018, pg13, states:</p> <p><i>“Table 1 below presents a summary of the headline issues arising from the individual representations. It also provides a brief explanation of how the County Council has sought to take account of these issues when preparing the publication plan”</i></p> <p>The Supporting Evidence Paper, May 2018, states under <i>Section 2 the evolution of the plan – 2016 to 2018:</i> (pg3-4)</p> <p><i>“Consultation for the draft plan (September 2016)</i></p> <p><i>3. Between September and November 2016 a comprehensive full draft version of the Minerals Local Plan for Gloucestershire (2018 – 2032) underwent public consultation. The draft plan brought together the findings of all previous public consultations. It also took account of the outcomes of additional technical work commissioned by the Council and further evidence gathering carried out by officers. Changes in circumstance such as the submission and consideration of planning applications for minerals development, where also reflected. In addition, it incorporated the most up-to-date analysis of evolving mineral supply statistics.</i></p> <p><i>4. The draft plan consultation generated responses from 1,067 individuals and organisations with an interest in minerals planning in Gloucestershire. A total of 2,544 representations were made to the different elements of the draft plan, which equates to an average of around 2 specific comments per respondent.</i></p> <p><i>5. From November 2016 careful consideration was given to the representations to the draft plan in the preparation for the next plan making stage – the publication plan.</i></p> <p><i>Preparation of the publication plan (May 2018)</i></p> <p><i>6. Towards the end of 2016 and throughout 2017, a rigorous analysis of consultation responses to the draft plan was carried out alongside a thorough review of national policy and evolving government guidance. This was hugely influential in preparing for the publication plan....</i></p> <p><i>....10. To assist in auditing the emerging Minerals Local Plan for Gloucestershire (2018 - 2032) table 1 presents the key changes made to the draft plan that been taken forward into the publication plan”</i></p>
5. Does the consultation contribute to the	The Act	NPPF paras		Minerals Local Plan for Gloucestershire (2018-2032): Publication Plan Sustainability Appraisal including Strategic Environmental Assessment,

Activity	Legal requirement	Guidance reference	Additional notes (from PAS Assessment tool)	Findings inc. possible evidence
development and sustainability appraisal of alternatives?	section19(5) Regulations 12 and 13 of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633	165 – 168 PPG paragraph: 019 reference ID: 11-019- 20140306 SEA Guide, chapter 3		<p>April 2018</p> <p>2.6 <i>“Developing options for a plan is an iterative process undertaken by the local planning authority usually involving a number of consultations with public and stakeholders. Consultation responses and the SA can help to identify where there may be other ‘reasonable alternatives’ to the options being considered for a plan (e.g. additional sites that may be suitable for development, as came forward during the 2014 MLP consultation). The SA can also help decision makers by identifying the potential positive and negative sustainability effects of each option…</i></p> <p><i>Alternatives considered in the preparation of the MLP to date</i></p> <p>2.10 <i>The options or reasonable alternatives considered during development of the MLP (April 2018) included the alternative policy approaches for the strategic policies and general development management policies, and a number of minerals site options. While GCC has made a decision to prepare a new style MLP, there have been two previous stages of developing and refining minerals planning options as part of the earlier work on the MWDF as outlined below. Appendix 2 sets out in more detail the audit trail of the reasonable alternatives considered and discounted by GCC for each policy area in the MLP at each stage in its development.” (pg9)</i></p> <p>Appendix 1 “Summary of consultation responses received” sets out responses to consultation on SA were taken into account. NE noted (in 2015) “<i>The SA has been an iterative process which appears to have provided a robust and systematic assessment of the draft Plan.</i>”</p> <p><i>Appendix 2 – Audit trail of reasonable alternatives considered during preparation of the Gloucestershire Minerals Local Plan</i></p>

Activity	Legal requirement	Guidance reference	Additional notes (from PAS Assessment tool)	Findings inc. possible evidence
<p>6. Is the participation:</p> <ul style="list-style-type: none"> following the principles set out in your SCI? proportionate to the scale of issues involved in the DPD? 	<p>The Act section19(3) Reg 4 of the 2017 Amendment Regulations 2017</p>	<p>NPPF para 155</p>	<p>N.B SCIs must be at least every 5 years³</p> <p>N.B Integrating involvement with the sustainable community strategy is no longer required. SCSs have been abolished – see Section 100 of the Deregulation Act 2015 https://www.legislation.gov.uk/ukpga/2015/20/section/100/enacted</p>	<p>The SCI (2013) states (pg4); <i>... "A key aim of consultation and engagement is to attempt to build consensus in Gloucestershire for the way forward for minerals and waste development. Whilst it is accepted that full consensus is not possible, greater understanding should help minimise conflict and avoid delays in plan preparation.</i></p> <p><i>Consultation methods and processes for engagement will be chosen to make them as relevant and effective as possible based on the different stages of the plan-making process. Electronic communication, online representations and social media will be used as widely as possible...Where a person does not have an email address, letters shall be sent to them informing them of the consultation and written representations will be welcomed. ...</i></p> <p><i>The 'specific consultation bodies' are those that we are statutorily required to consult with in preparing our new plans and proposals. In addition, there are a number of other 'general consultation bodies' that we will also consult as a matter of course, mostly comprising local organisations and groups representing different sections of the Gloucestershire community. Outside these two broad categories, interested parties or individuals will also be added to our main list of consultees if they wish to be notified of consultations. We will manage and review our consultation database regularly to keep it as up-to-date as possible."</i></p> <p>The consultation processes explained in the Regulation 22 Consultation Statement adhere to this intention. A thorough process proportionate to the issues in the DPD.</p>
<p>7. Are you keeping a record of:</p> <ul style="list-style-type: none"> the individuals or bodies invited to make representations? how this was done? 	<p>The Act section20(3) Regulation 17</p>	<p>NPPF paras 158 - 171</p>	<p><i>You will need to submit a statement of representations under Regulation 22 (1) (c): see Submission stage below.</i></p>	<p>Representations to the Site Options and Draft Policy Framework consultation and officer-level response can be reviewed in the summary response report and the main consultation response report.</p> <p>The Regulation 22 Consultation Statement, Dec 2018, states: (i) "The County Council's planning consultation database has expanded considerably during the numerous consultation activities and events that</p>

