

TOOLKIT PART 3: LOCAL PLAN PROCESS REQUIREMENTS CHECKLIST

Why you should use this part of the toolkit

The aim of this part of the toolkit is to assist you in ensuring that the relevant process requirements of specific legislation and policy have been met to enable you to proceed towards adoption of a local plan policies update.

This part of the Toolkit deals only with the process requirements for plan preparation set out in legislation and the NPPF associated with reviewing policies and updating local plan policies. Toolkit Part 1 provides more detail on carrying out a local plan policy review assessment. Toolkit Part 2 highlights the content that should be included in the local plan policies update as prescribed in the NPPF. Soundness and quality issues are dealt with in Toolkit Part 4.

How to use this part of the toolkit

The table below sets out key plan making process questions that you must consider when undertaking the stages of reviewing policies and updating your local plan policies. The rows marked:

- 'L' set out legal requirements included in legislation relevant for that stage of plan making; and
- 'PM' highlight project management reminders arising from these requirements.

For each requirement the table also highlights, where relevant, the supporting documents in which this information is typically recorded.

For each of the requirements listed indicate whether you have met the requirement with a *Yes* or *No*. You should ensure you can answer each question relevant to that plan stage with a 'Yes' before moving to the next stage of updating your plan. You can use the 'comments' section in the table to confirm the title and date of relevant documents and include hyperlinks to where they are published on your website (or file paths for documents not yet published).

The following abbreviations in the table are used:

P&CA - [Planning and Compulsory Purchase Act 2004 \(as amended\)](#)

T&CP - [The Town and Country Planning \(Local Planning\) \(England\) Regulations 2012 \(as amended\)](#)

The table does not make any reference to specific national planning policy guidance, case law or Ministerial Statements on the basis that this is not static and the degree to which it is relevant will vary depending upon particular circumstances. There is case law relevant to most plan making authorities; for example at the time of publication, when undertaking a screening assessment for a Habitats Regulation Assessment, of particular relevance is the '[People Over Wind judgement](#)' (Court of Justice of the European Union, 12 April 2018), the '[Dutch Nitrogen](#)' case (Court of Justice of the European Union, 7 November 2018) and other recent relevant Court of Justice judgements. Therefore, when developing your local plan update, you need to work with your legal team to ensure that you are familiar with relevant case law and Ministerial Statements and take account of these as and when appropriate.

You should also be aware that any reference to specific legislation includes any amendments to those instruments that are in force at the time of publication. Legislation relevant to England, including amendment regulations, can be accessed online at www.legislation.gov.uk. It is important that you check for any future amendments that may be brought into force following publication of this toolkit.

How to use the results of this part of the toolkit

You can use the results of this tool throughout the plan making process to ensure that requirements are met. There is no requirement to publish or submit this table to the Planning Inspectorate as part of the independent examination, but you may find it (or some elements) helpful to include with your supporting documents or to help you answer any questions from the Planning Inspector related to plan process.

	REF	Key questions	Legislation / Policy Source	Y/N	Examples of documents in which this might be found	Documents demonstrating compliance
		Stage A: Navigating the process of reviewing Local Plan policies				
1.	L	Have you consistently kept under review the matters which are likely to affect the development of your area and the planning of its development?	P&CPA Section 13. T&CP Regulation 34.	Yes.	<ul style="list-style-type: none"> ● Authority Monitoring Report. ● Baseline technical data. 	<ul style="list-style-type: none"> ● Authority Monitoring Report (2019-2020 / 2020-2021).
2.	L	Have you prepared to undertake a review of your local plan policies and complete the review within 5 years of the date of adoption of the current local plan? (also see guidance within Part 1 of the Route Mapper and the 'Local Plan Review Assessment' within Part 1 of the Toolkit).	T&CP Regulation 10A. NPPF para 33.	Yes.	<ul style="list-style-type: none"> ● Local Development Scheme. 	<ul style="list-style-type: none"> ● Local Development Scheme (2019).
3.	L	Have you prepared to review your Statement of Community Involvement and complete the review within 5 years of the date of adoption of the current Statement of Community Involvement?	P&CPA Section 18 and 19(3). T&CP Regulation 10A.	Yes.	<ul style="list-style-type: none"> ● Local Development Scheme. ● Statement of Community Involvement. 	<ul style="list-style-type: none"> ● Local Development Scheme (2019). ● Statement of Community Involvement (2020).
4.	PM	Have you checked your scheme of delegation and engaged with the relevant person(s) who will make decisions on the outcome of any review(s) of the Local Plan policies and the Statement of Community Involvement?	The Council's scheme of delegation.	Yes.	<ul style="list-style-type: none"> ● The Council's scheme of delegation. 	<ul style="list-style-type: none"> ● Nuneaton and Bedworth Borough Council Constitution (2014).

