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**ST HELENS**  
BOROUGH COUNCIL

**ST HELENS BOROUGH  
LOCAL PLAN 2020-2035**

**LEGAL COMPLIANCE CHECKLIST**

**OCTOBER 2020**





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## 1 Introduction

- 1.1 The St Helens Borough Local Plan 2020-2025 (“the Plan”) has been submitted to the Secretary of State. The Plan will now be examined by an independent inspector to assess whether it has been prepared in accordance with the legal and procedural requirements as set out by the Town and Country Planning (Local Planning) (England) Regulations 2012 (“2012 Regulations”) and whether the Plan is “sound”.
- 1.2 To facilitate the examination process, and for the benefit of the planning inspector and other examination participants, local planning authorities are encouraged to submit a completed Legal Compliance Checklist.
- 1.3 This document seeks to provide succinct reference points that demonstrate how the Local Plan is legally compliant. It also points out a range of other supporting evidence that has been prepared and the processes undertaken to get the Plan to this point. Through the examination process, additional information may need to be produced in support of the Plan. All such information will be published on the Council’s website and clearly referenced and recorded as additional documents submitted to inform the examination process.

### Summary of key stages in preparing the Plan to the point of submission.

Stage	Date
Local Plan Scoping Consultation Document (Regulation 18 consultation)	Consultation: 20 January 2016 to 2 March 2016
Local Plan Preferred Options	Consultation: 5 December 2016 to 30 January 2017
Local Plan Submission Draft (Regulation 19 Consultation)	Consultation: 17 January 2019 to 13 May 2019
Local Plan Submission	Submitted: October 2020

## 2 Background to Checklist

- 2.1 This checklist has been produced by the Planning Advisory Service (PAS). It is based on the Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2012. It should be considered in conjunction with the St Helens Borough Local Plan Pas Local Plan Route Mapper Toolkit Part 4: Local Plan Soundness & Quality Assessment Checklist (SD016).
- 2.2 Evidence provided to support the Plan should be relevant and proportionate; use of this checklist is not to be taken as a reason to assemble more than is needed.

### Glossary

Act:..... Planning and Compulsory Purchase Act 2004 (as amended)  
NPPF: ..... National Planning Policy Framework  
Regulations: ..... Town and Country Planning (Local Planning) (England)(Amendment) Regulations 2012  
LDS:..... Local Development Scheme  
SCI:..... Statement of Community Involvement  
DPD: ..... Development Plan Document

- 2.3 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.

## The Beginning

- 2.4 In terms of legal compliance, the main issues for the early stage of Local Plan preparation 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.
- 2.5 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 checklist, the term 'consultation statement' is used to describe this statement.
- 2.6 Section 33A of the Act (introduced by the Localism Act 2011) introduces a 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. A plan may be found unsound if a council cannot show that it has taken reasonable steps to comply with the duty. This is set out in the associated Duty to Cooperate Statement and Statements of Common Ground. These have been prepared with neighbouring authorities and other key consultees.

### Stage One: The Beginning

Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible Evidence	St Helens Borough Local Plan: Evidence Provided
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 15		The adopted LDS at the time of commencement, publication and submission of the DPD  The relevant authority monitoring report (if changes	Yes, the St Helens Borough Local Plan is identified in the adopted Local Development Scheme 2020-2022, as published in September 2020. The LDS states that the Plan is due to be submitted in October 2020.

Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible Evidence	St Helens Borough Local Plan: Evidence Provided
				need to be explained)	
2. How will community engagement be programmed into the preparation of the DPD?	The Act section 19(3) Regulation 18	NPPF Paras 16, 25	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.	The SCI The project plan for the DPD	St Helens Borough Statement of Community Involvement (SCI) sets out how community engagement will be programmed into the Local Plan and the bodies/organisations to be consulted. The SCI was originally adopted in 2007 and subsequently has been revised – most recently in November 2013. Details of how community engagement has been undertaken is also set out in the Regulation 22 Consultation Statement (submission document SD004).
3. Have you considered the appropriate bodies you should consult?	Regulation 18	NPPF Paras 24, 25	Regulation 2 defines the general and specific consultation bodies. The possible evidence may duplicate each other. Only use what you need to.	The SCI Reports and decisions setting out the approach to specific and general consultation bodies Consultation statement	The SCI, as updated in 2013, considers the consultation bodies. Lists of consulted bodies/organisations and how consultation took place are included in the Local Plan Preferred Options Report of Consultation (December 2018) and the Regulation 22 Consultation Statement (SD004). The Council also maintains a consultee database which is kept in line with the General Data Protection Regulations (GDPR) 2018.
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?	The Act section 33A(1)(a) and (b), section 33A(3)(d) (e) & (4) The Act Section 20(5)(c) Regulation 4	NPPF Paras 26, 27  Under NPPF Para 35, to be 'Effective' a plan should be based on effective joint working on cross-boundary strategic priorities.  Strategic priorities are listed at NPPF Para 20	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 joint local	Reports and decisions setting out the approach to be taken Consultation statement	A St Helens Borough Local Plan Duty to Cooperate Statement (October 2020) (SD009) has been produced to accompany the Local Plan submission and sets out how St Helens Borough Council has cooperated with neighbouring authorities and prescribed bodies, and demonstrates continuous engagement with those parties.

Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible Evidence	St Helens Borough Local Plan: Evidence Provided
			development documents under section 28. The bodies prescribed by section 33A(1)(c) are set out at Regulation 4(1).		
5. How you will co-operate with any local enterprise partnerships (LEP) or local nature partnerships (LNP) to identify and address any issues or strategic priorities that will have a significant impact on at least two planning areas?	The Act section 33A(1)(c) and section 33A(9), section 33A(3)(d) and (e) The Act section 20(5)(c). Regulation 4	NPPF Paras 24 to 27	Section 33A(4) defines a "strategic matter". Strategic priorities are listed at NPPF Para 20 to 23. Regulation 4(2) prescribes LEPs and LNPs for the purposes of section 33A(9). Under section 33A(6) the required engagement includes consulting on joint approaches to relevant activities.	Reports and decisions setting out the approach to be taken. Consultation statement	The Duty to Cooperate Statement (SD009) sets out how and with which authorities and organisations consultation and cooperation took place in the development of the Plan. Two Statements of Common Ground (SoCG) accompany the Plan Submission: The Liverpool City Region SoCG (SD010) and the Warrington Borough SoCG (SD012) which were approved by St Helens Cabinet on 18/09/19. The Local Enterprise Partnership (LEP) sat on the steering group that prepared the LCR Strategic Housing and Employment Land Market Assessment. Both the LEP and Nature Connected (the Local Nature Partnership for the Liverpool City Region) were consulted as part of the Local Plan development process.
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 Para 31		Documents dealing with collection of baseline information Relevant technical studies The annual monitoring report	The Borough Council has commissioned/prepared a suite of evidence base studies to inform the Local Plan, including the following: <ul style="list-style-type: none"> <li>• 2018 and 2019 Brownfield Land Register;</li> <li>• St Helens Council - Strategic Housing Land Availability Assessment 2017 (SHLAA);</li> <li>• Strategic Housing Market Assessment (SHMA) Update January 2019;</li> <li>• Green Belt Review December 2018 (SD020);</li> <li>• Economic Viability Assessment December 2018</li> </ul>

Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible Evidence	St Helens Borough Local Plan: Evidence Provided
					<ul style="list-style-type: none"> <li>• Employment Land Needs Assessment – Addendum Report January 2019;</li> <li>• St Helens Borough Council Retail and Leisure Study Final Report - May 2017 (published January 2018);</li> <li>• St Helens Indoor and Built Sports Facilities Needs Assessment June 2016;</li> <li>• St Helens Indoor and Built Sports Facilities Needs Assessment June 2016 - Golf Course Addendum;</li> <li>• St Helens Open Space Assessment June 2016;</li> <li>• St Helens Playing Pitch Strategy Assessment Report February 2016;</li> <li>• St Helens Playing Pitch Strategy &amp; Action Plan July 2016;</li> <li>• St Helens Council Strategic Flood Risk Assessment (2015);</li> <li>• Merseyside and West Lancashire Gypsy and Traveller Accommodation Assessment (2015);</li> <li>• Landscape Character Assessment for St Helens (January 2006);</li> <li>• Report on the Digital Capture of St.Helens 1999/2000 Phase 1 Habitat Survey, MEAS January 2005;</li> <li>• The Evidence Base for Minerals Planning in Merseyside Final Report, August 2008;</li> <li>• Joint Local Aggregate Assessment: Greater Manchester, Merseyside and Halton, and Warrington, December 2017;</li> <li>• Parkside Logistics and Rail Freight Interchange Study August 2016;</li> <li>• Parkside West Rail Design and Noise and Acoustics Study April 2017;</li> <li>• Liverpool City Region Strategic Housing &amp; Employment Land Market Assessment (SHELMA), March 2018;</li> <li>• Transport Impact Assessment, January 2019; and,</li> </ul>

Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible Evidence	St Helens Borough Local Plan: Evidence Provided
					<ul style="list-style-type: none"> <li>St Helens Local Plan: Authority Monitoring Report, 2019 &amp; 2020.</li> </ul> <p>Other evidence base documents can be found in the examination library.</p>
<p>7. Is baseline information being collected and evidence being gathered to set the framework for the sustainability appraisal?</p>	<p>The Act section19(5)</p>	<p>NPPF Paras 31 Strategic Environmental Assessment Guide, Chapter 5</p>		<p>Sustainability report scoping document Sustainability appraisal report</p>	<p>The Sustainability Appraisal Scoping Report for the St Helens Local Plan (December 2015) set out at Chapter 4 the baseline information and any local trends required for the Sustainability Appraisal; specifically in relation to: biodiversity; population; human health; fauna; flora; soil; water; air; climatic factors; material assets; cultural heritage including architectural and archaeological heritage; landscape; and, the interrelationship between these factors.</p> <p>This baseline information was used in the subsequent documents:</p> <p>St Helens Local Plan Sustainability Appraisal: Interim SA Report (December 2016);</p> <p>St Helens Borough Local Plan 2020-2035 – Submission Draft Sustainability Appraisal: SA Report (January 2019) (SD005); and</p> <p>St Helens Borough Local Plan, Sustainability Appraisal, Addendum to the SA Report (September 2020) (SD005.4).</p>
<p>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</p>	<p>Regulations 9 and 13 of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633.</p>	<p>NPPF Para 32  SEA Guide Chapter 3</p>	<p>The Strategic Environmental Assessment consultation bodies are also amongst the 'specific consultation bodies' which are defined in Regulation 2).</p>	<p>Copies of the consultation letters sent to and any responses from the bodies</p>	<p>The 'specific consultation bodies' were consulted on the content of the Sustainability Appraisal Scoping Report in January-March 2016.</p> <p>Each of the bodies responded and their observations were considered in finalising the scope of the SA, the SA frameworks and the baseline position against which the SA was undertaken.</p>

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<b>Activity</b>	<b>Legal Requirement</b>	<b>Guidance Reference</b>	<b>Additional Notes</b>	<b>Possible Evidence</b>	<b>St Helens Borough Local Plan: Evidence Provided</b>
appraisal report?					

### 3 Plan Preparation – Frontloading Phase

3.1 Information assembled during this phase contributes to:

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

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

#### Stage Two: Plan Preparation

Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible Evidence	St Helens Borough Local Plan: Evidence Provided
1. Have you notified: <ul style="list-style-type: none"> <li>• the specific consultation bodies?</li> <li>• the general consultation bodies that have an interest in the subject of the DPD and invited them to make representations about its contents?</li> </ul>	Regulation 18(1) and (2)(a) (b)	NPPF Paras 16, 25	Specific and general consultation bodies are defined in Regulation 2.	Consultation statement Copies of documents consulting these bodies Record of discussions Copies of representations made A brief statement setting out the reasons why any bodies have been omitted from or included in consultation	Yes – to each stage, the Specific and General consultation bodies were consulted according to Regulation 18 and the Council’s relevant SCI in place at that time of publication.  The SCI consultation satisfies the requirements of Regulation 18 in that it sets out how community engagement is programmed into the Local Plan process and how bodies/organisations will be consulted.  A Summary of Representations on St Helens Local Plan Scoping Consultation was issued in January 2017 and a record kept of all consultation responses received. The conclusions from the consultation exercise were fed into the Local Plan Preferred Options consultation.  The consultation on the Local Plan Preferred Options document resulted in a comprehensive Report of Consultation (December 2018).
2. Are you inviting representations	Regulation 18(1) and (2)(c)	NPPF Para 16		Consultation statement Copies of documents consulting these persons	A comprehensive record of the consultation response to the Plan’s Scoping and Preferred Options stages have been retained.

Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible Evidence	St Helens Borough Local Plan: Evidence Provided
from people resident or carrying out business in your area about the content of the DPD?				Record of discussions Copies of representations made	The Council's approach to community engagement is set out in the SCI.
3. Are you engaging with stakeholders responsible for delivery of the strategy?	Regulation 18	NPPF Para 16	NPPF Para 25 gives examples of relevant bodies which should be consulted.	Consultation statement Copies of documents consulting these people Record of discussions	The Council is working closely with a number of bodies who will be involved in implementation and delivery of the Plan's proposals. An Infrastructure Delivery Plan (IDP) has been produced in support of the Plan. Contact has been made with landowners and developers in relation to the likely deliverability including as part of the SHLAA and when undertaking general housing monitoring. Specific comments made in relation to the Plan's delivery and the content of the IDP have been addressed in the reports of consultation at each stage of the Plan's preparation.
4. Are you taking into account representations made?	Regulation 18(3)	NPPF Para 15 and 25 to 27	Evidence from participation is part of the justification. Show how you have taken representations into account.	Consultation statement Any reports on the selection of alternatives and options for the DPD	The Local Plan has been amended to reflect consultation responses received, in line with the SCI. The Council's responses to the submissions made to the Local Plan Scoping Consultation (Summary of Representations on St Helens Local Plan Scoping Consultation, January 2017) indicate how the Plan would be changed to reflect the representations. The Sustainability Appraisal Reports produced for the Scoping, Preferred Options and Submission Draft stages of the Local Plan process tested alternative strategies and approaches and the impact that these would have on the delivery of sustainable development. This process and the resultant strategy choices that were made are set out the Council's Developing the Spatial Strategy Background Paper (SD026) that has been produced to inform the Local Plan's process.
5. Does the consultation	The Act	NPPF Paras 32		Consultation statement	Engagement with the wider community and organisational actors has included scoping for and

Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible Evidence	St Helens Borough Local Plan: Evidence Provided
contribute to the development and sustainability appraisal of alternatives?	section19(5) Regulations 12 and 13 of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633	and 35  SEA Guide, chapter 3		Any reports on the selection of alternatives and options for the DPD Sustainability Appraisal report	completion of a Sustainability Appraisal (SA). The SA report documents set out the consideration of reasonable alternatives. This is included in the Developing the Spatial Strategy Background Paper (SD026), which outlines how the alternatives were considered. The rationale for rejecting each alternative option is also detailed in the Local Plan Preferred Options document.
<p>6. Is the participation:</p> <ul style="list-style-type: none"> <li>• following the principles set out in your SCI?</li> <li>• integrating involvement with the sustainable community strategy?</li> <li>• proportionate to the scale of issues involved in the DPD?</li> </ul>	The Act section19(3)	NPPF Para 16		<p>Consultation Statement</p> <p>The SCI</p> <p>The relevant sustainable community strategies</p>	<p>See SCI for further details. At each stage the Council has raised awareness of the consultation.</p> <p>The Preferred Options Report of Consultation sets out how engagement took place and how stakeholders were engaged. This included:</p> <ul style="list-style-type: none"> <li>• email or written notifications sent to those on the Council's consultee database and to specific and general consultation bodies;</li> <li>• letters sent to properties within 200m of sites proposed to be removed from the Green Belt;</li> <li>• articles and adverts in the local newspapers, repeated mid-way during the consultation;</li> <li>• posts on Council social media such as Twitter and Facebook;</li> <li>• information pages on the Council website with link from the front page;</li> <li>• site notices displayed next to sites being proposed for development;</li> <li>• posters distributed across the Borough;</li> <li>• offers of meetings made to stakeholders such as specific and general consultees, including St Helens Chamber;</li> <li>• evening and weekend drop-in sessions across the Borough to provide and answer questions from the</li> </ul>

Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible Evidence	St Helens Borough Local Plan: Evidence Provided
					<p>public; and</p> <ul style="list-style-type: none"> <li>presentations to the St Helens Senior Voice Forum and St Helens Youth Forum to discuss the Local Plan and obtain feedback from the perspective of those groups.</li> </ul>
<p>7. Are you keeping a record of:</p> <ul style="list-style-type: none"> <li>the individuals or bodies invited to make representations?</li> <li>how this was done?</li> <li>the main issues raised?</li> </ul>	<p>The Act section 20(3) Regulation 17</p>	<p>NPPF Paras 16 and 35</p>	<p>You will need to submit a statement of representations under Regulation 22 (1) (c); see Submission stage below.</p> <p>Regulation 35 deals with the availability of documents and the time of their removal.</p>	<p>Consultation statement Reports by the council on the consultation Copies of representations and relevant correspondence Technical reports on the engagement process</p>	<p>The Council maintains a consultee database, which is held in accordance with the provisions of the GDPR. Those who expressed an interest in being notified of consultation were contacted at each stage.</p> <p>Consultation responses were reviewed and collated; summaries of representations relating to 'main' and 'key' issues were prepared and published as required within the Regulation 22 Consultation Statement (SD004).</p> <p>Consultation responses received at Local Plan Submission Draft stage have been made available on the Council's website in both a representation order and a plan order.</p> <p>The content of the Preferred Options Report of Consultation and the Regulation 22 Consultation Statement (SD004) set out the consultation process and reflect both the range of consultation representations received and the Council's response to them.</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</p>	<p>The Act section 33A(1)(a) (b) and (c), section 33A(3)(d) &amp; (e) section 33A(4) section 33A(9) The Act section 20 (5)(c)</p>	<p>NPPF Paras 24 to 27</p>	<p>Section 33A(3)(d) and (e) requires cooperation on significant cross-boundary issues before and during plan preparation.</p> <p>Section 33A(2) requires you to engage constructively, actively and on an ongoing basis.</p>	<p>Consultation statement Reports by the council on the consultation Copies of representations and relevant correspondence Technical reports on the engagement process</p>	<p>Adjoining Local Planning Authorities (Knowsley; West Lancashire; Wigan; Warrington; Halton; and, Lancashire County Council) and the Greater Manchester/Liverpool City Region Combined Authorities have been consulted at each stage of the Plan's preparation. Details of those engagements are set out in the Council's Statements of Common Ground (SD010 &amp; SD012) (and its Duty to Cooperate Statement (SD009)) and in the Developing the Spatial Strategy Background Paper (SD026).</p>

Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible Evidence	St Helens Borough Local Plan: Evidence Provided
that is not a planning authority? Or significant cross-boundary issues and strategic priorities of a body prescribed under Section 33A(1)(c)?					
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 24 to 27	Section 33A(3)(d) and (e) requires cooperation on significant cross-boundary issues before and during plan preparation. Section 33A(2) requires you to engage constructively, actively and on an ongoing basis.	Consultation statement Reports by the council on the consultation Copies of representations and relevant correspondence Technical reports on the engagement process	The Duty to Cooperate Statement (SD009) sets out how and with which authorities and organisations consultation and cooperation took place in the development of the Local Plan. Two Statements of Common Ground (SoCG) accompany the Local Plan Submission: the Liverpool City Region SoCG (SD010) and the Warrington Borough SoCG (SD012). The Local Enterprise Partnership (LEP) sat on the Steering group that prepared the LCR Strategic Housing and Employment Land Market Assessment. Both the LEP and Nature Connected (the Local Nature Partnership for the Liverpool City Region) were consulted as part of the Local Plan development process.
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	NPPF Para 31  SEA Guide, Chapter 5	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	Sustainability appraisal report The authority monitoring report Reports or documents setting out the appraisal and monitoring framework	The Plan contains a number of monitoring indicators and, at Appendix 4, an intended Monitoring Framework. The Authority Monitoring Report (AMR) will provide updates on the Plan’s performance and effectiveness. The SA sets out a number of monitoring mechanisms and indicators that can be used to assess environmental effects of the Local Plan and which can be carried forward through the AMR.

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<b>Activity</b>	<b>Legal Requirement</b>	<b>Guidance Reference</b>	<b>Additional Notes</b>	<b>Possible Evidence</b>	<b>St Helens Borough Local Plan: Evidence Provided</b>
	No1363		ODPM guidance.		

## 4 Plan Preparation – Formulation Phase

- 4.1 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.
- 4.2 Para 182 of the NPPF makes it clear that explicit consideration of alternatives is a key part of the plan making process.
- 4.3 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.
- 4.4 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.
- 4.5 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.
- 4.6 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.
- 4.7 **The council should tell all parties that this is the main participation opportunity on the emerging plan.** The publication stage is a formal opportunity for anyone to comment on an aspect of the DPD's soundness, and to propose a change to the plan accordingly. 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	Legal Requirement	Guidance Reference	Additional Notes	Possible Evidence	St Helens Borough Local Plan: Evidence Provided
<p>1. Are you preparing reasonable alternatives for evaluation during the preparation of the DPD?</p>	<p>Regulation 12 (2) of The Environmental Assessment of Plans and Programmes Regulations 2004 No. 1633</p>	<p>NPPF Para 35  SEA Guide, Chapter 5</p>	<p>The sustainability appraisal report and supporting documents relevant to the preparation of the DPD are part of the proposed submission documents (see Regulation 17).</p>	<p>Documents supporting decisions on alternatives and any preferred strategy</p>	<p>A number of options were considered as part of the preparation of the Regulation 18 stage, which was published as a series of questions (21) and included strategy options. Alternative development strategies were considered in the SA scoping consultation and assessed in the SA published and consulted on at Regulation 19 stage.  At Preferred Options stage, the SA presented a number of alternative policy options that were assessed against sustainability criteria.</p>
<p>2. Have you assessed alternatives against:</p> <ul style="list-style-type: none"> <li>• consistency with national policy?</li> <li>• general conformity with the regional spatial strategy where still in force?</li> </ul>	<p>The Act section 19 (2), section 24</p>	<p>NPPF Para 35</p>	<p>For London boroughs and local authorities where regional strategies are still in force general conformity is tested formally later but you need to consider it during preparation of the DPD.</p>	<p>Supporting documents Correspondence with Mayor of London (London Boroughs and Mayoral Development Corporations only)</p>	<p>Alternatives were assessed against the relevant objectives in the SA, which was undertaken and consulted on in line with national policy. Upon publication of the revised NPPF in 2019 the Plan's emerging policies and the policy alternatives presented in the Preferred Options Sustainability Appraisal were reassessed to ensure that they were still consistent with the new Framework.</p>
<p>3. Are you having regard to (where relevant):</p> <ul style="list-style-type: none"> <li>• adjoining regional spatial strategies?</li> <li>• the spatial development strategy for London?</li> <li>• Planning Policy for Wales?</li> <li>• the National Planning Framework for Scotland?</li> </ul>	<p>The Act sections 19 (2) and 24 (1) and (4) Regulation 10 and 21</p>	<p>NPPF Paras 24 to 27</p>	<p>Where the regional strategy has been revoked you should record that fact.</p>	<p>Supporting documents Correspondence with the Mayor of London, relevant Welsh or Scottish regional planning bodies (as appropriate) CLG notice of revocation of the regional strategy</p>	<p>The Duty to Cooperate Statement (SD009) sets out how the Council has engaged with nearby authorities involved in developing the Liverpool City Region and Greater Manchester spatial strategies.</p>

Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible Evidence	St Helens Borough Local Plan: Evidence Provided
<p>4. Are you co-operating with other local planning authorities including counties, to address significant cross boundary issues? Have you discussed doing joint local development documents?</p>	<p>The Act section 33A(2)(a) Section 33A(6)(a)(b) Section 20(5) (c)</p>	<p>NPPF Paras 24 to 27</p>		<p>Supporting documents Correspondence with LPA/County Council</p>	<p>Significant cross-boundary issues are the subject of the Council's Statements of Common Ground (SD010 &amp; SD012); the most noteworthy of which is with Warrington Borough Council. Engagement with other authorities is detailed in the Duty to Cooperate Statement (SD009).</p>
<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>	<p>The Act section 33A(2)(a), section 33A(6)(a) The Act section 20 (5) (c) Regulation 4</p>	<p>NPPF Paras 24 to 27</p>	<p>The bodies prescribed by The Act section 33A(1)(c) are set out at Regulation 4 (1).</p>	<p>Supporting documents Correspondence with prescribed bodies</p>	<p>The details of collaboration with other authorities and bodies that have an interest in the future development of St Helens and its environs is set out the Duty to Cooperate Statement (SD009).</p>
<p>6. Are you cooperating with having regard to the activities of the LEP and LNP?</p>	<p>The Act section 33A(2)(b) and section 33A(9). Regulation 4 (2)</p>	<p>NPPF Paras 24 to 27</p>		<p>Supporting documents Correspondence with LEP/LNP</p>	<p>The Duty to Cooperate Statement (SD009) sets out how and with which authorities and organisations consultation and cooperation took place in the development of the Local Plan.  Two Statements of Common Ground (SoCG) accompany the Local Plan Submission: the Liverpool City Region SoCG (SD010) and the Warrington Borough SoCG (SD012).  The Local Enterprise Partnership (LEP) sat on the steering group that prepared the LCR Strategic Housing and Employment Land Market Assessment.  Both the LEP and Nature Connected (the Local Nature Partnership for the Liverpool City Region) were consulted as part of the Local plan development process.</p>

Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible Evidence	St Helens Borough Local Plan: Evidence Provided
<p>7. Are you having regard to:</p> <ul style="list-style-type: none"> <li>• your sustainable community strategy or of other authorities whose area comprises part of the area of the council?</li> <li>• any other local development documents adopted by the council?</li> </ul>	<p>The Act section19(2)</p>			<p>Supporting documents The sustainable community strategies Relevant local development documents Correspondence with the local strategic partners</p>	<p>The Local Plan has been prepared to be in alignment with other extant DPDs;</p> <ul style="list-style-type: none"> <li>• The Bold Forest Area Action Plan (2017); and</li> <li>• The Joint Merseyside and Halton Waste Local Plan (2013).</li> </ul> <p>The objectives and priorities of the Council's Corporate Strategy (and others as appropriate), for which the Developing the Spatial Strategy Background Paper (SD026) sets out the context.</p>
<p>8. Do you have regard to other matters and relevant strategies relating to:</p> <ul style="list-style-type: none"> <li>• resources</li> <li>• the local/regional economy</li> <li>• the local transport plan and transport facilities and services</li> <li>• waste strategies</li> <li>• hazardous substances</li> </ul>	<p>The Act section19(2) Regulation 10</p>		<p>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.</p>	<p>Supporting documents Correspondence with the relevant bodies</p>	<p>Strategies that the Local Plan has taken account of are referenced within the Plan itself and also in the SA documentation. Principally, the wider strategic context is set by, and taken from, research for Liverpool City Region Combined Authority. Specifically, the Local Plan has regard to:</p> <ul style="list-style-type: none"> <li>• Building Our Future: Liverpool City Region Growth Strategy, 2016;</li> <li>• A Transport Plan for Growth: Liverpool City Region Local Transport Plan, 2015;</li> <li>• Liverpool City Region Local Journeys Strategy, 2017; and</li> <li>• Joint Merseyside and Halton Waste Local Plan, 2013.</li> </ul> <p>Various issues are addressed through the Duty to Cooperate Statement (SD009).</p>
<p>9. Are you having regard to the need to include policies on mitigating and adapting to climate</p>	<p>The Act section19(1A)</p>	<p>NPPF Paras 149 to 154</p>		<p>Supporting documents</p>	<p>The need to address climate change was identified as one of the eleven key issues to be considered by the SA process. That process was fundamental to the development of the Plan's policies. Topic 5 of the SA Framework is 'Climate Change and Energy' – this Framework formed the basis of the Plan's appraisal</p>

Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible Evidence	St Helens Borough Local Plan: Evidence Provided
change?					including policies, sites and reasonable alternatives.
10. Have you undertaken the sustainability appraisal of alternatives, including consultation on the sustainability appraisal report?	The Act section 19(5) Regulation 12 and 13 of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633	NPPF Para 32  SEA Guide, Chapter 5	Regulation 13 of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633 sets out the consultation procedures.	Reports on the sustainability of alternatives  Record of work undertaken on sustainability appraisal Supporting documents	A number of options were considered as part of the preparation of the Regulation 18 stage, which was published as a series of questions (21) and included strategy options. Alternative development strategies were considered in the SA scoping consultation and assessed in the SA published and consulted on at Regulation 19 stage. This approach was repeated for the Preferred Options stage, with a number of policy alternatives being presented and assessed in the SA.
11. Are you setting out reasons for any preferences between alternatives?	Regulation 8(2)	NPPF Paras 32 and 35	This will include information from the sustainability appraisal.	Any reports setting out alternatives and choices considered Supporting documents	The SA report documents set out the consideration of reasonable alternatives. This is included in the Developing the Spatial Strategy Background Paper (SD026), which outlines how the alternatives were considered. The rationale for rejecting each alternative option is also detailed in the Local Plan Preferred Options document.
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 13(4) of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633	NPPF Paras 16 and 32	Records on the sustainability appraisal should also include recording any assessment made under the Habitats Directive.	Correspondence from those making representations Reports on issues raised Consultation statement Sustainability appraisal report	The development of the Plan and accompanying SA included consultation processes on their scope and reports of consultation responses. All responses have been entered onto a consultation database and those relating to 'main issues' have been published and responded to.
13. Where sites are to be identified or areas for the application of policy in the DPD, are you preparing sufficient illustrative	Regulations 5 (1)(b) and 9	NPPF Paras 20 to 23	Regulation 2 defines the terms 'submission' and 'adopted' proposals map.  A map showing	Adopted policies map Any reports on proposals to amend the policies map Illustrative material that	A Policies Map (SD002) was prepared for the Local Plan Preferred Options and Local Plan Submission Draft stages and provides a detailed and comprehensive coverage of the proposed allocations in the Plan.