³ <http://www.legislation.gov.uk/uksi/2017/1244/regulation/4/made>

Activity	Legal requirement	Guidance reference	Additional notes (from PAS Assessment tool)	Findings inc. possible evidence
<ul style="list-style-type: none"> the main issues raised? 			<p><i>Regulation 35 deals with the availability of documents and the time of their removal.</i></p>	<p><i>have taken place since 2005. The MLP consultation, which took place between September and November 2016, involved the individual notification by either post or email of 2,911 potentially interested parties.”</i></p> <p><i>(pg13) “Table 1 below presents a summary of the headline issues arising from the individual representations. It also provides a brief explanation of how the County Council has sought to take account of these issues when preparing the publication plan”</i></p>
<p>8. Are you inviting representations on issues that would have significant impacts on both your areas from another local planning authority? Or county issues from an affected county council that is not a planning authority? Or significant cross-boundary issues and strategic priorities of a body prescribed under Section 33A(1)(c)?</p>	<p>The Act section 33A(1)(a) (b) and (c), section 33A(3)(d) & (e) section 33A(4) section 33A(9)</p> <p>The Act section 20 (5)(c)</p>	<p>NPPF paras 178 to 181</p>	<p><i>Section 33A(3)(d) and (e) requires cooperation on significant cross-boundary issues before and during plan preparation.</i></p> <p><i>Section 33A(2) requires you to engage constructively, actively and on an ongoing basis.</i></p>	<p>Under <i>Section 5 What cooperative activities have occurred?</i> (pg15-35) of the Duty to Cooperate Statement, Dec 2018, is a set of detailed tables covering DtC activities and the relevant partners, actions(s), outcome(s) and date(s) for each of the following strategic minerals-related planning issues:-</p> <ul style="list-style-type: none"> a) Facilitating a steady and adequate supply of crushed rock b) Identifying allocations for the future of working of crushed rock c) Facilitating a steady and adequate supply of land-won sand and gravel d) Identifying allocations for the future of working of sand & gravel e) Effectively safeguarding mineral resources and mineral infrastructure f) Promoting the maximum use of recycled materials and secondary aggregates <p>A summary of each issue is under <i>Section 4 What are the strategic planning matters?</i> (pg11-14).</p> <p>The Appendices of the Interim Duty to Cooperate Statement (Dec 2018) include various completed and draft MoUs.</p>

Activity	Legal requirement	Guidance reference	Additional notes (from PAS Assessment tool)	Findings inc. possible evidence
9. Are you inviting representations on cross-boundary issues and strategic priorities from a local enterprise partnership (LEP) or a local nature partnership (LNP)?	The Act section 33A(1)(c) and Section 33A(9). The Act section 20(5) (c). Regulation 4	NPPF paras 178 to 181	<p><i>Section 33A(3)(d) and (e) requires cooperation on significant cross-boundary issues before and during plan preparation.</i></p> <p><i>Section 33A(2) requires you to engage constructively, actively and on an ongoing basis.</i></p>	<p>Under <i>Section 3 / What organisations have been involved?</i> of the Interim Duty to Cooperate Statement, May 2018, it states:-</p> <p><i>Local Enterprise Partnership (LEP) and Local Nature Partnership (LNP)</i></p> <p><i>There are two organisations that comprise the LEP and LNP for the entirety of Gloucestershire. Both have been subject to cooperative activities in support of the preparation of the MLP: -</i></p> <ul style="list-style-type: none"> - Gloucestershire First (GFirst) Local Enterprise Partnership (LEP); and - Gloucestershire Local Nature Partnership (GLNP) <p>Both of these are referred to within the activity tables under <i>Section 5 / What cooperative activities have occurred?</i>, for example:</p> <ul style="list-style-type: none"> - DtC Activity: Attendance of a GFirst LEP (Construction & Infrastructure Business Group) Meeting, Aug 2016 & Mar 2018 - DtC Activity: Attendance of a GLNP (Local Authorities Biodiversity & Planning Sub-Group) Meeting, Oct 2014 - Consultations: Jun 2014, Sept 2016.
10. Are you developing a framework for monitoring the effects of the DPD?	The Act section 35 Regulation 34 Regulation 17 of The Environmental Assessment of Plans and Programmes Regulations 2004 No1363	NPPF paras 165 - 1687 SEA Guide, Chapter 5	<p><i>It is a matter for each council to decide what to include in their monitoring reports while ensuring they are prepared in accordance with relevant UK and EU legislation" Chief Planning Officer letter 30 March 2011 withdrawing ODPM guidance.</i></p>	<p>Covered specifically by Section 12 of the Publication MLP "Managing and monitoring plan delivery" (pg134)</p> <p><i>...431. A monitoring and delivery framework for this plan has been established. It details how monitoring data indicators relevant to each of the plan's policies will contribute to the successful delivery of its objectives. The framework includes targets against which the performance of the policies can be monitored, plus 'triggers' to signpost when corrective actions may need to be investigated, particularly if a trigger occurs within the statutory 5-year plan review period.</i></p> <p><i>432. The monitoring of each indicator will be carried out as part of the production of the Gloucestershire Minerals & Waste Authority Monitoring Report."</i></p>
11. The role of the Authority Monitoring Report	Regulation 34 of the Town and	Para 027 www.gov.uk/guidance/loc	Local planning authorities must publish information	Latest Minerals & Waste AMR for Gloucestershire is data for the period up to 31/12/2014 published May 2017. It monitors plan making up to the public consultation for the draft version of the MLP for Glos (2018-2032) which

Activity	Legal requirement	Guidance reference	Additional notes (from PAS Assessment tool)	Findings inc. possible evidence
	Country Planning (Local Planning) (England) Regulations 2012	al-plans-2	<p>at least annually that shows progress with Local Plan preparation, reports any activity relating to the duty to cooperate and shows how the implementation of policies in the Local Plan is progressing and are encouraged to report as frequently as possible on planning matters to communities. This information should be made available publicly. Regulation 34 of the Town and Country Planning (Local Planning) (England) Regulations 2012 sets out what information the reports must contain, although there is other useful information that can be set out.</p>	<p>took place in September 2016 and notes that this was slightly ahead of the timetable.</p>

Stage Three: Plan preparation - formulation phase

This stage has many legal matters, for process and content, to address. The council should be beginning to formulate the preferred strategy for the local plan or supplementary planning document with which the council chooses to address Regulation 18 requirements, using the information gathered and previous collaborative work with stakeholders.