	REF	Key questions	Legislation / Policy Source	Y/N	Examples of documents in which this might be found	Documents demonstrating compliance
5.	L	<p>Have you prepared a report for the relevant person(s) deciding on the review of the local plan policies that takes into account the matters that are likely to affect the development of your area and the planning of its development to enable them to make a decision on whether:</p> <ol style="list-style-type: none"> 1. the policies do not need updating (publishing the reasons for this decision); and / or 2. that one or more strategic policies do need updating (moving to Stage B to update your Local Development Scheme to set out the timetable for this revision)? 	<p>T&CP Regulation 10A.</p> <p>NPPF para 33.</p>	Yes.	<ul style="list-style-type: none"> ● Published report and decision. ● 5 year plan review assessment (See Part 1 of this toolkit). ● Baseline technical data. 	<ul style="list-style-type: none"> ● PAS Toolkit Part 1 Local Plan Review. ● Local Plan Committee Report – 21st January 2020. ● Local Plan Committee Report – 1st July 2020. ● Local Plan Committee Report – 30th September 2020. ● Local Plan Committee Report – 20th January 2021. ● Local Plan Committee Report – 31st March 2021.
		Stage B: Scoping and preparing for your policies update				
6.	L	<p>Where an update of the Statement of Community Involvement is required have you prepared, consulted and adopted a revised Statement in accordance with the procedures set out in Part 2 of the P&CPA? Have you ensured that the Statement is up to date and reflects who the relevant consultation bodies are - for all stages of the plan making process - and what actions will be undertaken to involve the community in any updates to the local plan policies?</p>	<p>P&CPA Part 2.</p> <p>T&CP Regulation 18.</p> <p>NPPF Para 16.</p>	Yes.	<ul style="list-style-type: none"> ● Statement of Community Involvement. 	<ul style="list-style-type: none"> ● Statement of Community Involvement (2020).

	REF	Key questions	Legislation / Policy Source	Y/N	Examples of documents in which this might be found	Documents demonstrating compliance
7.	PM	<p>Have you prepared a report for the relevant person(s) who will make a decision on the outcome of the review of the Statement of Community Involvement including where relevant details and justification of proposed changes?</p> <p>This should also consider the any practicalities of making documents available for inspection at the submission stage.</p>	<p>P&CPA Section 18.</p> <p>T&CP Regulation 10A.</p>	Yes.	<ul style="list-style-type: none"> ● Published report and decision. ● Statement of Community Involvement. 	<ul style="list-style-type: none"> ● Cabinet Report – 9th December 2020. ● Statement of Community Involvement (2020).
8.	PM	Have you identified the proposed scope of the update of the local plan by setting out the principal policy areas that will be considered?		Yes.	<ul style="list-style-type: none"> ● Published report and decision on review of local plan policies. ● Baseline technical data. 	<ul style="list-style-type: none"> ● Borough Plan Review – Issues and Options Consultation (2021). ● Local Plan Committee Report – 9th June 2021.
9.	PM	Have you drafted a project plan to manage and timetable the development and update of the local plan policies?		Yes.	<ul style="list-style-type: none"> ● Local Development Scheme. ● Authority Monitoring Report. 	<ul style="list-style-type: none"> ● Local Development Scheme (2020).
10.	L	Have you prepared a new Local Development Scheme which identifies the local plan policies update document(s) and the Sustainability Appraisal and timescales for their production?	<p>P&CPA Section 15(2) and Section 19(1).</p>	Yes.	<ul style="list-style-type: none"> ● Local Development Scheme. ● Authority Monitoring Report. 	<ul style="list-style-type: none"> ● Local Development Scheme (2020).

	REF	Key questions	Legislation / Policy Source	Y/N	Examples of documents in which this might be found	Documents demonstrating compliance
11.	L	Does your Statement of Community Involvement and project plan identify the legally prescribed bodies you will engage with under the duty to cooperate? This should also include each Local Enterprise Partnership and each Local Nature Partnership in the area.	P&CPA Section 20 and Section 33A. T&CP Regulation 4.	Yes.	<ul style="list-style-type: none"> ● Statement of Community Involvement. ● Duty to Cooperate Statement(s) of Common Ground. 	<ul style="list-style-type: none"> ● Statement of Community Involvement (2020).
12.	L	Have you identified the “strategic matters” that will be included in the updated local plan policies and which have / would have a significant impact on your area and at least one other planning area and on which you are required to engage constructively, actively and on an ongoing basis?	P&CPA Section 20 and Section 33A.	Yes.	<ul style="list-style-type: none"> ● Published report and decision on review of local plan policies. ● 5 year plan review assessment (See Part 1 of this toolkit). ● Duty to Cooperate Statement(s) of Common Ground / Duty to Cooperate Statements. 	<ul style="list-style-type: none"> ● Duty to Cooperate Compliance Statement (2023).
13.	L	In addition to the legally prescribed bodies does your Statement of Community Involvement and project plan identify any additional bodies / person(s) who you will engage with on strategic cross-boundary matters and who will be party to your Statement(s) of common ground?	NPPF para 27 and para 35.	Yes.	<ul style="list-style-type: none"> ● Statement of Community Involvement. ● Duty to Cooperate Statement(s) of Common Ground / Duty to Cooperate Statements. 	<ul style="list-style-type: none"> ● Statement of Community Involvement (2020).

