

Cumbria Minerals and Waste Local Plan

Legal Compliance Self-Assessment Checklist (August 2016)

This checklist is based on the template published by the Planning Advisory Service entitled 'Local Plan Legal Compliance Checklist (April 2013) in light of the Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2012.

Glossary:

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

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

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

"**LDS**" means **Local Development Scheme**

"**SCI**" means **Statement of Community Involvement**

"**DPD**" means **Development Plan Document**

Stage one: The early stages

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

- planning for community engagement
- planning the sustainability appraisal (including consultation with the statutory environmental consultation bodies)
- identifying significant cross boundary and inter-authority issues
- ensuring that the Plan rests on a credible evidence base, including meeting the Act's requirement for keeping matters affecting the development of the area under review.

Regulation 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.

Section 33A of the Act (introduced by the Localism Act 2011) introduces a Duty to Co-operate as a mechanism to ensure that local planning authorities and other bodies engage with each other on issues that 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.

Activity	Legal requirement	Possible evidence	Evidence Provided
1. Is the DPD identified in the adopted LDS? Have you recorded the timetable for its production?	The Act sections 15(2) and 19(1)	i. The adopted LDS at the time of commencement, publication and submission of the DPD ii. The relevant Authority Monitoring Report (if changes need to be explained)	Minerals and Waste Development Scheme (2015-2017) is the most up-to-date version of the LDS; this identifies the timetable for production of the Plan (SD39). The two previous LDS are Minerals and Waste Development Scheme 2012-2013 (LD220) and Minerals and Waste Development Scheme 2014-2016 (LD221). Authority Monitoring Report 2015 (LD315) explains MWLP and LDS progress.
2. How will community engagement be programmed into the preparation of the DPD?	The Act section 19(3) Regulation 18	i. The SCI ii. The project plan for the DPD	Statement of Community Involvement – adopted January 2006 (PPP31 , formerly CSD13) Statement of Community Involvement: addendum report – August 2016 (SD44) The LDS provided details when communities would be involved in Plan preparation (most recent LDS is SD39)
3. Have you considered the appropriate bodies you should consult?	Regulation 18	i. The SCI ii. Reports and decisions setting out the approach to specific and general consultation bodies iii. Consultation statement	Statement of Community Involvement – adopted January 2006 (PPP31 , formerly CSD13) Statement of Community Involvement: addendum report – August 2016 (SD44) Minerals and Waste Development Scheme 2015-2017 (SD39) Statement of Consultation on the Cumbria Minerals and Waste Local Plan – August 2016 (SD41) A statement of Compliance with the Duty to Co-operate - June 2016 (SD40) has been prepared, which sets out the Council's engagement with neighbouring authorities, prescribed bodies and key stakeholders with a statutory responsibility in the preparation of the Local Plan and its evidence base.
4. How you will co-operate with other local planning authorities, including counties, and prescribed	The Act sections: 33A(1)(a) and (b); 33A(3)(d) and (e);	i. Reports and decisions setting out the approach to be taken	A statement of Compliance with the Duty to Co-operate - June 2016 (SD40) has been prepared, which sets out the Council's engagement with neighbouring authorities, prescribed bodies and key stakeholders with a statutory

Activity	Legal requirement	Possible evidence	Evidence Provided
bodies, to identify and address any issues or strategic priorities that will have a significant impact on at least two planning areas?	33A(4); 20(5)(c) Regulation 4	ii. Consultation statement	responsibility in the preparation of the Local Plan and its evidence base. Statement of Community Involvement – adopted January 2006 (PPP31 , formerly CSD13) Statement of Community Involvement: addendum report – August 2016 (SD44) Statement of Consultation on the Cumbria Minerals and Waste Local Plan – August 2016 (SD41)
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 sections: 33A(1)(c); 33A(3)(d) and (e); 33A(9); 20(5)(c). Regulation 4	i. Reports and decisions setting out the approach to be taken. ii. Consultation statement	A statement of Compliance with the Duty to Co-operate - June 2016 (SD40) has been prepared, which sets out the Council's engagement with neighbouring authorities, prescribed bodies and key stakeholders with a statutory responsibility in the preparation of the Local Plan and its evidence base. Statement of Consultation on the Cumbria Minerals and Waste Local Plan – August 2016 (SD41)
6. Is baseline information being collected and evidence being gathered to keep the matters that affect the development of the area under review?	The Act section 13	i. Documents dealing with collection of baseline information ii. Relevant technical studies iii. The annual Monitoring Report	The Submission draft Plan - August 2016 (SD1) provides the framework for monitoring implementation of the Plan (chapter 17, page 156) and future Monitoring Reports will enable progress to be evaluated. The framework will monitor the MWLP and the significant effects of its implementation in line with SA/SEA requirements. Indicators have been developed to enable the periodic review of the evidence base, including through the LAA and the Cumbria Waste Needs Assessment, and assess whether changes to those policies, or additional site allocations should be considered through the vehicle of a partial review of the Local Plan. Consideration is also afforded to what

Activity	Legal requirement	Possible evidence	Evidence Provided
			<p>circumstances may trigger a review of performance.</p> <p>The results of monitoring will be reported annually within the Council's Authority Monitoring Report (AMR), through which the need to review any policy or proposal within the Local Plan will be raised. The AMR will also be the process through which any significant effects on the SA objectives are reported.</p> <p>The Council's website provides download links for the 'Evidence Base' of the Plan:</p> <p>http://www.cumbria.gov.uk/planning-environment/policy/minerals_waste/MWLP/EB.asp</p> <p>Local Aggregates Assessment - October 2015 (LD309) Waste Needs Assessment - December 2015 (LD300)</p>
<p>7. Is baseline information being collected and evidence being gathered to set the framework for the Sustainability Appraisal?</p>	<p>The Act section 19(5)</p>	<p>i. Sustainability report scoping document ii. Sustainability Appraisal report</p>	<p>The collection of baseline information for the MWLP is an ongoing process. It has been underway since work began to prepare the new minerals and waste planning policy for Cumbria in 2006, and was first documented in the Sustainability Scoping Report (2006) prepared in support of the Minerals and Waste Development Framework, as it was then. This has been updated in the various Sustainability Appraisal reports that have accompanied the MWDF and MWLP work since. The Sustainability Appraisal Report (2016) is the most recent of these documents (SD23).</p> <p>Sustainability Appraisal Scoping Report - July 2006 (originally LD77, refiled as PPP39).</p>
<p>8. Have you consulted the statutory environment consultation bodies for five</p>	<p>Regulations 9 and 13 of the Environmental</p>	<p>Copies of the consultation letters sent to, and any</p>	<p>Sustainability Appraisal Scoping Report - July 2006 (originally LD77, refiled as PPP39).</p>