Para 182 of the NPPF makes it clear that explicit consideration of alternatives is a key part of the plan making process.

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

- completed body of information from evidence gathering
- results of sustainability appraisal
- findings from community participation
- findings from engagement with statutory cooperation bodies.

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

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.

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. The publication stage is a formal opportunity for anyone to comment on an aspect of the DPD's soundness. The more effectively this message is put across, the lower the chance of late changes being brought forward following publication

Stage Three: Plan preparation – writing the plan

Activity	Statutory requirement	Guidance reference	Additional notes (from PAS Assessment tool)	Possible evidence
1. Are you preparing reasonable alternatives for evaluation during the preparation of the DPD?	Regulation 12 (2) of The Environmental Assessment of Plans and Programmes Regulations 2004 No. 1633	NPPF paras 152 - 182 PPG para: 019 reference ID: 11-019-20140306 SEA Guide, Chapter 5	<i>The sustainability appraisal report and supporting documents relevant to the preparation of the DPD are part of the proposed submission documents (see Regulation 17).</i>	<p>Minerals Local Plan for Gloucestershire (2018-2032): Publication Plan Sustainability Appraisal including Strategic Environmental Assessment, April 2018.</p> <p><i>2.8 It should be noted that any alternatives considered to the plan need to be “reasonable”. This implies that alternatives that are “not reasonable” do not need to be subject to appraisal. Examples may include alternatives that do not meet the objectives of the plan or national policy (e.g. the NPPF), or are not within the geographical scope of the plan, although there should be reasoned justification for what is considered reasonable or otherwise.....</i></p> <p><i>2.10 The options or reasonable alternatives considered during development of the MLP (April 2018) included the alternative policy approaches for the strategic policies and general development management policies, and a number of minerals site options. While GCC has made a decision to prepare a new style MLP, there have been two previous stages of developing and refining minerals planning options as part of the earlier work on the MWDF as outlined below. Appendix 2 sets out in more detail the audit trail of the reasonable alternatives considered and discounted by GCC for each policy area in the MLP at each stage in its development.”</i> (pg9)</p> <p><i>Appendix 2 – Audit trail of reasonable alternatives considered during preparation of the Gloucestershire Minerals Local Plan</i></p>
2. Have you assessed alternatives against: <ul style="list-style-type: none"> • consistency with national policy? • general conformity with the regional spatial strategy where still in force? 	The Act section19 (2), section 24	NPPF para 151	<i>For London boroughs and local authorities where regional strategies are still in force general conformity is tested formally later but you need</i>	<p>Minerals Local Plan for Gloucestershire (2018-2032): Publication Plan Sustainability Appraisal including Strategic Environmental Assessment, April 2018</p> <p><i>Appendix 2 – Audit trail of reasonable alternatives considered during preparation of the Gloucestershire Minerals Local Plan</i></p>

Activity	Statutory requirement	Guidance reference	Additional notes (from PAS Assessment tool)	Possible evidence
			<p><i>to consider it during preparation of the DPD.</i></p> <p><i>Jonathan King: "the test is <u>general</u> conformity, not <u>perfect</u> conformity. (So if better (e.g. more recent, relevant, or higher quality) data or evidence can be shown to be available than was used in the RS, then it would be in order to use it to support conclusions at variance with RS, provided objectives of RS broadly met)."</i></p>	<p>Generally here appears to be no explicit consideration of the alternatives against national policy, however the Plan discusses how certain policies follow national policy.</p> <p>The South West Regional Spatial Strategy had still not been adopted when it was revoked by ministerial edict in the early summer of 2010.</p>
<p>3. Are you having regard to:</p> <ul style="list-style-type: none"> • adjoining regional spatial strategies? • the spatial development strategy for London? 	<p>The Act sections 19 (2) and 24 (1) and (4)</p> <p>Regulation 10 and 21</p>		<p><i>Where the regional strategy has been revoked you should record that fact.</i></p>	<p>N/A. The South West Regional Spatial Strategy had still not been adopted when it was revoked by ministerial edict in the early summer of 2010.</p>
<p>4. Are you co-operating with other local planning authorities including counties, to address significant cross boundary issues?</p> <p>Have you discussed doing joint local development documents?</p>	<p>The Act section 33A(2)(a)</p> <p>Section 33A(6)(a)(b)</p> <p>Section 20(5)(c)</p>	<p>NPPF paras 181 and 185</p>	<p><i>Advice from previous Inspector suggests need for whole section on the Duty to Cooperate which states clearly the position and what has been achieved.</i></p>	<p>Under Section 5 <i>What cooperative activities have occurred?</i> (pg15-35) of the Duty to Cooperate Statement, Dec 2018, is a set of detailed tables covering DtC activities and the relevant partners, actions(s), outcome(s) and date(s) for each of the following strategic minerals-related planning issues:-</p> <ul style="list-style-type: none"> a) Facilitating a steady and adequate supply of crushed rock b) Identifying allocations for the future of working of crushed rock c) Facilitating a steady and adequate supply of land-won sand

Activity	Statutory requirement	Guidance reference	Additional notes (from PAS Assessment tool)	Possible evidence
			<p><i>"Provide more information and be upfront here with things such as a list of agreements, contracts that are in place, commitments. Emphasise that there has been substantial engagement even if there has been no agreement. The expectation is that there will be solutions and that we want a positive outcome to any cross boundary issues."</i></p>	<p>and gravel</p> <p>d) Identifying allocations for the future of working of sand & gravel</p> <p>e) Effectively safeguarding mineral resources and mineral infrastructure</p> <p>f) Promoting the maximum use of recycled materials and secondary aggregates</p> <p>DtC cross-boundary activities include;</p> <ul style="list-style-type: none"> - Attendance of a cross-border (officer-level) minerals planning meeting: June 2013, Jul 2013, Aug 2013, <p>A summary of each issue is under <i>Section 4 What are the strategic planning matters?</i> (pg11-14).</p> <p>The Appendices include various completed and draft MoUs relating to cross boundary strategic matters.</p>
5. Are you cooperating with a person prescribed for the purposes of Regulation 33A(1)(c) to address significant cross boundary issues including preparing joint approaches?	<p>The Act section 33A(2)(a), section 33A(6)(a)</p> <p>The Act section 20 (5) (c)</p> <p>Regulation 4</p>	<p>NPPF paras 181 and 182</p>	<p><i>The bodies prescribed by The Act section 33A(1)(c) are set out at Regulation 4 (1).</i></p> <ul style="list-style-type: none"> • the Environment Agency; • Historic England • Natural England; • the Mayor of London; • the Civil Aviation 	<p>Duty to Cooperate Statement, Dec 2018, Appendix 2</p> <p><i>Strategic planning and development issues Memorandum of Understanding (MoU) for Gloucestershire (Revised 2017)</i></p> <p>This MoU lists: <i>"5.1 The following local planning authorities have signed this memorandum of understanding:</i></p> <p><i>Cheltenham Borough Council</i> <i>Cotswold District Council</i> <i>Forest of Dean District Council</i> <i>Gloucester City Council</i> <i>Gloucestershire County Council (in its capacity as the Local Highway Authority (LHA) and Minerals & Waste Planning Authority (M&WPA)</i> <i>Stroud District Council</i> <i>Tewkesbury Borough Council</i></p> <p><i>5.2 Other agencies who will be invited to sign include:</i></p>