	REF	Key questions	Legislation / Policy Source	Y/N	Examples of documents in which this might be found	Documents demonstrating compliance
14.	PM	Have you designed a template to record the progress made with the above bodies / person(s). This should document where effective co-operation is and is not happening throughout the plan making process, and the outcomes from engagement. This will also be required as evidence to demonstrate that you have met the Duty to Cooperate.	P&CPA Section 20 and Section 33A. NPPF para 27 and para 35.	Yes.	<ul style="list-style-type: none"> ● Duty to Cooperate Statement(s) of Common Ground / Duty to Cooperate Statements. ● Template documents. 	<ul style="list-style-type: none"> ● A meeting log is appended to the Duty to Cooperate Compliance Statement.
15.	PM	In line with your Local Development Scheme and project plan have you timetabled relevant meetings / briefings with the authorities senior management team and elected Members (including any relevant Cabinet / Committee) to ensure that there is support for the development of the local plan policies update and that any necessary permissions for publication are obtained?		Yes.	<ul style="list-style-type: none"> ● Any relevant local authority reports and decisions. 	<ul style="list-style-type: none"> ● Noted within the internal project plan and on the forward plan.
16.	L	Have you prepared a Scoping Report for the development of your Sustainability Appraisal to inform the update of your plan policies? Have you included a proposed framework for testing local plan policies update options and alternatives using the baseline information and an identified set of sustainability objectives? Have you incorporated the requirements of the Strategic Environmental Assessment?	P&CPA Section 19 and Section 39. The Environmental Assessment of Plans and Programmes Regulations 2004 (as amended). The European Directive 2001/42/EC. NPPF Para 32.	Yes.	<ul style="list-style-type: none"> ● Local Development Scheme. ● Sustainability Appraisal Scoping document. ● Sustainability Appraisal report. 	<ul style="list-style-type: none"> ● Sustainability Appraisal Scoping Report – Nuneaton and Bedworth Borough Plan (2021).

	REF	Key questions	Legislation / Policy Source	Y/N	Examples of documents in which this might be found	Documents demonstrating compliance
17.	L	Have you consulted the statutory environment consultation bodies, and other interested parties, on the scope and level of detail of the environmental information to be included in the Sustainability Appraisal report?	The Environmental Assessment of Plans and Programmes Regulations 2004 (as amended).	Yes.	<ul style="list-style-type: none"> ● Statement of Community Involvement. ● Sustainability Appraisal report scoping document. ● Sustainability Appraisal report. ● Copies of the consultation letters sent to, and any responses from, the bodies. 	<ul style="list-style-type: none"> ● Sustainability Appraisal Scoping Report – Nuneaton and Bedworth Borough Plan (2021).
		Stage C: Developing the update to your local plan policies				
18.	L	Have you collected in a presentable format the relevant baseline information that will inform and evidence an update to your plan? This may include evidence commissioned by third parties.	P&CPA Section 13 and Section 20.	Yes.	<ul style="list-style-type: none"> ● Baseline technical data. ● Commissioned reports and studies. ● Authority Monitoring Report. 	<ul style="list-style-type: none"> ● A review of technical evidence was required – reports were commissioned.
19.	L	Have you undertaken early engagement with stakeholders to help develop spatial options, particularly on strategic cross-boundary matters? Have you ensured that you are keeping a continual log of engagement for your Duty to Cooperate Statement of Common Ground?	P&CPA Section 20 and Section 33A. NPPF para 27 and para 35.	Yes.	<ul style="list-style-type: none"> ● Duty to Cooperate Statement(s) of Common Ground / Duty to Cooperate Statements. 	<ul style="list-style-type: none"> ● A log of meetings is appended to the Duty to Cooperate Compliance Statement. ● Cross boundary evidence base documents have been commissioned.

	REF	Key questions	Legislation / Policy Source	Y/N	Examples of documents in which this might be found	Documents demonstrating compliance
20.	L	Have you drafted policies / policy options and alternatives based on evidence and engagement? Do the options serve a clear purpose, have they been prepared positively and written in a clear manner and unambiguous?	NPPF para 15 to 34.	Yes.	<ul style="list-style-type: none"> ● First draft plan. ● Sustainability Appraisal report. ● Duty to Cooperate Statement(s) of Common Ground / Duty to Cooperate Statements. 	<ul style="list-style-type: none"> ● Borough Plan Review – Issues and Options (2021). ● Sustainability Appraisal – Nuneaton and Bedworth Borough Plan – Issues and Options (2021).
21.	L	Have you taken account of the NPPF requirements for plan content and the Government’s planning policy for traveller sites? At the time of publication this was included in the August 2015 DCLG Planning Policy for traveller sites. This policy must be taken into account in the preparation of development plans.	NPPF. Planning policy for traveller sites, DCLG August 2015.	Yes.	<ul style="list-style-type: none"> ● Evidence based documents. ● First draft plan. ● Consultation statement. ● Duty to Cooperate Statement(s) of Common Ground / Duty to Cooperate Statements. 	<ul style="list-style-type: none"> ● Decision was taken to create a separate DPD on this matter - Local Plan Committee Report – 21st January 2020. ● (Gypsy and Traveller Site Allocations DPD (2023)).
22.	L	Have you considered plan production processes set out within the NPPF, including: <ul style="list-style-type: none"> ● Plan making provisions set out in section 3 – para 15-37 ● Considering transport issues at the earliest stages of plan production – para 104 ● Aligning strategies and investments – para 106 ● Considering changes in the demand for land – para 122 ● Discussing the strategic location of housing growth and any proposed changes to Green 	NPPF.	Yes.	<ul style="list-style-type: none"> ● Evidence based documents. ● First draft plan. ● Consultation statement. ● Duty to Cooperate Statement(s) of Common Ground / Duty to Cooperate Statements. 	<ul style="list-style-type: none"> ● (The council consulted on the document throughout plan production. Consultation Statements document how and when we have consulted. Evidence base documents include the Strategic Transport Assessment and Strategic Flood Risk Assessment).