ST HELENS BOROUGH LOCAL PLAN 2020-2035  
LEGAL COMPLIANCE CHECKLIST (OCTOBER 2020)

Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible Evidence	St Helens Borough Local Plan: Evidence Provided
material to: <ul style="list-style-type: none"> <li>• enable you to amend the currently adopted policies map?</li> <li>• inform the community about the location of proposals?</li> </ul>			changes to the adopted policies map is part of the proposed submission documents defined in Regulation 17.	shows how the policies map will be amended or replaced	A Policies Map (SD002) has been produced and updated accordingly throughout the preparation of the Plan, along with other illustrative materials.  The Policies Map is on the Council's website and paper copies are available from the Council's offices.
14. Are the participation arrangements compliant with the SCI?	The Act, section 19(3) Regulation 18	NPPF Paras 16 and 25		The SCI Consultation statement	The SCI sets out the basis for the consultation process that has been followed throughout the Local Plan development process. The 'participation arrangements' have been in accordance with the SCI and are evidenced in the published reports of consultation.

## 5 Publication

- 5.1 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.
- 5.2 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.
- 5.3 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.
- 5.4 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.
- 5.5 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.
- 5.6 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	Possible Evidence	St Helens Borough Local Plan: Evidence Provided
1. Have you prepared the sustainability appraisal report?	The Act section 19(5) Regulation 12 of the Environmental Assessment of Plans and Programmes Regulations 2004 No 1633	NPPF Para 32  SEA Guide Chapter 5		Sustainability appraisal report	A SA (SD005) was produced to accompany the Local Plan Submission Draft consultation.
2. Have you made clear where and within what period representations must be made?	Regulation 17, 19, 20 and 35		The period must not be less than 6 weeks from when you publish under Regulations 19 and 35 (see below).	Report or record of decisions The statement of community interest	The Local Plan was approved as the basis for consultation (the 'Local Plan Submission Draft') by the Council Cabinet on 12 December 2018. The consultation period was 17 January 2019 until 13 May 2019. Details of the procedures followed, and issues raised by consultation responses received are contained in the Regulation 22 Consultation Statement (SD004).
3. Have you made copies of the following available for inspection: • the proposed submission documents? • the statement of the representations procedure?	Regulation 19(a)		Regulation 17 gives definitions.	Copies of the relevant statements Report on where and when made available Record of where and when made available	The proposed submission documents and the procedure for making representations were made available on the Council's website. With hard copies available to view at the Town Hall, and at public libraries across the Borough.
4. Have you published on your website: • the proposed	Regulations 19 and 35		Regulations 2 and 17 give definitions.	Record of publication	All relevant documentation was made available on the Council's website at: <a href="https://www.sthelens.gov.uk/planning-building-control/planning-policy/plans-under-preparation/">https://www.sthelens.gov.uk/planning-building-control/planning-policy/plans-under-preparation/</a>

Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible Evidence	St Helens Borough Local Plan: Evidence Provided
submission documents? <ul style="list-style-type: none"> <li>• the statement of the representations procedure?</li> <li>• statement and details of where and when documents can be inspected?</li> </ul>					
5. Have you sent to each of the specific consultation bodies invited to make representations under Regulation 18(1): <ul style="list-style-type: none"> <li>• A copy of each of the proposed submission documents</li> <li>• The statement of the representations procedure?</li> </ul>	Regulation 19(b)		Regulations 2 and 17 give definitions.	Copies of correspondence Record of sending	Specific consultees were contacted and informed as to the consultation timescale and procedure, including where documents and background information could be inspected.
6. Have you sent to each of the general consultation bodies invited to make representations	Regulation 19(b)		Regulations 2 and 17 give definitions.	Copies of correspondence Record of sending	The general consultee bodies were contacted and informed as to the consultation timescale and procedure, including where documents and background information could be inspected.

Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible Evidence	St Helens Borough Local Plan: Evidence Provided
under Regulation 18(1): <ul style="list-style-type: none"> <li>• the statement of the representations procedure?</li> <li>• where and when the documents can be inspected?</li> </ul>					
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).	Copies of correspondence	N/A

## 6 Submission

- 6.1 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.
- 6.2 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.
- 6.3 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.
- 6.4 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).
- 6.5 Apart from notification of the examination, this tool does not deal with the legal requirements that need to be followed after submission.

### Stage Five: Submission

Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible Evidence	St Helens Borough Local Plan: Evidence Provided
1. Has the DPD been prepared in accordance with the LDS? Does the DPD's listing and description in the LDS match the document? Have the timescales set out in the LDS been met?	The Act section 19(1)		The Act section 15(2) sets out the matters specified in the LDS. As at January 2013, no further matters are prescribed in the Regulations.	The LDS Explanation of any changes from the milestones set out in the LDS Relevant authority monitoring reports	The Local Plan has been prepared in line with the LDS up to the point of consultation on the Submission Draft in January 2019. Following an extended Publication period and due to the large number of consultation responses received there has been some 'slippage' in the intended submission date of the Plan. An updated LDS was published in September 2020, which states that the Local Plan will be submitted in October 2020.

Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible Evidence	St Helens Borough Local Plan: Evidence Provided
2. Has the DPD had regard to any sustainable community strategy for its area (like a county and district)?	The Act section 19(2)	NPPF Para 35		The sustainable community strategy(ies) Reference to sections of the DPD showing how regard has been had to them	The development of the Local Plan was guided by the St Helens Together Local Strategic Partnership Sustainable Community Plan (2008 -2018). Since then, further work on the Plan has had regard to the strategies of several new partnerships and working arrangements that have been put into place since the end of the Local Strategic Partnership. For example <ul style="list-style-type: none"> <li>• St Helens People's Plan 2017-2020 (Health and Wellbeing Board/Community Safety Partnership); and,</li> <li>• St Helens Community Safety Partnership Delivery Plan.</li> </ul> The Plan has also had regard to all relevant City Region strategies.
3. Is the DPD in compliance with the SCI (where one exists)? Has the council carried out consultation as described in the SCI?	The Act section 19(3) Regulation 22(1)(c)		Before the SCI is formally amended to take into account the changes in the regulations, you may need to set out how the community engagement that you carried out met the regulations (as amended).	The SCI The Regulation 22(1)(c) statement	The consultation has been carried out in line with the SCI (as set out in Section 1 of the Local Plan Preferred Options Statement of Consultation (December 2018)). The Regulations 22 Consultation Statement (SD004) provides further details of the consultation undertaken.
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	The Act section 33A(1) and section 20(5)	NPPF Paras 24 and 27	Under NPPF Para 27, the plan should be based on effective joint working on cross-boundary strategic priorities to be found 'Effective'.	Statement identifying any strategic cross-boundary issues or impacts on county matters addressed in the document and explaining the approach taken to co-operate with the relevant bodies. Supporting correspondence and	The Duty to Cooperate Statement (SD009) sets out how and with which authorities and organisations consultation and cooperation took place in the development of the Local Plan. Two Statements of Common Ground (SoCG) accompany the Local Plan Submission: Liverpool City Region SoCG (SD010) and the Warrington Borough SoCG (SD012).

Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible Evidence	St Helens Borough Local Plan: Evidence Provided
<p>strategic cross-boundary issues If you have not agreed on the approach is there a justification?</p>				<p>reports e.g. Memorandum of Understanding, shared and agreed evidence</p>	<p>The Local Enterprise Partnership (LEP) sat on the steering group that prepared the LCR Strategic Housing and Employment Land Market Assessment. Both the LEP and Nature Connected (the Local Nature Partnership for the Liverpool City Region) were consulted as part of the Local Plan development process.</p>
<p>5. Has the DPD been subject to sustainability appraisal? Has the council provided a final report of the findings of the appraisal?</p>	<p>The Act section 19(5) Regulation 22(1)(a)</p>	<p>NPPF Para 32 SEA Practical Guide, Chapter 5</p>		<p>Sustainability appraisal report</p>	<p>The SA process has been embedded in the development of the Local Plan and has resulted in the publication of a full SA in January 2019. The document was put forward as part of the consultation exercise that took place January - May 2019. A SA Addendum Report (November 2019) accompanies the Local Plan Submission Draft, and a further Addendum (October 2020) has been submitted along with the Local Plan.</p>
<p>6. Is the DPD to be submitted consistent with national policy?</p>	<p>The Act section 19(2) and Schedule 8</p>	<p>NPPF Para 35</p>		<p>Correspondence with PINS? PAS Soundness self-assessment checklist</p>	<p>The Plan is considered to be consistent with national policy (a Self-Assessment Soundness checklist has been completed to demonstrate that consistency).</p>
<p>7. Does the DPD contain any policies or proposals that are not in general conformity with the regional strategy where it still exists? If yes, is there local justification? If the LPA is a London borough or a mayoral development corporation has it requested an opinion from the Mayor of London on the general conformity of the plan with the</p>	<p>The Act section 24(1)(a) and 24(4) Regulation 21</p>		<p>In London the requirement is for general conformity with the spatial development strategy (The London Plan).</p>	<p>Correspondence with or representations from Mayor of London (where appropriate) Confirmation of (where appropriate) conformity from the Mayor or that no Regional Strategy is in place</p>	<p>N/A No Regional Strategy exists.</p>

Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible Evidence	St Helens Borough Local Plan: Evidence Provided
spatial development strategy?					
<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 representations on the plan?</p> <p>Does the DPD contain a list of superseded saved policies?</p>	<p>The Act section 20(2), 20(3) and 20(5)(b)</p> <p>Regulations 8 and 19</p>	<p>NPPF Para 35</p>	<p>Requirements relating to publication of the prescribed documents are listed later in this table.</p>	<p>The documents prescribed at Regulation 22(1)</p> <p>Relevant authority monitoring reports</p> <p>Records of the actions undertaken (see below)</p>	<p>The prescribed documents will be made available on the Council's website, at the Town Hall (once it reopens following the Covid 19 pandemic), and at public libraries across the Borough as part of the formal Plan submission.</p> <p>Relevant statutory and non-statutory bodies and all persons invited to make representations on the Plan will be notified that the Plan has been submitted.</p> <p>No separate list for saved policies superseded by the Plan is included; the Local Plan replaces all the policies in the St Helens Local Plan Core Strategy 2012 and the previously 'saved' policies of the St Helens Unitary Development Plan 1998.</p>
<p>9. Are there any policies applying to sites or areas by reference to an Ordnance Survey map or to amend an adopted policies map?</p> <p>If yes, have you prepared a submission policies map?</p>	<p>Regulations 5(1)(b), 9 (1), 17 &amp; 22(1)</p>			<p>Submission policies map</p> <p>Brief statement if a submission policies map is not required</p>	<p>A Policies Map (SD002) has been submitted with the Local Plan document.</p>
<p>10. Is the DPD consistent with any other adopted DPDs for the area? If the DPD is intended to supersede any adopted development plan policies, does it state that fact and identify the superseded policies?</p>	<p>Regulation 8(3) and (4)</p> <p>Regulation 8(5)</p>		<p>Development Plan is defined in Section 38 of the Act.</p>	<p>The core strategy</p> <p>Documents or reports demonstrating conformity</p>	<p>None of the policies of the St Helens Borough Local Plan are inconsistent with the Joint Merseyside and Halton Waste Local Plan 2013 or the Bold Forest Park Area Action Plan 2016. The Local Plan states that it is consistent with both these documents and also states that it replaces all the policies in the St Helens Local Plan Core Strategy 2012 and the previously 'saved' policies of the St Helens Unitary Development Plan 1998.</p>

Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible Evidence	St Helens Borough Local Plan: Evidence Provided
<p>11. Have you prepared a statement setting out:</p> <ul style="list-style-type: none"> <li>• Which bodies and persons were invited to make representations under Regulation 18?</li> <li>• How they were invited?</li> <li>• A summary of the main issues raised?</li> <li>• How the representations have been taken into account?</li> </ul>	<p>The Act section 20 (3)</p> <p>Regulation 22(1)(c)</p>		<p>This will bring forward material from the Consultation statement (see Stage 2 above).</p>	<p>Consultation statement The Statement as required in Regulation 22(1)(c)</p>	<p>The Regulation 22 Consultation Statement (SD004) satisfies the requirements of Regulation 18 in that it sets out how community engagement is programmed into the Local Plan process and how bodies/organisations will be consulted.</p> <p>A summary of representations on St Helens Local Plan Scoping Consultation was issued in January 2017 and a record kept of all consultation responses received. The conclusions from the consultation exercise were fed into the Local Plan Preferred Options consultation.</p> <p>The consultation on the Local Plan Preferred Options document resulted in a comprehensive Report of Consultation (December 2018).</p>
<p>12. Have you prepared a statement giving:</p> <ul style="list-style-type: none"> <li>• the number of representations made under Regulation 22?</li> <li>• a summary of the main issues raised?</li> </ul> <p>OR</p> <ul style="list-style-type: none"> <li>• that no representations were made?</li> </ul>	<p>The Act section 20(3)</p> <p>Regulation 22(1)(c)</p>			<p>The Statement as required in Regulation 22(1)(c)</p>	<p>The Regulation 22 Consultation Statement (SD004) sets out the number of representations made under Regulation 22 and a summary of the main and key issues raised.</p>
<p>13. Have you collected together all the representations made under Regulation 22?</p>	<p>The Act section 20(3)</p> <p>Regulation 22(1)(e)</p>			<p>Copies of the representations</p>	<p>All representations have been reviewed and collated to provide a comprehensive record of the response to the Regulation 19 consultation. These have been produced in two documents, one in Representation Order (SD008.1 – SD008.26) and the other</p>

Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible Evidence	St Helens Borough Local Plan: Evidence Provided
					in Policy Order (SD007.1 – SD007.34XX). Both of which are available to view on the Council's website.
14. Have you assembled the relevant supporting documents?	The Act section 20(3) Regulation 22(1)(g)			All necessary evidence and records of decisions relevant to the DPD	All relevant evidential and supporting documents have been assembled and form the basis of the library of documents that is required for the Regulation 24 Examination
15. Has your council approved the DPD for submission?			Check the LPA's constitution/standing orders for the authorisation process appropriate for the type of DPD.	Report and resolution of the appropriate council body	The Council approved the submission of the Local Plan at Full Council on 19/12/2018, and again at Cabinet committee on 23/09/2020.
16. Have you sent the Secretary of State (the Planning Inspectorate) both a paper copy and an email of the following: <ul style="list-style-type: none"> <li>• the DPD?</li> <li>• the submission policies map (unless there are no site allocation policies)?</li> <li>• the documents prescribed in Regulation 22(1)?</li> </ul>	The Act section 20(1) and 20(3) Regulations 22(1) and 22(2)		Regulation 35 deals with the availability of documents and the time of their removal.  Electronic copies of some of the representations and supporting documents may not be practicable.  Regulation 35 deals with the availability of documents and the time of their removal.	Record of sending Reasons why documents cannot be sent electronically	The Council has provided a full suite of the required documents to the planning Inspectorate including the Local Plan (SD001), the Policies Map (SD002) and Regulation 22 Consultation Statement (SD004).
17. Have you made the following available at the same places where the proposed submission documents were to be seen: <ul style="list-style-type: none"> <li>• The DPD?</li> <li>• The documents prescribed in Regulation 22(1)?</li> </ul>	Regulation 22(3)		You should do this as soon as reasonably practicable after submission.	Record of where and when made available	All documentation relating to the Submission of the Local Plan is on the Council's website. Copies are also available to view in public libraries. Due to the current Covid19 pandemic the Council's Town Hall Offices are currently closed to the general public. Once re-opened hard copies of documents will be available to view.

Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible Evidence	St Helens Borough Local Plan: Evidence Provided
<p>18. On your website, have you published the:</p> <ul style="list-style-type: none"> <li>• DPD?</li> <li>• submission policies map?</li> <li>• sustainability appraisal report?</li> <li>• Regulation 22(1)(c) statement?</li> <li>• supporting documents (where practicable) ?</li> <li>• representations made under Regulation 20 (where practicable) ?</li> <li>• statement as to where and when the DPD and the documents are available?</li> </ul>	<p>Regulation 22(3) and 35(1)(b)</p>		<p>You should do this as soon as reasonably practicable after submission.</p>	<p>Record of publication</p>	<p>The submission version of the Local Plan, Policies Map and other documents for submission are available on the Council's website.</p>
<p>19. For each general consultation body invited to make representations under Regulation 18(1), have you sent:</p> <ul style="list-style-type: none"> <li>• notification that the documents prescribed in Regulation 22(3)(a)(i)-(iii) are available for inspection</li> <li>• where and when they can be inspected?</li> </ul>	<p>Regulation 22(3)(b)</p>		<p>You should do this as soon as reasonably practicable after submitting to the Secretary of State.</p>	<p>Copies of correspondence Record of sending</p>	<p>Relevant statutory and non-statutory bodies and those all persons invited to make representations on the Local Plan will be notified that the Plan has been submitted and provided with details of when and where these can be inspected.</p>
<p>20. Have you given notice to persons who have requested to be notified that submission has taken place?</p>	<p>Regulation 22(3)(c)</p>		<p>You should do this as soon as reasonably practicable after submitting to the Secretary of State.</p>	<p>Copies of correspondence Record of sending</p>	<p>Those who have requested to be notified that the Local Plan and associated documents have been submitted will be given notice "<i>as soon as reasonably practicable</i>" that this has taken place and provided with details of when and where</p>

Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible Evidence	St Helens Borough Local Plan: Evidence Provided
<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"> <li>• published the time and place of the examination and the name of the person appointed to carry out the examination on your website?</li> <li>• notified those who have made representations on the published DPD which have not been withdrawn of these details?</li> </ul>	<p>The Act section 20                      Regulations 24 and 35</p>			<p>Record of publication of information                      Record of sending                      Copies of correspondence                      Copy of advertisement</p>	<p>these can be inspected.</p> <p>A Programme Officer has been appointed and is making preparations for the Examination.</p> <p>At the time of submission the dates for the public hearings have yet to be determined but all those who made representations on the Local Plan Submission Draft will be notified</p>