Activity	Statutory requirement	Guidance reference	Additional notes (from PAS Assessment tool)	Possible evidence
			<p>Authority;</p> <ul style="list-style-type: none"> the Homes and Communities Agency; Primary Care Trust established under section 18 of the National Health Service Act 2006 or continued in existence by virtue of that section; the Office of Rail Regulation(c); Transport for London(d); Highways England The highway authority the Marine Management Organisation 	<p><i>Neighbouring planning authorities that share borders with any of the above councils</i> <i>Environment Agency</i> <i>Historic England</i> <i>Natural England</i> <i>Civil Aviation Authority</i> <i>Homes and Communities Agency</i> <i>NHS Gloucestershire Clinical Commissioning Group (CCG)</i> <i>NHS England Office of the Rail Regulator</i> <i>Highways England</i> <i>Marine Management Organisation</i> <i>GFirst Local Enterprise Partnership</i> <i>Gloucestershire Local Nature Partnership Cotswolds Conservation Board</i> <i>Malvern Hills AONB Partnership</i> <i>Wye Valley AONB Partnership</i> <i>Severn Trent Water</i> <i>Thames Water</i> <i>Gloucestershire Police and Crime Commissioner</i> <i>Lower Severn Internal Drainage Board</i></p> <p>and states:</p> <p>“6. Strategic Planning</p> <p><i>6.1 In line with the NPPF, all signatories want to deliver sustainable development that meets the needs of the present without compromising the ability of future generations to meet their own needs. We want to work together to address strategic and cross-boundary issues. Specifically, relevant signatories will:....[list of areas of joint working and collaboration]...</i></p> <p>8. Liaison Arrangements</p> <p><i>8.2 The Gloucestershire Economic Growth Joint Committee (GEGJC) consisting of senior officers and councillors from all local planning authorities and other relevant bodies (including any relevant supporting governance structure), meet regularly to discuss strategic and cross-boundary matters across Gloucestershire and will take decisions or make recommendations</i></p>

Activity	Statutory requirement	Guidance reference	Additional notes (from PAS Assessment tool)	Possible evidence
				<p><i>to decision taking bodies within each local planning authority on how to take forward the commitments within this memorandum. 8.3 The County Planning Officers Group (CPOG), consisting of planning officers from all local planning authorities, will meet every two months to provide technical support and advice to GEGJC or related governance structure on strategic and cross-boundary matters. CPOG will monitor the production of Local Plans and supplementary planning documents across Gloucestershire and will examine opportunities for day to day co-operation.”</i></p>
6. Are you cooperating with having regard to the activities of the LEP and LNP?	The Act section 33A(2)(b) and section 33A(9). Regulation 4 (2)	NPPF para 181 and 182	<i>The relevant LEP is GFirst - Gloucestershire</i>	<p>Within the SCI (March 2013) LEPs are listed under the general consultation bodies but LNPs are not.</p> <p>The Duty to Cooperate Statement, Dec 2018, details involvement of the LEP and LNP</p>
<p>7. Are you having regard to:</p> <ul style="list-style-type: none"> any other local development documents adopted by the council as well as those by other LPAs in the area? 	The Act section 19(2)			<p>Reference to non-minerals development proposed in District and Borough Local plans is included in paragraph 37 of the MLP (in the section “Plans for Growth”) that relates the need for minerals to future development. Supporting text to policy SR01 establishes policy links to the sustainable construction policies of Gloucestershire’s (district) local plans. In addition the supporting text to Policy MR01 (paragraph 424) discusses the type of evidence needed to show how beneficial after-uses that will contribute to sustainable development could be achieved. This includes the possibility of supporting the ambitions of Gloucestershire’s (district) local plans and infrastructure delivery plans.</p> <p>Appendix 3 of the SA, also outlines the implications of other local development documents adopted by other LPAs in the area for the SA.</p>

Activity	Statutory requirement	Guidance reference	Additional notes (from PAS Assessment tool)	Possible evidence
<p>8. Do you have regard to other matters and relevant strategies relating to:</p> <ul style="list-style-type: none"> • resources • the local/regional economy • the local transport plan and transport facilities and services • waste strategies • hazardous substances 	<p>The Act section19(2) Regulation 10</p>		<p><i>As well as the matters and strategies listed in the Act and Regulations there are likely to be other matters identified in planning policy statements, regional and local strategies that you will need to have regard to in preparing the DPD.</i></p>	<p>The Publication MLP, May 2018, covers this in Section 2 Gloucestershire – a spatial portrait</p> <ul style="list-style-type: none"> - Gloucestershire's economy (pg7) - Gloucestershire's transport infrastructure (pg8) - Plans for growth (pg10) <p>There is also reference to the Adopted Gloucestershire Waste Core Strategy in particular with regards to recycled aggregates, need for clay for landfill and landfill (with regards to restoration). Other plans and strategic referenced in the Publication MLP include:</p> <ul style="list-style-type: none"> - Severn River and / or Thames River Basin Management Plans (para 336); - Surface Waste Management Plans (para 321) - Gloucestershire Freight Gateway and other local freight guidance (para 308) - AONB Management Plans (paras 387, 388) - Strategic Green Infrastructure Framework (para 424)