	REF	Key questions	Legislation / Policy Source	Y/N	Examples of documents in which this might be found	Documents demonstrating compliance
		<p>Belt boundaries with neighbouring authorities – para 141</p> <ul style="list-style-type: none"> • Applying a sequential, risk-based approach to the location of development to avoid flood risk to people and property – para 161 • Allocating land with the least environmental value – para 175 				
23.	L	<p>Have you developed a clear and robust framework that will allow you to consistently monitor the implementation and impact of the policies in the plan and to enable a review to be triggered where necessary?</p>	<p>P&CPA Section 13 and Section 35.</p> <p>T&CPA Regulation 34.</p> <p>The Environmental Assessment of Plans and Programmes Regulations 2004 (as amended).</p> <p>NPPF Para 31, 33, 76, 122.</p>	Yes.	<ul style="list-style-type: none"> • Sustainability Appraisal. • Authority Monitoring Report. • Reports or documents setting out the appraisal and monitoring framework. 	<ul style="list-style-type: none"> • Authority Monitoring Reports.
24.	L	<p>Have you undertaken a Habitats Regulations Screening Assessment to determine whether the update to the local plan is likely to have a significant effect on a European site or a European offshore site (either alone or in combination with other plans or projects)?</p>	<p>The Conservation of Habitats and Species Regulations 2017 (as amended).</p> <p>The European Directive 92/43/EEC.</p>	Yes.	<ul style="list-style-type: none"> • Habitats Regulations Assessment screening report. • Habitats Regulations Assessment. 	<ul style="list-style-type: none"> • Habitats Regulations Assessment of the Nuneaton and Bedworth Local Plan Review (2023).

	REF	Key questions	Legislation / Policy Source	Y/N	Examples of documents in which this might be found	Documents demonstrating compliance
25.	L	Have you consulted the relevant “nature conservation body” on your Habitats Regulations Screening Assessment and had regard to their representations? Have you also consulted, if considered appropriate, other relevant organisations?	The Conservation of Habitats and Species Regulations 2017 (as amended). The European Directive 92/43/EEC.	Yes.	<ul style="list-style-type: none"> ● Habitats Regulations Assessment screening report. ● Habitats Regulations Assessment. ● Statement of Community Involvement. ● Duty to Cooperate Statement(s) of Common Ground / Duty to Cooperate Statements. 	<ul style="list-style-type: none"> ● Habitats Regulations Assessment of the Nuneaton and Bedworth Local Plan Review (2023). ● (The Council consulted on the Habitat Regulations Assessment at each stage of the planning process with the relevant statutory consultees).
26.	L	Did the Habitats Regulations Assessment screening assessment determine that the plan is likely to have a significant effect on a European site or a European offshore site? If so you <u>must</u> undertake an appropriate assessment of the implications of the plan (as part of your Habitats Regulatory Assessment (HRA)) for the Plan’s policies and site(s) within the context of the European site’s conservation objectives.	The Conservation of Habitats and Species Regulations 2017 (as amended). The European Directive 92/43/EEC.	Yes.	<ul style="list-style-type: none"> ● Habitats Regulations Assessment screening report. ● Habitats Regulations Assessment. ● Duty to Cooperate Statement(s) of Common Ground / Duty to Cooperate Statements. 	<ul style="list-style-type: none"> ● Habitats Regulations Assessment of the Nuneaton and Bedworth Local Plan Review (2023).
27.		Have you carried out an Equalities Impact Assessment?	Equality Act 2010.	Yes.	<ul style="list-style-type: none"> ● Equalities Impact Assessment. 	<ul style="list-style-type: none"> ● Nuneaton and Bedworth Borough Council (2023). Equalities Impact Assessment.

	REF	Key questions	Legislation / Policy Source	Y/N	Examples of documents in which this might be found	Documents demonstrating compliance
28.		Have you considered combining the Sustainability Appraisal, Equalities Impact Assessment and potentially Habitats Regulations Assessment as part of an Integrated Impact Assessment that is developed and updated alongside the plan in order to inform its options? This may not be appropriate in all instances.	Equality Act 2010.	Yes.	<ul style="list-style-type: none"> ● Habitats Regulations Assessment screening report. ● Habitats Regulations Assessment. ● Equalities Impact Assessment. 	<ul style="list-style-type: none"> ● Decided against combining the documents. However, the same consultant wrote the HRA and SA.
29.	L	Have you assessed the draft plan / policy options against relevant soundness and quality measures?	NPPF Para 35 to 36.	Yes.	<ul style="list-style-type: none"> ● Draft plan / policy options. ● Duty to Cooperate Statement(s) of Common Ground. ● Local Plan Form and Content Checklist (see Part 2 of this Toolkit). ● Local Plan Soundness and Quality Assessment (see Part 4 of this Toolkit). 	<ul style="list-style-type: none"> ● Local Plan Form and Content Checklist (see Part 2 of this Toolkit). ● Local Plan Soundness and Quality Assessment (see Part 4 of this Toolkit).
30.	L	Are there any policies applying to sites or areas by reference to an Ordnance Survey map or to amend an adopted policies map? If yes, have you prepared a submission policies map?	T&CPA Regulations 5(1) (b), 9 (1), 17 & 22(1).	Yes.	<ul style="list-style-type: none"> ● Submission policies map. ● Brief statement if a submission policies map is not required. 	<ul style="list-style-type: none"> ● Borough Plan policies map – Borough Plan Review.
31.	L	Is the local plan policies update consistent with any other adopted Local Plan Documents for the area?	T&CPA Regulation 8(3) and (4).	Yes.	<ul style="list-style-type: none"> ● Local Plan and relevant background papers. 	<ul style="list-style-type: none"> ● Gypsy and Traveller Site Allocations DPD (In development). ● Adopted SPDs.