Activity	Legal requirement	Possible evidence	Evidence Provided
<p>weeks on the scope and level of detail of the environmental information to be included in the Sustainability Appraisal report?</p>	<p>Assessment of Plans and Programmes Regulations 2004, SI No 1633.</p>	<p>responses from, the bodies</p>	<p>The Sustainability Objectives in the framework were agreed through a robust and systematic process, following extensive consultation when the Sustainability Appraisal Scoping Report was produced.</p> <p>Letters to the consultation bodies at that time, are filed under the following document reference codes: PPP48 (formerly LD86), PPP49 (formerly LD87), PPP50 (formerly LD88), PPP51 (formerly LD89).</p>

Stage two: Plan preparation - frontloading phase

Information assembled during this phase contributes to:

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

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

Activity	Legal requirement	Possible evidence	Evidence Provided
<p>1. Have you notified:</p> <ul style="list-style-type: none"> • the specific consultation bodies? • the general consultation bodies that have an interest in the subject of the DPD and invited them to make representations about its contents? 	<p>Regulation 18(1) and (2)(a) (b)</p>	<p>i. Consultation statement ii. Copies of documents consulting these bodies iii. Record of discussions iv. Copies of representations made v. A brief statement setting out the reasons why any bodies have been omitted from or included in consultation</p>	<p>A statement of Compliance with the Duty to Co-operate - June 2016 (SD40) has been prepared, which sets out the Council's engagement with neighbouring authorities, prescribed bodies and key stakeholders with a statutory responsibility in the preparation of the Local Plan and its evidence base.</p> <p>Statement of Community Involvement – adopted January 2006 (PPP31, formerly CSD13)</p> <p>Statement of Community Involvement: addendum report – August 2016 (SD44)</p> <p>Statement of Consultation on the Cumbria Minerals and Waste Local Plan – August 2016 (SD41)</p> <p>The 'Outcomes Report' from each stage of consultation provide details of the representations received and how the Plan was amended, if applicable, to take account of them:</p> <p>Regulation 18 consultation on MWLP February 2013 - Strategic Policies modifications (LD316), DC Policies modifications (LD317), Site Allocations modifications (LD318)</p> <p>Regulation 18 consultation Outcomes Report on February 2015 MWLP - April 2016 (LD319)</p> <p>Supplementary Sites consultation Outcomes Report - January 2016 (LD320)</p>

Activity	Legal requirement	Possible evidence	Evidence Provided
<p>2. Are you inviting representations from people resident or carrying out business in your area about the content of the DPD?</p>	<p>Regulation 18(1) and (2)(c)</p>	<p>i. Consultation statement ii. Copies of documents consulting these persons iii. Record of discussions iv. Copies of representations made</p>	<p>Regulation 19 consultation Outcomes Report on April 2016 MWLP - August 2016 (SD45).</p> <p>A statement of Compliance with the Duty to Co-operate - June 2016 (SD40) has been prepared, which sets out the Council's engagement with neighbouring authorities, prescribed bodies and key stakeholders with a statutory responsibility in the preparation of the Local Plan and its evidence base.</p> <p>Statement of Community Involvement – adopted January 2006 (PPP31, formerly CSD13)</p> <p>Statement of Community Involvement: addendum report – August 2016 (SD44)</p> <p>Statement of Consultation on the Cumbria Minerals and Waste Local Plan – August 2016 (SD41)</p> <p>Draft Cumbria Minerals and Waste Local Plan – February 2013 (LD321)</p> <p>Draft Cumbria Minerals and Waste Local Plan – February 2015 (LD322)</p> <p>Supplementary Sites consultation document – October/November 2016 (LD323)</p> <p>The 'Outcomes Report' from each stage of consultation provide details of the representations received and how the Plan was amended, if applicable, to take account of them:</p> <p>Regulation 18 consultation on MWLP February 2013 - Strategic Policies modifications (LD316), DC Policies modifications (LD317), Site Allocations modifications (LD318)</p> <p>Regulation 18 consultation Outcomes Report on February 2015 MWLP - April 2016 (LD319)</p> <p>Supplementary Sites consultation Outcomes Report - January 2016 (LD320)</p> <p>Regulation 19 consultation Outcomes Report on April</p>

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<p>3. Are you engaging with stakeholders responsible for delivery of the strategy?</p>	<p>Regulation 18</p>	<p>i. Consultation statement ii. Copies of documents consulting these people iii. Record of discussions</p>	<p>2016 MWLP - August 2016 (SD45)</p> <p>A statement of Compliance with the Duty to Co-operate - June 2016 (SD40) has been prepared, which sets out the Council's engagement with neighbouring authorities, prescribed bodies and key stakeholders with a statutory responsibility in the preparation of the Local Plan and its evidence base.</p> <p>Statement of Consultation on the Cumbria Minerals and Waste Local Plan – August 2016 (SD41)</p> <p>Statement of Community Involvement – adopted January 2006 (PPP31, formerly CSD13)</p> <p>Statement of Community Involvement: addendum report – August 2016 (SD44)</p> <p>Draft Cumbria Minerals and Waste Local Plan – February 2013 (LD321)</p> <p>Draft Cumbria Minerals and Waste Local Plan – February 2015 (LD322)</p> <p>Supplementary Sites consultation document – October/November 2016 (LD323)</p> <p>The 'Outcomes Report' from each stage of consultation provide details of the representations received and how the Plan was amended, if applicable, to take account of them:</p> <p>Regulation 18 consultation on MWLP February 2013 - Strategic Policies modifications (LD316), DC Policies modifications (LD317), Site Allocations modifications (LD318)</p> <p>Regulation 18 consultation Outcomes Report on February 2015 MWLP - April 2016 (LD319)</p> <p>Supplementary Sites consultation Outcomes Report - January 2016 (LD320)</p> <p>Regulation 19 consultation Outcomes Report on April 2016 MWLP - August 2016 (SD45)</p>