Activity	Statutory requirement	Guidance reference	Additional notes (from PAS Assessment tool)	Possible evidence
9. Are you having regard to the need to include policies on mitigating and adapting to climate change?	The Act section19(1A)	NPPF paras 93 -108		<p>The Addendum to the Supporting Evidence Paper to the Publication MLP, Dec 2018, Section 2 – provides an explanation of how the MLP has met with the statutory 'climate change' duty set out under section 19 of the Planning and Compulsory Purchase Act 2004 as amended by section 182 of the Planning Act 2008 ;</p> <p>The Publication MLP, May 2018, states;</p> <p><i>“...Measures that contribute towards advancing the mitigation of the climate change and that seek to help improve our resilience and ability to adapt to its impacts are also imbedded throughout in the plan.” (Pg2)...</i></p> <p><i>Driver A Tackling climate change</i></p> <p><i>68. Action on climate change is a global challenge that many national governments are committed to37. Tackling and responding to climate change is enshrined in UK law and targets have been set alongside a wide ranging policy framework38. The planning system has an important role to play in delivering action on climate change alongside maintaining steady and adequate mineral supplies. This may arise through efforts to minimise greenhouse gas emissions particularly from transporting minerals; supporting the delivery of infrastructure to increase resilience to climate change impacts and integrating features that will help in successfully adapting local environments to forecast climate-related changes envisaged over the coming decades. (pg16)</i></p> <p>Reference to adapting to the impacts of climate change is within the Vision (pg21)</p> <p>The Plan details where an Objective is influencing a Driver, therefore Driver A is referred to within applicable Objectives.</p> <p>Referred to within the Strategy, and Mineral Restoration (pg28);</p> <p><i>“To make certain that the ‘temporary nature’ of minerals development is upheld and that opportunities to maximise beneficial after uses are realised by: - ...</i></p>

Activity	Statutory requirement	Guidance reference	Additional notes (from PAS Assessment tool)	Possible evidence
				<p><i>- positively encouraging restoration that contributes towards the achievement of sustainable development, which will not limit the range of potential acceptable after-uses and that, will secure long lasting community and environmental benefit particularly in terms of biodiversity, geological conservation interest, resilience to and adaptation to climate change and where appropriate, the reinstatement of soil resources including to the highest possible achievable grade of best and most versatile agricultural land."</i></p> <p>Referred to within <i>Policy DM04 Flood risk</i> (pg91) and supporting text (pg94)</p> <p><i>"322. Mineral development proposals must be able to demonstrate how an increase in flood risk at their immediate location, elsewhere and in the future – taking into account the impacts of climate change, will not occur..."</i></p> <p><i>325. Mineral development proposals can make a contribution to reducing the risk of flooding in an area. This can occur through well-planned and executed sequential working and site restoration that will contribute towards climate change resilience by way of additional flood storage and attenuation..."</i></p> <p>Referred to within the supporting text for <i>Policy DM05, Water resources</i> (pg99)</p> <p><i>339. To facilitate the effective management of water resources and support climate change resilience, minerals development proposals should adopt measures to improve the efficiency use of water following best practice methods."</i></p> <p>Referred to within <i>Soil resources</i> (pg107)</p> <p>Referred to within <i>Policy MR01 Restoration, aftercare and facilitating beneficial after-uses</i> (pg126) and supporting text</p> <p><i>"409. Successful restoration is also vital in achieving sustainable development. The manner in which disturbed land is managed will dictate whether a satisfactory return to a previous status is either attainable, desirable or whether opportunities exist to bring about</i></p>

Activity	Statutory requirement	Guidance reference	Additional notes (from PAS Assessment tool)	Possible evidence
				<p><i>enhancements. This could include improvements to biodiversity and the health of the natural environment; the establishment of new or reinforced measures to increase resilience and / or the ability to successfully adapt to climate change; the strengthening, expansion or upgrading of public facilities accessible to those impacted by mineral working and the wider community; and support for the delivery of important items of infrastructure aimed at improving quality of life, well-being and economic performance”</i></p>

Activity	Statutory requirement	Guidance reference	Additional notes (from PAS Assessment tool)	Possible evidence
10. Have you undertaken the sustainability appraisal of alternatives, including consultation on the sustainability appraisal report?	<p>The Act section19(5)</p> <p>Regulation 12 and 13 of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633</p>	<p>NPPF para 182</p> <p>PPG paragraph: 019</p> <p>reference ID: 11-019-20140306</p> <p>SEA Guide, Chapter 5</p>	<p><i>Regulation 13 of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633 sets out the consultation procedures.</i></p> <p><i>Wrt non-technical summary, PPG states: "The sustainability appraisal must include a non-technical summary of the information within the main report. The summary should be prepared with a range of readers in mind, and provide a clear, accessible overview of the process and findings."</i></p>	<p>See response to Qu.1 Stage 3.</p> <p>The SA is referred to under Legal Compliance within the Guidance Notes on Comments Form and FAQs. (for Publication (Pre-submission) Plan 2018 consultation)</p> <p>Access to supporting documents is provided of which the SA is one.</p> <p>The Statement of Representation and Availability of Documents (for the Reg 18, 2016 consultation) sought comments for the draft Plan and supporting documents, of which the SA is one. Representations were able to be made on the SA and HRA on the Representation Form.</p> <p>Minerals Local Plan for Gloucestershire (2018-2032): Publication Plan, Sustainability Appraisal including Strategic Environmental Assessment: Non-Technical Summary, April 2018</p>
11. Are you setting out reasons for any preferences between alternatives?	Regulation 8(2)	NPPF para 182	<i>This will include Information from the sustainability appraisal.</i>	The SA (April 2018) states: <i>2.24 A summary of the SA findings from the 2016 SA Report is also included in Appendix 2, along with an explanation of any changes that have been made to the vision, objectives and policies in the 2018 MLP, and the reasons for selecting or discounting site options for inclusion as Allocations. (pg12) ...</i>
12. Have you taken into account any representations made on the content of the DPD and the sustainability appraisal? Are you keeping a record?	Regulations 17, 18(3) and 22 (1) (c) (iv) Regulation	NPPF paras 150, 155, 157 and 159-171	<i>Records on the sustainability appraisal should also include recording any</i>	See Supporting Evidence Paper, May 2018, Section 2 the evolution of the plan – 2016 to 2018: (pg4)