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32.	L	Is the local plan policies update intended to supersede any adopted development plan policies, does it state that fact and identify the superseded policies?	T&CPA Regulation 8(5)	Yes.	<ul style="list-style-type: none"> Local Plan. 	<ul style="list-style-type: none"> To supersede the adopted Borough Plan (2011-2031).
33.	L	Is the local plan policies update (if a London Borough or Mayoral DC) in general conformity with the spatial development strategy?	P&CPA section 24.	N/A.	<ul style="list-style-type: none"> Letter from Mayor of London/ Mayoral Development Corporate. Local Plan and relevant background papers. 	<ul style="list-style-type: none"> Not applicable.
		Stage D: Consulting and engaging on the policies update				
34.	PM	Have you obtained the relevant authority permissions to publish the first draft / options for public consultation?		Yes.	<ul style="list-style-type: none"> Any relevant authority reports to Cabinet / Committee. 	<ul style="list-style-type: none"> Borough Plan Committee – Issues and Options Consultation Report – June 2021.
35.	L	<p>Have you notified the following bodies or persons that you are preparing a local plan policies update and invited them to make representations on what the plan should contain?</p> <ul style="list-style-type: none"> The specific consultation bodies that may have an interest; The general consultation bodies that the authority consider appropriate; 	<p>P&CPA Section 20 and Section 33A.</p> <p>T&CP Regulation 18.</p> <p>NPPF Para 16, 24-27, and 35.</p>	Yes.	<ul style="list-style-type: none"> Consultation Statement. Copies of consultation notifications. Records of discussion. 	<ul style="list-style-type: none"> Email sent out to consultees on 11th June 2021 from the Planning Policy inbox.

	REF	Key questions	Legislation / Policy Source	Y/N	Examples of documents in which this might be found	Documents demonstrating compliance
		<ul style="list-style-type: none"> Residents or other persons carrying on business in the area as considered appropriate; and Any other stakeholders that you have engaged with in earlier stages on strategic matters and who will be party to your Duty to Cooperate Statement(s) of Common Ground and are relevant parties pursuant to your duty to cooperate 				
36.	L	<p>Have you made sure that the consultation and invitation to make representations:</p> <ul style="list-style-type: none"> Follows the principles set out in your adopted Statement of Community Involvement; Integrates any involvement with the Duty to Cooperate Statement(s) of Common Ground; and Is proportionate to the scale of issues involved in the local plan policies update. 	<p>P&CPA Section 19.</p> <p>NPPF Para 27 and 35.</p>	Yes.	<ul style="list-style-type: none"> Statement of Community Involvement. Consultation Statement. 	<ul style="list-style-type: none"> Email sent out to consultees on 11th June 2021 from the Planning Policy inbox. Issues and Options Consultation Statement (2021).
37.	L	<p>Have you prepared a draft of your Consultation Statement (a “proposed submission document”) that includes a record of:</p> <ul style="list-style-type: none"> The individuals or bodies invited to make representations; How this was done; The main issues raised; and In preparation of Stage E (and to be completed in Stage E as outline below) how 	<p>P&CPA Section 19.</p> <p>T&CPA Regulation 17, 18, 19 and 22.</p> <p>NPPF Para 16, 24-27, and 35.</p>	Yes.	<ul style="list-style-type: none"> Consultation Statement. 	<ul style="list-style-type: none"> Issues and Options Consultation Statement (2021).

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		the main issues have been addressed in the local plan policies update.				
38.	L / PM	<p>Have you consulted on the following emerging documents alongside your first draft plan so that they can be reviewed against representations and policy options and alternatives as they are developed?</p> <ul style="list-style-type: none"> ● Sustainability Appraisal; and ● Habitats Regulations Screening Assessment (or Habitats Regulations Assessment if one has been developed at this stage) 	<p>P&CPA Section 19 and Section 39.</p> <p>The Environmental Assessment of Plans and Programmes Regulations 2004 (as amended).</p> <p>The Conservation of Habitats and Species Regulations 2017 (as amended).</p> <p>The European Directive 2001/42/EC.</p> <p>The European Directive 92/43/EEC.</p> <p>NPPF Para 32.</p>	Yes.	<ul style="list-style-type: none"> ● Sustainability Appraisal (and any drafts). ● Habitats Regulations Assessment screening report. ● Habitats Regulations Assessment. ● Statement of Community Involvement. ● Consultation Statement. 	<ul style="list-style-type: none"> ● Email sent out to consultees on 11th June 2021 from the Planning Policy inbox. ● Issues and Options Consultation Statement (2021).
		Stage E: Developing the submission version of the policies update				
39.	PM	Taking account of the consultation have you considered whether there is a need for further evidence and / or evidence to be updated to support the policy options set out in your plan?	P&CPA Section 13 and Section 20.	Yes.	<ul style="list-style-type: none"> ● Consultation statement. ● Baseline technical data. 	<ul style="list-style-type: none"> ● (A review of the evidence base required was undertaken and a number of studies and reports data)