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4. Are you taking into account representations made?	Regulation 18(3)	i. Consultation statement ii. Any reports on the selection of alternatives and options for the DPD	Statement of Consultation on the Cumbria Minerals and Waste Local Plan – August 2016 (SD41) Draft Cumbria Minerals and Waste Local Plan – February 2013 (LD321) Draft Cumbria Minerals and Waste Local Plan – February 2015 (LD322) Supplementary Sites consultation document – October/November 2016 (LD323) Options Report draft CMWLP 2014-2029 - March 2015 (SD38) The ‘Outcomes Report’ from each stage of consultation provide details of the representations received and how the Plan was amended, if applicable, to take account of them: Regulation 18 consultation on MWLP February 2013 - Strategic Policies modifications (LD316), DC Policies modifications (LD317), Site Allocations modifications (LD318) Regulation 18 consultation Outcomes Report on February 2015 MWLP - April 2016 (LD319) Supplementary Sites consultation Outcomes Report - January 2016 (LD320) Regulation 19 consultation Outcomes Report on April 2016 MWLP - August 2016 (SD45)
5. Does the consultation contribute to the development and sustainability appraisal of alternatives?	The Act section 19(5) Regulations 12 and 13 of the Environmental Assessment of	i. Consultation statement ii. Any reports on the selection of alternatives and options for the DPD iii. Sustainability Appraisal report	Draft Cumbria Minerals and Waste Local Plan – February 2013 (LD321) Draft Cumbria Minerals and Waste Local Plan – February 2015 (LD322) Supplementary Sites consultation document – October/November 2016 (LD323) The ‘Outcomes Report’ from each stage of consultation provide details of the representations received and how

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	Plans and Programmes Regulations 2004, SI No 1633		<p>the Plan was amended, if applicable, to take account of them:</p> <p>Regulation 18 consultation on MWLP February 2013 - Strategic Policies modifications (LD316), DC Policies modifications (LD317), Site Allocations modifications (LD318)</p> <p>Regulation 18 consultation Outcomes Report on February 2015 MWLP - April 2016 (LD319)</p> <p>Supplementary Sites consultation Outcomes Report - January 2016 (LD320)</p> <p>Regulation 19 consultation Outcomes Report on April 2016 MWLP - August 2016 (SD45)</p> <p>Statement of Consultation on the Cumbria Minerals and Waste Local Plan – August 2016 (SD41)</p> <p>Statement of Community Involvement – adopted January 2006 (PPP31, formerly CSD13)</p> <p>Statement of Community Involvement: addendum report – August 2016 (SD44)</p> <p>The Sustainability Appraisal Report – April/May 2016 (SD23)</p> <p>Options Report draft CMWLP 2014-2029 - March 2015 (SD38)</p>
<p>6. Is the participation:</p> <ul style="list-style-type: none"> • following the principles set out in your SCI? • integrating involvement with the sustainable community strategy? • proportionate to the scale of issues involved in the DPD? 	The Act section 19(3)	<p>i. Consultation Statement</p> <p>ii. The SCI</p> <p>iii. The relevant sustainable community strategies</p>	<p>Statement of Consultation on the Cumbria Minerals and Waste Local Plan – August 2016 (SD41)</p> <p>Statement of Community Involvement – adopted January 2006 (PPP31, formerly CSD13)</p> <p>Statement of Community Involvement: addendum report – August 2016 (SD44)</p> <p>The sustainable community strategies for the County and each District, were published between 2004 and 2008. Despite some being updated between 2008 and 2011, since the Strategic Partnerships were disbanded, only</p>

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			three strategies can be considered extant: Community Strategy – Cumbria 2008 to 2028 (LD8) Sustainable Community Strategy 2008 to 2028 – South Lakeland (LD127) Eden Sustainable Community Strategy 2010-2022 (LD168)
7. Are you keeping a record of: <ul style="list-style-type: none"> • the individuals or bodies invited to make representations? • how this was done? • the main issues raised? 	The Act section 20(3) Regulation 17	i. Consultation statement ii. Reports by the Council on the consultation iii. Copies of representations and relevant correspondence iv. Technical reports on the engagement process	Statement of Consultation on the Cumbria Minerals and Waste Local Plan – August 2016 (SD41) Statement of Community Involvement – adopted January 2006 (PPP31, formerly CSD13) Statement of Community Involvement: addendum report – August 2016 (SD44) The ‘Outcomes Report’ from each stage of consultation provide details of the representations received and how the Plan was amended, if applicable, to take account of them: Regulation 18 consultation on MWLP February 2013 - Strategic Policies modifications (LD316), DC Policies modifications (LD317), Site Allocations modifications (LD318) Regulation 18 consultation Outcomes Report on February 2015 MWLP - April 2016 (LD319) Supplementary Sites consultation Outcomes Report - January 2016 (LD320) Regulation 19 consultation Outcomes Report on April 2016 MWLP - August 2016 (SD45)
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	The Act sections: 33A(1)(a) (b) and (c); 33A(3)(d) and (e); 33A(4);	i. Consultation statement ii. Reports by the Council on the consultation iii. Copies of representations and relevant correspondence	Statement of Consultation on the Cumbria Minerals and Waste Local Plan – August 2016 (SD41) Statement of Community Involvement – adopted January 2006 (PPP31, formerly CSD13) Statement of Community Involvement: addendum report – August 2016 (SD44)