Activity	Statutory requirement	Guidance reference	Additional notes (from PAS Assessment tool)	Possible evidence
	13(4) of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633		<i>assessment made under the Habitats Directive.</i>	
<p>13. Where sites are to be identified or areas for the application of policy in the DPD, are you preparing sufficient illustrative material to:</p> <ul style="list-style-type: none"> enable you to amend the currently adopted policies map? inform the community about the location of proposals? 	Regulations 5 (1)(b) and 9	NPPF para 157	<p><i>Regulation 2 defines the terms 'submission' and 'adopted' proposals map.</i></p> <p><i>A map showing changes to the adopted policies map is part of the proposed submission documents defined in Regulation 17.</i></p>	<p>Regulation 22 Proposed Changes to Policies Map Statement Sept 2018 detail all of the consequential changes to the policies map following the adoption of the new MLP. The document presents 15 maps covering the application of policies and the identification of land-use designations and allocated areas.</p> <p>Each proposed plan allocation (Appendix 4 of the Publication MLP, May 2018 details a map.</p> <p>The adopted policies proposals maps can be found here; http://www.goucestershire.gov.uk/planning-and-environment/planning-policy/adopted-minerals-and-waste-local-plans/adopted-policies-proposals-map/ (footnote 59 of the Publication MLP, May 2018 pg35)</p>
14. Are the participation arrangements compliant with the SCI?	The Act, section 19(3) Regulation 18	NPPF paras 150 and 155		<p>Consultation has followed the participation arrangements in the SCI. See:</p> <ul style="list-style-type: none"> - MLP for Glos (2018-2032) Publication Plan Statement of Representation Procedure and Availability of Documents, May 2018 - MLP for Glos (2018-2032) Publication Plan Regulation 22 Consultation Statement, Dec 2018 - MLP for Glos (2018-2032) Publication Plan Supporting Evidence Paper, May 2018 - Draft Minerals Local Plan Representation Procedure and Availability of Documents, September 2016 - SA 2018, Pg9-12

Stage four: Publication

Under Regulation 20, the period for formal representations takes place **before** the DPD is submitted for examination in accordance with a timetable set out in the statement of the representations procedure which is made available at the council's office and published on its website. 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 DPD bring in changed policy or proposals not previously covered in community participation and the sustainability appraisal. It avoids having to treat publication as if it were a consultation, which it is not. It also provides insurance in relation to compliance with the Strategic Environmental Assessment Regulations. Legally, during any participation on a revised preferred strategy, you should:

- comply with the requirements of the SCI
- update the sustainability appraisal report.

The council should then produce the DPD in the form in which it will be published. This includes removing material dealing with the evaluation of alternatives and the finalisation of the text. The council should be happy to adopt the DPD in this form, and satisfied that it is sound and fit for examination.

The six weeks publication period is the opportunity for those dissatisfied (or satisfied) with the DPD to make formal representations to the inspector about its soundness. Only people proposing a change to the plan can expect to be heard at examination.

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'.

Stage four: Publication

Activity	Legal requirement	Guidance reference	Additional notes (from PAS assessment tool)	Findings inc. possible evidence
1. Have you prepared the sustainability appraisal report (and non technical summary)?	<p>The Act section19(5)</p> <p>Regulation 12 of the Environmental Assessment of Plans and Programmes Regulations 2004 No 1633</p>	<p>NPPF paras 165 - 168</p> <p>PPG Paragraph: 019 Reference ID: 11-019-20140306</p> <p>SEA Guide Chapter 5</p>	<p>NTS isn't a statutory requirement but PPG states:</p> <p>"The sustainability appraisal must include a non-technical summary of the information within the main report. The summary should be prepared with a range of readers in mind, and provide a clear, accessible overview of the process and findings."</p>	<p>Minerals Local Plan for Gloucestershire (2018-2032): Publication Plan, Sustainability Appraisal including Strategic Environmental Assessment, April 2018</p> <p>Minerals Local Plan for Gloucestershire (2018-2032): Publication Plan, Sustainability Appraisal including Strategic Environmental Assessment: Non-Technical Summary, April 2018</p>
1b Is the DPD consistent with any other adopted DPDs for the area? If the DPD is intended to supersede any adopted development plan policies, does it state that fact and identify the superseded policies?	<p>Regulation 8(3) and (4)</p> <p>Regulation 8(5)</p>		<p>Development Plan is defined in Section 38 of the Act.</p>	<p>Addendum to the Supporting Evidence Paper to the Publication MLP, Dec 2018, Section 4 a schedule setting out which 'saved' adopted policies of the Gloucestershire Minerals Local Plan (1997 – 2006) MLP will be replaced by the Minerals Local Plan for Gloucestershire (2018 – 2032)</p>
2. Have you made clear where and within what period representations must be made?	<p>Regulation 17, 19, 20 and 35</p>		<p>The period must not be less than 6 weeks from when you publish under Regulations 19 and 35 (see below).</p>	<p>MLP for Glos (2018-2032) Publication Plan Statement of Representation Procedure and Availability of Documents, May 2018</p> <p><i>"Period of invitation to make representations:</i> <i>The adopted Gloucestershire Statement of Community Involvement (SCI) commits the County Council to undertake consultation on plan-making matters for a period of at least six weeks, alongside Regulation 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. As a consequence the Minerals Local Plan for Gloucestershire (2018-2032) and supporting documents will be available to view and comment upon from Thursday 31st May 2018</i></p>

Activity	Legal requirement	Guidance reference	Additional notes (from PAS assessment tool)	Findings inc. possible evidence
				<p>through to 5pm on Friday 13th July 2018. All representations need to be submitted by this date to meet with Regulation 20 (2) of the Town and Country Planning (Local Planning) (England) Regulations 2012." (pg1-2)</p> <p>GCC Statement of Community Involvement, 1st Review, Adopted (March) 2013</p>
<p>3. Have you made copies of the following available for inspection:</p> <ul style="list-style-type: none"> • the proposed submission documents? • the statement of the representations procedure? 	Regulation 19(a)		Regulation 17 gives definitions.	<p>All documents are available via the council's planning section on their website;</p> <p>https://www.goucestershire.gov.uk/planning-and-environment/planning-policy/minerals-local-plan-for-goucestershire/evidence-base-for-the-minerals-local-plan-for-goucestershire/</p> <p>The Publication (Pre-submission) Plan and the supporting documents are also available;</p> <p>https://goucestershire-consult.objective.co.uk/portal/planning/mlp/glosmlp-publication/mlp_pub</p> <p>The MLP for Glos (2018-2032) Publication Plan Statement of Representation Procedure and Availability of Documents, May 2018, provides a list of when and where copies are available (pg2-3)</p>