	REF	Key questions	Legislation / Policy Source	Y/N	Examples of documents in which this might be found	Documents demonstrating compliance
					<ul style="list-style-type: none"> ● Commissioned reports and studies. 	have been commissioned which cover a range of issues).
40.	PM	<p>Have you considered whether further consultation and engagement is required depending on the nature and significance of any proposed changes to the preferred strategy following consultation and / or further evidence?</p> <p>Where further consultation and engagement is required prior to submission this should be undertaken, recorded and reported in line with the requirements set out above. This includes updating and consulting where necessary on any corresponding amendments to the Sustainability Appraisal and Habitats Regulations Assessment.</p>	P&CPA Section 13 and Section 20.	Yes.	<ul style="list-style-type: none"> ● Consultation statement. ● Baseline technical data. ● Commissioned reports and studies. ● Sustainability Appraisal (and any drafts). ● Habitats Regulations Assessment screening report. ● Habitats Regulations Assessment. ● Statement of Community Involvement. 	<ul style="list-style-type: none"> ● Email sent out to consultees on 10th June 2022 from the Planning Policy inbox. ● Preferred Options Consultation Statement (2022).
41.	L	Have you prepared the Sustainability Appraisal report on any revised draft of the local plan policies update? Is it clear how the sustainability appraisal has influenced the plan?	<p>P&CPA Section19(5).</p> <p>Regulation 12 of the Environmental Assessment of Plans and Programmes Regulations 2004 No 1633.</p>	Yes.	<ul style="list-style-type: none"> ● Sustainability Appraisal. 	<ul style="list-style-type: none"> ● Nuneaton and Bedworth Borough Council Local Plan – Sustainability Appraisal (2023).

	REF	Key questions	Legislation / Policy Source	Y/N	Examples of documents in which this might be found	Documents demonstrating compliance
42.	L	Have you prepared an Appropriate Assessment under the Conservation of Habitats and Species Regulations 2017 [HRA], or evidence to demonstrate that an Appropriate Assessment is not required and confirmation from Natural England that they concur?	The Conservation of Habitats and Species Regulations 2017 (as amended). The European Directive 2001/42/EC. The European Directive 92/43/EEC. NPPF Para 32.	Yes.	<ul style="list-style-type: none"> ● Habitats Regulations Assessment screening report. ● Habitats Regulations Assessment. 	<ul style="list-style-type: none"> ● Habitats Regulations Assessment of the Nuneaton and Bedworth Local Plan Review (2023).
43.	L	Have you updated your Equalities Impact Assessment?	Equality Act 2010.	Yes.	<ul style="list-style-type: none"> ● Equalities Impact Assessment. 	<ul style="list-style-type: none"> ● Nuneaton and Bedworth Borough Council (2023). Equalities Impact Assessment.
44.	L	Have you taken account of all of the representations received from all person(s) in response to the consultation(s) in Stage D? Have you recorded how the main issues have/will be addressed in your draft consultation statement?	T&CPA Regulation 17, 18 and 22.	Yes.	<ul style="list-style-type: none"> ● Consultation Statement. ● Local Plan. ● Relevant correspondence. 	Preferred Options Consultation Statement (2022) – Appendix 1.
45.	PM	Have you considered whether or not you intend to confirm the housing land supply through the independent examination process? If so, have you clearly stated this within your Regulation 19 Submission local plan policies update and have you ensured that you will engage appropriately with developers and others with an interest in housing delivery on the housing land supply?	NPPF para 75. T&CPA Regulation 17, 18 and 22.	Yes.	<ul style="list-style-type: none"> ● Local Plan. ● Relevant correspondence. 	<ul style="list-style-type: none"> ● Borough Plan Review - Regulation 19 Publication Draft Plan (2021-2039). ● Five year housing land supply position - housing trajectory (2023).

	REF	Key questions	Legislation / Policy Source	Y/N	Examples of documents in which this might be found	Documents demonstrating compliance
46.	PM	<p>Does your local plan policies update include a trajectory illustrating the expected rate of housing delivery over the plan period?</p> <p>Will your local plan policies update provide for a 5 year supply of deliverable housing sites (incorporating the appropriate buffer) on adoption against the housing requirement (which is informed by a local housing need assessment conducted using the standard method as a starting point)?</p>	NPPF paras 11, 74 and 75.	Yes.	<ul style="list-style-type: none"> Local Plan. 	<ul style="list-style-type: none"> Five year housing land supply position - housing trajectory (2023).
		Stage F: Independent examination and adoption				
47.	PM	<p>Have you obtained the relevant authority permissions to publish the submission version of the local plan policies update?</p> <p>You may want to consider including approval to submit this to the Secretary of State (Planning Inspectorate)</p>		Yes.	<ul style="list-style-type: none"> Any relevant authority reports to Cabinet / Committee. 	<ul style="list-style-type: none"> Approval obtained from Borough Plan Committee (12th July) and Cabinet (26th July) (Nuneaton and Bedworth Borough Council) – Minutes available online. Approval from the Head of Planning and Building Control. Approval from the Portfolio Holder for Planning and Regulation.
48.	L	Have you made clear where and within what period representations must be made?	T&CPA Regulation 17, 19, 20 and 35.	Yes.	<ul style="list-style-type: none"> Report or record of decisions. 	<ul style="list-style-type: none"> A display poster was located in Nuneaton Town Hall reception and Nuneaton, Bedworth and Bulkington libraries.