Activity	Legal requirement	Possible evidence	Evidence Provided
<p>affected County Council that is not a planning authority? Or significant cross-boundary issues and strategic priorities of a body prescribed under Section 33A(1)(c)?</p>	<p>33A(9) The Act section 20 (5)(c)</p>	<p>iv. Technical reports on the engagement process</p>	<p>A statement of Compliance with the Duty to Co-operate - June 2016 (SD40) has been prepared, which sets out the Council's engagement with neighbouring authorities, prescribed bodies and key stakeholders with a statutory responsibility in the preparation of the Local Plan and its evidence base.</p> <p>The 'Outcomes Report' from each stage of consultation provide details of the representations received and how the Plan was amended, if applicable, to take account of them:</p> <p>Regulation 18 consultation on MWLP February 2013 - Strategic Policies modifications (LD316), DC Policies modifications (LD317), Site Allocations modifications (LD318)</p> <p>Regulation 18 consultation Outcomes Report on February 2015 MWLP - April 2016 (LD319)</p> <p>Supplementary Sites consultation Outcomes Report - January 2016 (LD320)</p> <p>Regulation 19 consultation Outcomes Report on April 2016 MWLP - August 2016 (SD45)</p>
<p>9. Are you inviting representations on cross-boundary issues and strategic priorities from a Local Enterprise Partnership (LEP) or a Local Nature Partnership (LNP)?</p>	<p>The Act sections: 33A(1)(c); 33A(9); 20(5) (c). Regulation 4</p>	<p>i. Consultation statement ii. Reports by the Council on the consultation iii. Copies of representations and relevant correspondence iv. Technical reports on the engagement process</p>	<p>Statement of Consultation on the Cumbria Minerals and Waste Local Plan – August 2016 (SD41)</p> <p>Statement of Community Involvement – adopted January 2006 (PPP31, formerly CSD13)</p> <p>Statement of Community Involvement: addendum report – August 2016 (SD44)</p> <p>A statement of Compliance with the Duty to Co-operate - June 2016 (SD40) has been prepared, which sets out the Council's engagement with neighbouring authorities, prescribed bodies and key stakeholders with a statutory responsibility in the preparation of the Local Plan and its evidence base.</p>
<p>10. Are you developing a</p>	<p>The Act section 35</p>	<p>i. Sustainability Appraisal</p>	<p>The Sustainability Appraisal Report – April/May 2016</p>

Activity	Legal requirement	Possible evidence	Evidence Provided
<p>framework for monitoring the effects of the DPD?</p>	<p>Regulation 34</p> <p>Regulation 17 of the Environmental Assessment of Plans and Programmes Regulations 2004, SI No.1363</p>	<p>report</p> <p>ii. The Authority Monitoring Report</p> <p>iii. Reports or documents setting out the appraisal and monitoring framework</p>	<p>(SD23)</p> <p>The Submission draft Plan – August 2016 (SD1) provides the framework for monitoring implementation of the Plan (chapter 17, page 156) and future Monitoring Reports will enable progress to be evaluated.</p> <p>The framework will monitor the MWLP and the significant effects of its implementation in line with SA/SEA requirements. Indicators have been developed to enable the periodic review of the evidence base, including through the LAA and the Cumbria Waste Needs Assessment, and assess whether changes to those policies, or additional site allocations should be considered through the vehicle of a partial review of the Local Plan. Consideration is also afforded to what circumstances may trigger a review of performance.</p> <p>The results of monitoring will be reported annually within the Council's Authority Monitoring Report (AMR), through which the need to review any policy or proposal within the Local Plan will be raised. The AMR will also be the process through which any significant effects on the SA objectives are reported.</p> <p>The most recent AMR is for calendar year 2015 (LD315).</p> <p>The Council's website provides download links for the 'Evidence Base' of the Plan:</p> <p>http://www.cumbria.gov.uk/planning-environment/policy/minerals_waste/MWLP/EB.asp</p>

Stage three: Plan preparation - formulation phase

This stage has many legal matters to address, for process and content. The Council should be beginning to formulate the preferred strategy for the Local Plan, with which the Council chooses to address Regulation 18 requirements, using the information gathered and previous collaborative work with stakeholders.

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

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

- completed body of information from evidence gathering
- results of Sustainability Appraisal
- findings from community participation
- findings from engagement with statutory co-operation bodies.

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

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

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

The Council should tell all parties that this is the main participation opportunity on the emerging plan. The publication stage 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.

Activity	Statutory requirement	Possible evidence	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, SI No. 1633</p>	<p>Documents supporting decisions on alternatives and any preferred strategy</p>	<p>Draft Cumbria Minerals and Waste Local Plan – February 2013 (LD321) Draft Cumbria Minerals and Waste Local Plan – February 2015 (LD322) Supplementary Sites consultation document – October/November 2016 (LD323) The Sustainability Appraisal Report – April/May 2016 (SD23) summarises the development and refining of alternatives and assessing the effect of the options and draft policies. Appendix 6: Strategic Alternatives Table (SD29) and Appendix 7: Audit Trail of Core Strategy Options (SD30) of the SA report, provide an audit trail of how the evidence base, consultation and SA have influenced the Plan. Earlier iterations of the SA of the MWLP, are provided as part of the evidence base (February 2013 – LD324, LD325; February 2015 – LD326, LD327, LD328, LD329, LD330, LD331, LD332, LD333, LD334, LD335; Supplementary Sites October 2015 – LD336, LD337). Options Report draft CMWLP 2014-2029 - March 2015 (SD38). A number of alternative policy approaches with respect to aggregate provision, sub-regional apportionment, landbanks and safeguarding, were considered as part of the Cumbria MWDF Core Strategy that was adopted in 2009, and these have been reconsidered in the light of the current policy context, and the updated and more robust evidence base provided by the LAA. The most recent LAA is for calendar year 2014 (LD309). A similar approach was taken in the Core Strategy for</p>