Activity	Legal requirement	Guidance reference	Additional notes (from PAS assessment tool)	Findings inc. possible evidence
<p>4. Have you published on your website:</p> <ul style="list-style-type: none"> the proposed submission documents? the statement of the representations procedure? statement and details of where and when documents can be inspected? 	Regulations 19 and 35		Regulations 2 and 17 give definitions.	<p>All documents are available via the council's planning section on their website;</p> <p>https://www.goucestershire.gov.uk/planning-and-environment/planning-policy/minerals-local-plan-for-goucestershire/evidence-base-for-the-minerals-local-plan-for-goucestershire/</p> <p>The Publication (Pre-submission) Plan and the supporting documents are also available;</p> <p>https://goucestershire-consult.objective.co.uk/portal/planning/mlp/glosmlp-publication/mlp_pub</p> <p>The MLP for Glos (2018-2032) Publication Plan Statement of Representation Procedure and Availability of Documents, May 2018, provides a list of when and where copies are available (pg2-3)</p>
<p>5. Have you sent to each of the specific consultation bodies invited to make representations under Regulation 18(1):</p> <ul style="list-style-type: none"> A copy of each of the proposed submission documents The statement of the representations procedure? 	Regulation 19(b)		Regulations 2 and 17 give definitions.	<p>MLP for Glos (2018-2032) Publication Plan, Regulation 22 Consultation Statement, Dec 2018</p> <p>The MLP for Glos (2018-2032) Publication Plan Statement of Representation Procedure and Availability of Documents, May 2018, states on pg1;</p> <p><i>"The County Council has published a Minerals Local Plan for Gloucestershire (2018-2032) and all 'specific' and 'general' consultation bodies have been notified as identified in the adopted Gloucestershire Statement of Community Involvement (SCI)."</i></p>
<p>6. Have you sent to each of the general consultation bodies invited to make representations under Regulation 18(1):</p> <ul style="list-style-type: none"> the statement of the representations procedure? where and when the documents can be inspected? 	Regulation 19(b)		Regulations 2 and 17 give definitions.	<p>MLP for Glos (2018-2032) Publication Plan, Regulation 22 Consultation Statement, Dec 2018</p> <p>The MLP for Glos (2018-2032) Publication Plan Statement of Representation Procedure and Availability of Documents, May 2018, states on pg1;</p> <p><i>"The County Council has published a Minerals Local Plan for Gloucestershire (2018-2032) and all 'specific' and 'general' consultation bodies have been notified as identified in the adopted Gloucestershire Statement of Community Involvement (SCI)."</i></p>

Activity	Legal requirement	Guidance reference	Additional notes (from PAS assessment tool)	<i>Findings inc. possible evidence</i>
7. Have you requested the opinion of the Mayor of London (if a London Borough or Mayoral DC) on the general conformity of the DPD spatial development strategy?	The Act section 24 Regulation 21		The request must be made on the day you publish the documents under Regulation 19(a) and a response must be made within six weeks from the request (Regulation 21)	N/A

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.

Activity	Legal requirement	Guidance reference	Additional notes	Possible 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)		<p>The Act section 15(2) sets out the matters specified in the LDS.</p> <p>As at January 2013, no further matters are prescribed in the Regulations.</p>	<ul style="list-style-type: none">i. Gloucestershire 9th Minerals & waste Development Scheme (2018 – 2021) Table 1: Timetable for preparation of a new Minerals Local Plan DPD (from April 2018)ii. Q2 2018 / 19 (July to September 2018) for Submission. 3-month delay caused primarily by unexpected additional negotiations and discussion with key stakeholders
2. Has the DPD had regard to any sustainable community strategy	The Act section	NPPF para 182		Integrating involvement with the sustainable community strategy is no longer required. SCSs

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
for its area (like a county and district)?	19(2)			have been abolished – see Section 100 of the Deregulation Act 2015 https://www.legislation.gov.uk/ukpga/2015/20/section/100/enacted
3. Is the DPD in compliance with the SCI (where one exists)? Has the council carried out consultation as described in the SCI?	The Act section 19(3) Regulation 22(1)(c)		Before the SCI is formally amended to take into account the changes in the regulations, you may need to set out how the community engagement that you carried out met the regulations (as amended).	i. The Adopted Gloucestershire SCI (1 st Review) (2013) ii. MLP for Glos (2018-2032) Publication Plan, Regulation 22 Consultation Statement, Dec 2018 iii. MLP for Glos (2018-2032) Publication Plan Statement of Representation Procedure and Availability of Documents, May 2018;
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'.	Minerals Local Plan for Gloucestershire (2018-2032): Publication Plan Duty to Cooperate Statement, Dec 2018; Appendices 1 – 5 set out completed and draft MoUs with prescribed bodies.
5. Has the DPD been subject to sustainability appraisal? Has the council provided a final	The Act section 19(5)	NPPF para 165 SEA Practical Guide,		Minerals Local Plan for Gloucestershire (2018-2032): Publication Plan, Sustainability Appraisal including Strategic Environmental Assessment, April 2018

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
report of the findings of the appraisal?	Regulation 22(1)(a)	chapter 5		
6. Is the DPD to be submitted consistent with national policy?	The Act section 19(2) and Schedule 8	NPPF para 151		Minerals Local Plan for Gloucestershire (2018-2032) PAS Soundness Self-Assessment Checklist, Dec 2018.
<p>7. Does the DPD contain any policies or proposals that are not in general conformity with the regional strategy where it still exists?</p> <p>If yes, is there local justification?</p> <p>If the LPA is a London borough or a mayoral development corporation has it requested an opinion from the Mayor of London on the general conformity of the plan with the spatial development strategy?</p>	<p>The Act section 24(1)(a) and 24(4)</p> <p>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>The requirement is no longer in force. The emerging draft South West Regional Spatial Strategy was never adopted. RPG 10, which was afforded SW-RSS status at the time was revoked under the Regional Strategy for the South West (Revocation) Order 2013.</p>
<p>8. Has the council published the prescribed documents, and made them available at their principal offices and their website?</p> <p>Has the council notified the relevant statutory and non-statutory bodies, and all persons invited to make</p>	<p>The Act section 20(2), 20(3) and 20(5)(b)</p> <p>Regulations 8 and 19</p>	NPPF para 182	<p>Requirements relating to publication of the prescribed documents are listed later in this table.</p>	<p>Minerals Local Plan for Gloucestershire (2018 – 2032) (Regulation 19) Statement of the Representations Procedure and Availability of Documents, May 2018</p> <p>Addendum to the Supporting Evidence Paper to the Publication MLP - Section 4 a schedule setting out which 'saved' adopted policies of the Gloucestershire Minerals Local Plan (1997 – 2006) MLP will be replaced by the Minerals Local Plan for Gloucestershire (2018 – 2032)</p>