	REF	Key questions	Legislation / Policy Source	Y/N	Examples of documents in which this might be found	Documents demonstrating compliance
						<ul style="list-style-type: none"> ● The website was updated displaying the associated documents and information. ● Two types of leaflet included this information.
49.	L	<p>Have you published on your website and 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 ● statement and details of where and when documents can be inspected <p>Have you checked you have met all other requirements of your Statement of Community Involvement?</p>	T&CPA Regulations 19 and 35.	Yes.	<ul style="list-style-type: none"> ● Statements and record of where and when documents were made available. ● Consultation Statement. 	<ul style="list-style-type: none"> ● Planning Policy consultation webpages – copies available. ● Publication Consultation Statement (2023). ● Display poster, A4 consultation leaflet and A5 folded leaflet.
50.	L	<p>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; and ● the statement of the representations procedure 	T&CPA Regulation 19(b).	Yes.	<ul style="list-style-type: none"> ● Consultation Statement. ● Evidence of notifications (email). 	<ul style="list-style-type: none"> ● Publication Consultation Statement (2023). ● Evidence of notification (email) - copy available.
51.	L	<p>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; and 	T&CPA Regulation 19(b).	Yes.	<ul style="list-style-type: none"> ● Consultation Statement. ● Evidence of notifications (email). 	<ul style="list-style-type: none"> ● Publication Consultation Statement (2023). ● Evidence of notification (email) available.

	REF	Key questions	Legislation / Policy Source	Y/N	Examples of documents in which this might be found	Documents demonstrating compliance
		<ul style="list-style-type: none"> where and when the documents can be inspected 				
52.	L	Have you, on the day of publication, requested the opinion of the Mayor of London (if a London Borough or Mayoral DC) on the general conformity of the local plan update with the spatial development strategy?	P&CPA Section 24. T&CPA Regulation 21.	N/A.	<ul style="list-style-type: none"> Copy of letter. 	<ul style="list-style-type: none"> Not applicable.
Getting ready for submission to PINS						
53.	PM	Get ready for submission and examination, this might mean starting the process of appointing a programme officer, securing rooms for a potential hearing and other practical arrangements. Refer to guidance from the Planning Inspectorate.	See PINS Procedure Guide for Local Plan Examinations 2021 .			We have appointed a Programme Officer and are liaising with the appropriate parties, within Nuneaton Town Hall (Council Offices), on securing rooms and IT for a potential hearing.
54.	PM	Have you obtained the relevant authority permissions to submit the plan to the Secretary of State via the Planning Inspectorate (PINS)			<ul style="list-style-type: none"> Any relevant authority reports to Cabinet / Committee. 	<ul style="list-style-type: none"> Borough Plan Committee – 28th November 2023. Cabinet – 6th December 2023. Full Council – 13th December 2023.
55.	L	Have you collated all of the representations made to the publication draft plan policies update?	P&CPA Section 20(3). T&CPA Regulation 22(1)(e).			Officer responses to the Publication (Regulation 19) consultation.

	REF	Key questions	Legislation / Policy Source	Y/N	Examples of documents in which this might be found	Documents demonstrating compliance
56.	PM	<p>Does each representation made have a unique ID and contact details?</p> <p>PINs require that these are provided in an electronic database enabling the full text of each representation to be accessed easily in both policy and paragraph number order and representor order. The database should also clearly identify those who have made a request to be heard by the Inspector under section 20(6) of the PCPA</p>	<p>See PINS Procedure Guide for Local Plan Examinations 2021.</p>			Yes.
57.	L	<p>Have you assembled the relevant supporting documents (documents relevant to the preparation of your plan which normally includes or comprises the evidence base)?</p>	<p>P&CPA Section 20(3). T&CPA Regulation 22(1)(g).</p>		<ul style="list-style-type: none"> ● Submission documents / Examination library. 	Yes.
58.	PM	<p>Do all of the documents that you will submit to the inspectorate have a unique reference listed in an 'Examination Library'?</p>			<ul style="list-style-type: none"> ● Submission documents / Examination library. 	Yes.
59.	L/ PM	<p>You may need to consider whether you need to redact certain personal details from representations for the website and inspection purposes. However, those who have made representations should be able to contact one another and documents should be provided without details redacted. See the guidance from the Planning Inspectorate.</p>	<p>General Data Protection Regulation 2018. See PINS Procedure Guide for Local Plan Examinations 2021.</p>			Yes.