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			<p>waste and its management facilities, and again, this has been reconsidered in the light of the current policy context, and the updated and more robust evidence base provided by the Waste Needs Assessment. The most recent WNA is for calendar year 2014 (LD300).</p> <p>The supporting Site Assessments report - April 2016 (SD16, SD17, SD18, SD19, SD20, SD21, SD22) provides the site appraisal reports for the sites identified in the Plan, together with alternative sites that were considered, but not taken forward.</p> <p>Statement of Consultation on the Cumbria Minerals and Waste Local Plan – August 2016 (SD41).</p>
<p>2. Have you assessed alternatives against:</p> <ul style="list-style-type: none"> • consistency with national policy? • general conformity with the Regional Spatial Strategy, where still in force? 	<p>The Act sections: 19 (2); 24.</p>	<p>i. Supporting documents</p> <p>ii. Correspondence with Mayor of London (London Boroughs and Mayoral Development Corporations only)</p>	<p>The Core Strategy is compliant with the National Planning Policy Framework (2012) and the National Waste Management Plan (2013) – see Self Assessment Checklist (SD42).</p> <p>Table of Policy Progression – May 2016 (SD37).</p> <p>The NW Regional Spatial Strategy was revoked in May 2013.</p>
<p>3. Are you having regard to (where relevant):</p> <ul style="list-style-type: none"> • adjoining regional spatial strategies? • the spatial development strategy for London? • Planning Policy for Wales? • the National Planning Framework for 	<p>The Act sections: 19(2); 24(1) and (4).</p> <p>Regulations 10 and 21</p>	<p>i. Supporting documents</p> <p>ii. Correspondence with the Mayor of London, relevant Welsh or Scottish regional planning bodies (as appropriate)</p> <p>iii. CLG notice of revocation of the regional strategy</p>	<p>Statement of Consultation on the Cumbria Minerals and Waste Local Plan – August 2016 (SD41)</p> <p>A statement of Compliance with the Duty to Co-operate - June 2016 (SD40) has been prepared, which sets out the Council's engagement with neighbouring authorities, prescribed bodies and key stakeholders with a statutory responsibility in the preparation of the Local Plan and its evidence base.</p> <p>North West Aggregates Working Party Report 2015 (LD307).</p>

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Scotland?			<p>The NW Regional Spatial Strategy was revoked in May 2013.</p> <p>Other than to discuss waste cross boundary movements with Local Authorities in Wales, the Planning Policy for Wales has not been paid regard, as it is not an adjoining strategy.</p> <p>As Scotland does have an adjoining strategy, heed has been paid to the Scottish National Planning Framework 3 (ND100) and Scottish Planning Policy (ND101).</p>
<p>4. Are you co-operating with other local planning authorities including counties, to address significant cross boundary issues?</p> <p>Have you discussed doing joint local development documents?</p>	<p>The Act sections: 33A(2)(a); 33A(6)(a) and (b); 20(5)(c).</p>	<p>i. Supporting documents ii. Correspondence LPA/County Council</p> <p style="text-align: right;">with</p>	<p>A statement of Compliance with the Duty to Co-operate - June 2016 (SD40) has been prepared, which sets out the Council's engagement with neighbouring authorities, prescribed bodies and key stakeholders with a statutory responsibility in the preparation of the Local Plan and its evidence base.</p>
<p>5. Are you co-operating 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 sections: 33A(2)(a); 33A(6)(a); 20(5)(c).</p> <p>Regulation 4</p>	<p>i. Supporting documents ii. Correspondence prescribed bodies</p> <p style="text-align: right;">with</p>	<p>A statement of Compliance with the Duty to Co-operate - June 2016 (SD40) has been prepared, which sets out the Council's engagement with neighbouring authorities, prescribed bodies and key stakeholders with a statutory responsibility in the preparation of the Local Plan and its evidence base.</p> <p>North West Aggregate Working Party Report 2015 (LD307)</p>
<p>6. Are you co-operating with having regard to the activities of the LEP and LNP?</p>	<p>The Act sections: 33A(2)(b); 33A(9).</p> <p>Regulation 4(2)</p>	<p>i. Supporting documents ii. Correspondence LEP/LNP</p> <p style="text-align: right;">with</p>	<p>A statement of Compliance with the Duty to Co-operate - June 2016 (SD40) has been prepared, which sets out the Council's engagement with neighbouring authorities, prescribed bodies and key stakeholders with a statutory responsibility in the preparation of the Local Plan and its evidence base.</p>

Activity	Statutory requirement	Possible evidence	Evidence Provided
<p>7. Are you having regard to:</p> <ul style="list-style-type: none"> • your sustainable community strategy, or of other authorities, whose area comprises part of the area of the council? • any other local development documents adopted by the Council? 	<p>The Act section 19(2)</p>	<ul style="list-style-type: none"> i. Supporting documents ii. The sustainable community strategies iii. Relevant local development documents iv. Correspondence with the local strategic partners 	<p>The sustainable community strategies for the County and each District, were published between 2004 and 2008. Despite some being updated between 2008 and 2011, since the Strategic Partnerships were disbanded, only three strategies can be considered extant:</p> <p>Community Strategy – Cumbria 2008 to 2028 (LD8)</p> <p>Sustainable Community Strategy 2008 to 2028 – South Lakeland (LD127)</p> <p>Eden Sustainable Community Strategy 2010-2022 (LD168).</p> <p>A statement of Compliance with the Duty to Co-operate - June 2016 (SD40) has been prepared, which sets out the Council's engagement with neighbouring authorities, prescribed bodies and key stakeholders with a statutory responsibility in the preparation of the Local Plan and its evidence base.</p> <p>Statement of Community Involvement – adopted January 2006 (PPP31, formerly CSD13)</p> <p>Statement of Community Involvement: addendum report – August 2016 (SD44)</p>
<p>8. Do you have regard to other matters and relevant strategies relating to:</p> <ul style="list-style-type: none"> • resources • the local/regional economy • the local transport plan and transport facilities and services • waste strategies • hazardous substances 	<p>The Act section 19(2)</p> <p>Regulation 10</p>	<ul style="list-style-type: none"> i. Supporting documents ii. Correspondence with the relevant bodies 	<p>The Submission draft Plan – August 2016 (SD1) references the following documents:</p> <p>Para 2.12, Cumbria Strategic Economic Plan (LD230)</p> <p>Para 3.2, National Planning Policy for Waste (ND130)</p> <p>Para 3.27, Joint Municipal Waste Management Strategy (LD38)</p> <p>Para 4.3, Strategy for the Management of Solid Low Level Waste from the Non-Nuclear Industry (ND63)</p> <p>Para 4.5, UK Radioactive Waste Inventory (ND79)</p> <p>Para 4.23, Nuclear Decommissioning Authority Strategy III (ND151)</p>