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
<p>representations on the plan?</p> <p>Does the DPD contain a list of superseded saved policies?</p>				
<p>9. Are there any policies applying to sites or areas by reference to an Ordnance Survey map or to amend an adopted policies map?</p> <p>If yes, have you prepared a submission policies map?</p>	Regulations 5(1) (b), 9 (1), 17 & 22(1)			Minerals Local Plan for Gloucestershire (2018 – 2032) Regulation 22 Proposed Changes to Policies Map Statement, Sept 2018
<p>10. Is the DPD consistent with any other adopted DPDs for the area? If the DPD is intended to supersede any adopted development plan policies, does it state that fact and identify the superseded policies?</p>	Regulation 8(3) and (4) Regulation 8(5)		Development Plan is defined in Section 38 of the Act.	Addendum to the Supporting Evidence Paper to the Publication MLP - Section 4 a schedule setting out which 'saved' adopted policies of the Gloucestershire Minerals Local Plan (1997 – 2006) MLP will be replaced by the Minerals Local Plan for Gloucestershire (2018 – 2032)
<p>11. Have you prepared a statement setting out:</p> <ul style="list-style-type: none"> • Which bodies and persons were invited to make representations under Regulation 18? • How they were invited? • A summary of the main issues raised? • How the representations have been taken into account? 	The Act section 20 (3) Regulation 22(1)(c)		This will bring forward material from the Consultation statement (see Stage 2 above).	Minerals Local Plan for Gloucestershire (2018-2032) Publication Plan, Regulation 22 Consultation Statement, Dec 2018

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
<p>12. Have you prepared a statement giving:</p> <ul style="list-style-type: none"> the number of representations made under Regulation 22? a summary of the main issues raised? <p>OR</p> <ul style="list-style-type: none"> that no representations were made? 	<p>The Act section 20(3)</p> <p>Regulation 22(1)(c)</p>			<p>Minerals Local Plan for Gloucestershire (2018-2032) Publication Plan, Regulation 22 Consultation Statement, Dec 2018</p>
<p>13. Have you collected together all the representations made under Regulation 28?</p>	<p>The Act section 20(3)</p> <p>Regulation 22(1)(e)</p>			<p>Minerals Local Plan for Gloucestershire (2018 – 2032) Representations to the Publication MLP (Policy Order) Incorporating MPA responses, Dec 2018</p>
<p>14. Have you assembled the relevant supporting documents?</p>	<p>The Act section 20(3)</p> <p>Regulation 22(1)(g)</p>			<p>Minerals Local Plan for Gloucestershire (2018 – 2032) Table of Submitted Documents</p>
<p>15. Has your council approved the DPD for submission?</p>			<p>Check the LPA's constitution/standing orders for the authorisation process appropriate for the type of DPD.</p>	<p>Gloucestershire County Council Cabinet – January 31st 2018: Agenda Item 6: Publication and Submission of the Minerals Local Plan for Gloucestershire (2018 – 2032)</p>
<p>16. Have you sent the Secretary of State (the Planning</p>	<p>The Act section</p>		<p>Regulation 35 deals with the availability of</p>	<p>Submission letter from Gloucestershire County Council to PINS – 21st December 2018</p>

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
<p>Inspectorate) both a paper copy and an email of the following:</p> <ul style="list-style-type: none"> • the DPD? • the submission policies map (unless there are no site allocation policies)? • the documents prescribed in Regulation 22(1)? 	<p>20(1) and 20(3)</p> <p>Regulations 22(1) and 22(2)</p>		<p>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>17. - Have you made the following available at the same places where the proposed submission documents were to be seen:</p> <ul style="list-style-type: none"> • The DPD? • The documents prescribed in Regulation 22(1)? 	<p>Regulation 22(3)</p>		<p>You should do this as soon as reasonably practicable after submission.</p>	<p>All relevant documents will be available to be viewed from the same locations as publicised in the Minerals Local Plan for Gloucestershire (2018 – 2032) (Regulation 19) Statement of the Representations Procedure and Availability of Documents, May 2018</p>
<p>18. On your website, have you published the:</p> <ul style="list-style-type: none"> • DPD? • submission policies map? • sustainability appraisal report? • Regulation 22(1)(c) statement? • supporting documents (where practicable) ? • representations made 	<p>Regulation 22(3) and 35(1)(b)</p>		<p>You should do this as soon as reasonably practicable after submission.</p>	<p>All relevant documents will be uploaded onto the Gloucestershire County Council website for public view</p>

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
<p>under Regulation 20 (where practicable) ?</p> <ul style="list-style-type: none"> statement as to where and when the DPD and the documents are available? 				
<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"> notification that the documents prescribed in Regulation 22(3)(a)(i)-(iii) are available for inspection where and when they can be inspected? 	Regulation 22(3)(b)		You should do this as soon as reasonably practicable after submitting to the Secretary of State.	Appropriate notifications will take place during January 2019 alongside the publication of a Regulation 22 Statement of the Representations Procedure and Availability of Documents
<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.	Appropriate notifications will take place during January 2019 alongside the publication of a Regulation 22 Statement of the Representations Procedure and Availability of Documents
<p>21. If an examination is being held, at least six weeks before its opening has the Programme Officer:</p> <ul style="list-style-type: none"> published the time and place of the examination and the name of the person appointed to carry out the examination on your website? 	The Act section 20 Regulations 24 and 35			Notice of Regulation 24 will be served as soon as practicable, once the necessary information is available to publish on the website. All those who have made representations on the Publication MLP will be notified. This is anticipated to occur later in 2019.

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
<ul style="list-style-type: none">notified those who have made representations on the published DPD which have not been withdrawn of these details?				