	REF	Key questions	Legislation / Policy Source	Y/N	Examples of documents in which this might be found	Documents demonstrating compliance
60.	L	<p>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 	<p>P&CPA Section 20 (3).</p> <p>T&CPA Regulation 22(1)(c).</p>		<ul style="list-style-type: none"> • Consultation statement. 	<ul style="list-style-type: none"> • Submission Consultation Statement (2023).
61.	L	<p>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 OR • Stating that no representations were made 	<p>P&CPA Section 20(3).</p> <p>T&CPA Regulation 22(1)(c).</p>		<ul style="list-style-type: none"> • Consultation Statement. • The Statement as required in Regulation 22(1)(c) – this can be included in the Consultation statement. 	<ul style="list-style-type: none"> • Publication Consultation Statement (2023).
62.	PM	<p>Consider what documents need printing to ensure that hard copies are available where necessary for inspection and for the examination library.</p>	<p>See PINS Procedure Guide for Local Plan Examinations 2021.</p>			<p>Yes.</p>
Submission to PINS						
63.	L	<p>Have you sent the Secretary of State (the Planning Inspectorate) a hard copy and electronic version of:</p> <ul style="list-style-type: none"> • a copy of the local plan policies update • and (if prepared) policies map 	<p>P&CPA Section 20(1) and 20(3).</p> <p>T&CPA Regulations 22.</p>			<p>Yes.</p>

	REF	Key questions	Legislation / Policy Source	Y/N	Examples of documents in which this might be found	Documents demonstrating compliance
		<p>Have you sent the Secretary of State (the Planning Inspectorate) an electronic version of:</p> <ul style="list-style-type: none"> ● the Final ‘consultation statement’ supplemented by or incorporating the documents consultation required under Regulation 22(1) ● The Sustainability Appraisal ● Copies of representations ● ‘Supporting documents’ <p>Guidance from PINS also highlights other material necessary for the examination which includes:</p> <ul style="list-style-type: none"> ● An Appropriate Assessment under the Conservation of Habitats and Species Regulations 2017 [HRA], or evidence to demonstrate that an Appropriate Assessment is not required and confirmation from Natural England that they concur; ● The LPA’s current Local Development Scheme; ● In London, confirmation that the Mayor has indicated general conformity with the London Plan (note however that the Inspector is entitled to take his/her own view on conformity). ● It is also helpful if the LPA provide an Equalities Impact Assessment 	<p>See PINS Procedure Guide for Local Plan Examinations 2021.</p>			

	REF	Key questions	Legislation / Policy Source	Y/N	Examples of documents in which this might be found	Documents demonstrating compliance
64.		<p>As soon as practical after submission, on your website, have you published:</p> <ul style="list-style-type: none"> • The documents submitted to PINS (identified above) including representations made under Regulation 20 (where practicable) taking into account GDPR requirements? • Statement as to where and when these documents are available for inspections (again this should be in line with any requirements in your Statement of Community Involvement)? 	T&CPA Regulation 22(3) and 35(1)(b).			Yes.
65.	L	<p>For each general consultation body invited to make representations under Regulation 18(1), have they been sent:</p> <ul style="list-style-type: none"> • notification that the documents submitted to PINS are available for inspection • details of where and when they can be inspected 	T&CPA Regulation 22(3)(b).		• Copies of correspondence.	Yes.
66.	L	Have you given notice to persons who have requested to be notified that submission has taken place?	T&CPA Regulation 22(3)(c).		• Copies of correspondence.	Yes.
67.	L	If examination hearings are being held, at least six weeks before its opening has the Programme Officer:	P&CPA Section 20.		• Website.	N/A at the point of submission.

	REF	Key questions	Legislation / Policy Source	Y/N	Examples of documents in which this might be found	Documents demonstrating compliance
		<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? notified those who have made representations on the published DPD which have not been withdrawn of these details? 	T&CPA Regulations 24 and 35.			
68.	L	Have you asked the Inspector to recommend 'main modifications' (changes that materially affect the policies) to make a submitted local plan policies update sound and legally compliant? These modifications should be published for consultation.	See Section 6 of the PINS Procedure Guide for Local Plan Examinations 2021 . P&CPA Section 20 (7C).		<ul style="list-style-type: none"> Schedule of proposed main modifications. 	N/A at the point of submission.
69.	L	Depending on the scope of the modifications, have you considered whether there is a need to undertake further Sustainability Appraisal, Habitats Regulations Assessment, and Equalities Impact Assessment on the modifications.	The Environmental Assessment of Plans and Programmes Regulations 2004 (as amended). The European Directive 2001/42/EC. The Conservation of Habitats and Species Regulations 2017 (as amended).		<ul style="list-style-type: none"> Sustainability Appraisal (and any drafts). Equalities Impact Assessment. Habitats Regulations Assessment screening report. 	N/A at the point of submission.

	REF	Key questions	Legislation / Policy Source	Y/N	Examples of documents in which this might be found	Documents demonstrating compliance
			The European Directive 92/43/EEC. Equality Act 2010.			
70.	L	If the plan policies update is sound, have you formally adopted the plan policies update in a full meeting of the local planning authority?	T&CPA Regulation 4(1) and (3) of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000).		<ul style="list-style-type: none"> Any relevant authority reports to Cabinet / Committee. 	N/A at the point of submission.
71.	L	On adopting a Local Plan policies update, have you made publicly available a copy of the plan, an Adoption Statement and Sustainability Appraisal?	T&CPA Regulations 26 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.		<ul style="list-style-type: none"> Adoption Statement. 	N/A at the point of submission.