Activity	Statutory requirement	Possible evidence	Evidence Provided
			<p>Para 4.24, Strategy for the Management of Naturally Occurring Radioactive Material (ND142)</p> <p>Para 4.24, UK Strategy for the Management of Solid Low Level Waste Arising from the Nuclear Industry (ND150)</p> <p>Para 5.7, North West Aggregate Working Party Annual Report 2015 (LD307)</p> <p>Para 5.45, Cumbria Strategic Economic Plan (LD230)</p> <p>Para 5.78, Mineral Resource Information for Development Plans – Cumbria and the Lake District (LD46)</p> <p>Para 5.102, Unconventional Hydrocarbon Resources: Shale Gas (ND177)</p> <p>Para 5.104, Unconventional Hydrocarbon Resources: Coal Bed Methane (ND176)</p> <p>Para 8.6, Terrestrial Mineral Resource, Cumbria (LD310)</p> <p>Para 8.16, Cumbria Local Nature Partnership Strategy 2015–2020 (LD301)</p> <p>Para 8.18, Cumbria Local Geodiversity Action Plan (LD159)</p> <p>Para 8.22, Cumbria Landscape Character Guidance and Toolkit (LD196)</p> <p>Para 13.27, Anaerobic Digestion Strategy and Action Plan (ND43)</p> <p>Para 15.27, Strategic Stone Study: A Building Stone Atlas of Cumbria and the Lake District (LD249)</p> <p>Para 16.20, Local Flood Risk Management Strategy, Cumbria (LD292)</p> <p>Para 16.38, Safeguarding Our Soils: A Strategy for England (ND173)</p> <p>Regard has also been paid to the National Planning Policy Framework and Planning Practice Guidance.</p>

Activity	Statutory requirement	Possible evidence	Evidence Provided
9. Are you having regard to the need to include policies on mitigating and adapting to climate change?	The Act section 19(1A)	Supporting documents	The Submission draft Plan – August 2016 (SD1), chapter 6 and Policy SP12 <i>Climate change mitigation and adaptation</i> .
10. Have you undertaken the Sustainability Appraisal of alternatives, including consultation on the Sustainability Appraisal report?	The Act section 19(5) Regulations 12 and 13 of the Environmental Assessment of Plans and Programmes Regulations 2004, SI No 1633	i. Reports on the sustainability of alternatives ii. Record of work undertaken on Sustainability Appraisal iii. Supporting documents	The Sustainability Appraisal Report – April/May 2016 (SD23) summarises the development and refining of alternatives and assessing the effect of the options and draft policies. Appendix 6: Strategic Alternatives Table (SD29) and Appendix 7: Audit Trail of Core Strategy Options (SD30) of the SA report, provide an audit trail of how the evidence base, consultation and SA have influenced the Plan. Earlier iterations of the SA of the MWLP, are provided as part of the evidence base (February 2013 – LD324, LD325 ; February 2015 – LD326 to LD335 ; Supplementary Sites October 2015 – LD336, LD337). Options Report draft CMWLP 2014-2029 - March 2015 (SD38).
11. Are you setting out reasons for any preferences between alternatives?	Regulation 8(2)	i. Any reports setting out alternatives and choices considered ii. Supporting documents	Options Report on draft CMWLP 2014-2029 - March 2015 (SD38)
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	i. Correspondence from those making representations ii. Reports on issues raised iii. Consultation statement iv. Sustainability Appraisal report	Statement of Consultation on the Cumbria Minerals and Waste Local Plan – August 2016 (SD41) The ‘Outcomes Report’ from each stage of consultation provide details of the representations received and how the Plan was amended, if applicable, to take account of them: Regulation 18 consultation on MWLP February 2013 - Strategic Policies modifications (LD316), DC Policies

Activity	Statutory requirement	Possible evidence	Evidence Provided
	Plans and Programmes Regulations 2004, SI No 1633		modifications (LD317), Site Allocations modifications (LD318) Regulation 18 consultation Outcomes Report on February 2015 MWLP - April 2016 (LD319) Supplementary Sites consultation Outcomes Report - January 2016 (LD320) Regulation 19 consultation Outcomes Report on April 2016 MWLP - August 2016 (SD45)
13. Where sites are to be identified, or areas for the application of policy in the DPD, are you preparing sufficient illustrative material to: <ul style="list-style-type: none"> • enable you to amend the currently adopted Policies Map? • inform the community about the location of proposals? 	Regulations 5(1)(b) and 9	i. Adopted Policies Map ii. Any reports on proposals to amend the Policies Map iii. Illustrative material that shows how the Policies Map will be amended or replaced	There is no adopted Policies Map. Latest draft of the Policies Map – March 2016 (SD2 to SD15)
14. Are the participation arrangements compliant with the SCI?	The Act section 19(3) Regulation 18	i. The SCI ii. Consultation Statement	Statement of Consultation on the Cumbria Minerals and Waste Local Plan – August 2016 (SD41) Statement of Community Involvement – adopted January 2006 (PPP31 , formerly CSD13) Statement of Community Involvement: addendum report – August 2016 (SD44) Minerals and Waste Development Scheme (2015-2017) (SD39)

Stage four: Publication

Under Regulation 20, the period for formal representations takes place **before** the DPD is submitted for examination, in accordance with a timetable set out in the Statement of the Representations Procedure, which is made available at the Council's office and published on its website.

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

- do so and progress directly to publication
OR
- produce and consult on a revised preferred strategy.

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

- comply with the requirements of the SCI
- update the Sustainability Appraisal report.

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

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

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

Activity	Statutory requirement	Possible evidence	Evidence Provided
1. Have you prepared the Sustainability Appraisal report?	The Act section 19(5) Regulation 12 of the Environmental Assessment of Plans and Programmes Regulations 2004, SI No 1633	Sustainability Appraisal report	Sustainability Appraisal Report – April/May 2016 (SD23 to SD31)
2. Have you made clear where and within what period representations must be made?	Regulation 17, 19, 20 and 35	i. Report or record of decisions ii. The Statement of Community Interest	Statement of Consultation on the Cumbria Minerals and Waste Local Plan – August 2016 (SD41) Statement of the Representations Procedure - May 2016 (LD338) Guidance for completing the Representations Form (LD339) Statement of Community Involvement – adopted January 2006 (PPP31, formerly CSD13) Statement of Community Involvement: addendum report – August 2016 (SD44)
3. Have you made copies of the following available for inspection: • the proposed submission documents? • the Statement of the Representations procedure?	Regulation 19(a)	i. Copies of the relevant statements ii. Report on where and when made available iii. Record of where and when made available	Statement of Consultation on the Cumbria Minerals and Waste Local Plan – August 2016 (SD41) All documents and advice available electronically on the CCC website from 23 May 2016. Paper copies made available at deposit points in libraries and County and District Council offices. Statement of the Representations Procedure - May 2016 (LD338)
4. Have you published on your website: • the proposed	Regulations 19 and 35	Record of publication	Statement of Consultation on the Cumbria Minerals and Waste Local Plan – August 2016 (SD41) All documents and advice available electronically on the

Activity	Statutory requirement	Possible evidence	Evidence Provided
submission documents? <ul style="list-style-type: none"> • the Statement of the Representations procedure? • statement and details of where and when documents can be inspected? 			CCC website from 23 May 2016. Paper copies made available at deposit points in libraries and County and District Council offices. Statement of the Representations Procedure - May 2016 (LD338)
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"> • a copy of each of the proposed submission documents • the statement of the representations procedure? 	Regulation 19(b)	i. Copies of correspondence ii. Record of sending	Statement of Consultation on the Cumbria Minerals and Waste Local Plan – August 2016 (SD41) All documents and advice available electronically on the CCC website from 23 May 2016. Paper copies made available at deposit points in libraries and County and District Council offices. Statement of the Representations Procedure - May 2016 (LD338)
6. Have you sent to each of the general consultation bodies invited to make representations under Regulation 18(1): <ul style="list-style-type: none"> • the Statement of the Representations procedure? • where and when the documents can be inspected? 	Regulation 19(b)	i. Copies of correspondence ii. Record of sending	Statement of Consultation on the Cumbria Minerals and Waste Local Plan – August 2016 (SD41) All documents and advice available electronically on the CCC website from 23 May 2016. Paper copies made available at deposit points in libraries and County and District Council offices. Statement of the Representations Procedure - May 2016 (LD338)

Activity	Statutory requirement	Possible evidence	Evidence Provided
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	Copies of correspondence	N/A

Stage five: Submission

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

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

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

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

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

Activity	Legal requirement	Possible evidence	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)	<ul style="list-style-type: none"> i. The LDS ii. Explanation of any changes from the milestones set out in the LDS iii. Relevant Authority Monitoring Reports 	<p>Minerals and Waste Development Scheme (2015-2017) is the most up-to-date version of the LDS; this identifies the timetable for production of the Plan (SD39).</p> <p>The two previous LDS are Minerals and Waste Development Scheme 2012-2013 (LD220) and Minerals and Waste Development Scheme 2014-2016 (LD221).</p> <p>Authority Monitoring Report 2015 (LD315) explains LDS progress.</p>
2. Has the DPD had regard to any sustainable community strategy for its area (like a County and	The Act section 19(2)	<ul style="list-style-type: none"> i. The sustainable community strategy(ies) ii. Reference to sections of the 	Statement of Community Involvement – adopted January 2006 (PPP31 , formerly CSD13)

Activity	Legal requirement	Possible evidence	Evidence provided
District)?		DPD showing how regard has been had to them	<p>The sustainable community strategies for the County and each District, were published between 2004 and 2008. Despite some being updated between 2008 and 2011, since the Strategic Partnerships were disbanded, only three strategies can be considered extant:</p> <p>Community Strategy – Cumbria 2008 to 2028 (LD8)</p> <p>Sustainable Community Strategy 2008 to 2028 – South Lakeland (LD127)</p> <p>Eden Sustainable Community Strategy 2010-2022 (LD168).</p>
3. Is the DPD in compliance with the SCI (where one exists)? Has the Council carried out consultation as described in the SCI?	<p>The Act section 19(3)</p> <p>Regulation 22(1)(c)</p>	<p>i. The SCI</p> <p>ii. The Regulation 22(1)(c) statement</p>	<p>Statement of Community Involvement – adopted January 2006 (PPP31, formerly CSD13)</p> <p>Statement of Community Involvement: addendum report – August 2016 (SD44)</p> <p>Statement of Consultation on the Cumbria Minerals and Waste Local Plan – August 2016 (SD41)</p>
4. Have you identified and addressed any issues that 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	<p>The Act sections: 33A(1); 20(5).</p>	<p>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.</p> <p>Supporting correspondence and reports, e.g. Memorandum of</p>	<p>A statement of Compliance with the Duty to Co-operate - June 2016 (SD40) has been prepared, which sets out the Council's engagement with neighbouring authorities, prescribed bodies and key stakeholders with a statutory responsibility in the preparation of the Local Plan and its evidence base.</p>

Activity	Legal requirement	Possible evidence	Evidence provided
<p>identifying and addressing any strategic cross-boundary issues?</p> <p>If you have not agreed on the approach is there a justification?</p>		<p>Understanding, shared and agreed evidence.</p>	
<p>5. Has the DPD been subject to Sustainability Appraisal?</p> <p>Has the council provided a final report of the findings of the appraisal?</p>	<p>The Act section 19(5)</p> <p>Regulation 22(1)(a)</p>	<p>Sustainability Appraisal report</p>	<p>Sustainability Appraisal - April/May 2016 (SD23)</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>i. Correspondence with PINS?</p> <p>ii. PAS Soundness self assessment checklist</p>	<p>PAS Soundness self-assessment checklist completed by Cumbria County Council (SD42).</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?</p> <p>If yes, is there local justification?</p> <p>If the LPA is a London borough or a mayoral development corporation, has it requested an opinion from the Mayor of London on the general conformity of the plan with the spatial development strategy?</p>	<p>The Act section 24(1)(a) and 24(4)</p> <p>Regulation 21</p>	<p>i. Correspondence with or representations from Mayor of London (where appropriate)</p> <p>ii. Confirmation of (where appropriate) conformity from the Mayor or that no Regional Strategy is in place</p>	<p>N/A</p> <p>The NW Regional Spatial Strategy was revoked in May 2013.</p>

Activity	Legal requirement	Possible evidence	Evidence provided
<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 sections: 20(2); 20(3); 20(5)(b).</p> <p>Regulations 8 and 19</p>	<p>i. The documents prescribed at Regulation 22(1)</p> <p>ii. Relevant Authority Monitoring Reports</p> <p>iii. Records of the actions undertaken (see below)</p>	<p>Statement of Consultation on the Cumbria Minerals and Waste Local Plan – August 2016 (SD41)</p> <p>All documents and advice available electronically on the CCC website from 23 May 2016.</p> <p>Paper copies made available at deposit points in libraries and County and District Council offices.</p> <p>Statement of the Representations Procedure - May 2016 (LD338) sets out where documents were available</p> <p>There are no saved policies. Paragraph 1.5 (page 1) of the Submission draft Local Plan (SD1) explains that the Minerals and Waste Local Plan will replace the adopted Core Strategy and Development Control policies documents.</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 & 22(1)</p>	<p>i. Submission Policies Map</p> <p>ii. Brief statement if a submission Policies Map is not required</p>	<p>There is no adopted Policies Map for Cumbria County Council.</p> <p>CCC has prepared a Submission Policies Map (SD2 to SD15) included in the Local Plan. This information will be provided to the District Councils upon adoption, in order to update maps in their Local Plans.</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</p>	<p>Regulation 8(3) and (4)</p> <p>Regulation 8(5)</p>	<p>i. The Core Strategy</p> <p>ii. Documents or reports demonstrating conformity</p>	<p>The Plan has been prepared with regard to District Plans, and Districts have been consulted as part of the plan process.</p> <p>A statement of Compliance with the Duty to Co-operate - June 2016 (SD40) has been</p>

Activity	Legal requirement	Possible evidence	Evidence provided
superseded policies?			prepared, which sets out the Council's engagement with neighbouring authorities, prescribed bodies and key stakeholders with a statutory responsibility in the preparation of the Local Plan and its evidence base.
<p>11. Have you prepared a statement setting out:</p> <ul style="list-style-type: none"> • which bodies and persons were invited to make representations under Regulation 18? • how they were invited? • a summary of the main issues raised? • how the representations have been taken into account? 	<p>The Act section 20(3)</p> <p>Regulation 22(1)(c)</p>	<p>i. Consultation Statement</p> <p>ii. The Statement as required in Regulation 22(1)(c)</p>	<p>Statement of Consultation on the Cumbria Minerals and Waste Local Plan – August 2016 (SD41)</p> <p>Statement of Main Issues on the Regulation 19 MWLP consultation – August 2016 (SD47)</p> <p>An Outcomes Report on the Regulation 19 MWLP consultation has also been prepared (SD45)</p>
<p>12. Have you prepared a statement giving:</p> <ul style="list-style-type: none"> • the number of representations made under Regulation 22? • a summary of the main issues raised? <p>OR</p> <ul style="list-style-type: none"> • that no representations were made? 	<p>The Act section 20(3)</p> <p>Regulation 22(1)(c)</p>	<p>The Statement as required in Regulation 22(1)(c)</p>	<p>Outcomes Report on the Regulation 19 MWLP consultation – August 2016 (SD45)</p>
<p>13. Have you collected together all the representations made under</p>	<p>The Act section 20(3)</p>	<p>Copies of the representations</p>	<p>Outcomes Report on the Regulation 19 MWLP consultation – August 2016 (SD45)</p>

Activity	Legal requirement	Possible evidence	Evidence provided
Regulation 28?	Regulation 22(1)(e)		Statement of Consultation on the Cumbria Minerals and Waste Local Plan – August 2016 (SD41)
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 necessary evidence and records of decisions relevant to the MWLP are on the CCC website: http://www.cumbria.gov.uk/planning-environment/policy/minerals_waste/MWLP/home.aspx
15. Has your Council approved the DPD for submission?		Report and resolution of the appropriate Council body	Report and resolution of Full Council 21 April 2016, approval of Council to publish for public consultation and submission to the Secretary of State in accordance with Regulations 19 and 22 of the Town and Country (Local Planning) (England) Regulations 2012. – ITEM 16. http://councilportal.cumbria.gov.uk/ieListDocuments.aspx?CId=123&Mid=8043&Ver=4
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">• the DPD?• the submission Policies Map (unless there are no site allocation policies)?• the documents prescribed in Regulation 22(1)?	The Act section 20(1) and 20(3) Regulations 22(1) and 22(2)	i. Record of sending ii. Reasons why documents cannot be sent electronically	Submission date: 9 September 2016. Hard copy and digital copy prepared of: - the DPD (SD1) - the submission Policies Map (SD2-SD15) - Sustainability Appraisal (SD23-SD31) - Statement of Consultation on the Cumbria Minerals and Waste Local Plan – August 2016 (SD41) Outcomes Report on the Regulation 19 MWLP consultation – August 2016 (SD45)

Activity	Legal requirement	Possible evidence	Evidence provided
<p>17. Have you made the following available at the same places where the proposed submission documents were to be seen:</p> <ul style="list-style-type: none"> • The DPD? • The documents prescribed in Regulation 22(1)? 	<p>Regulation 22(3)</p>	<p>Record of where and when made available</p>	<p>In addition to being available on the Council's website, the Minerals & Waste Local Plan, the submission documents and the full Evidence Base, are available to inspect, by appointment, at County Offices in Kendal. It can also be arranged for the documents to be viewed at other Council offices around the county.</p>
<p>18. On your website, have you published the:</p> <ul style="list-style-type: none"> • DPD? • submission Policies Map? • Sustainability Appraisal report? • Regulation 22(1)(c) statement? • supporting documents (where practicable)? • representations made under Regulation 20 (where practicable)? • statement as to where and when the DPD and the documents are available? 	<p>Regulation 22(3) and 35(1)(b)</p>	<p>Record of publication</p>	<p>From noon Friday 9 September, the Examination webpage can be accessed via this link: http://www.cumbria.gov.uk/planning-environment/policy/minerals_waste/MWLP/examination.asp</p> <p>and the Submission documents can be viewed or downloaded at:</p> <p>http://www.cumbria.gov.uk/planning-environment/policy/minerals_waste/MWLP/submitdocuments.asp</p> <p>This is set out in the notification to all consultees.</p>
<p>19. For each general consultation body invited to make representations under Regulation 18(1), have you sent:</p>	<p>Regulation 22(3)(b)</p>	<p>i. Copies of correspondence ii. Record of sending</p>	<p>From noon Friday 9 September, the Examination webpage can be accessed via this link: http://www.cumbria.gov.uk/planning-environment/policy/minerals_waste/MWLP/examination.asp</p>

Activity	Legal requirement	Possible evidence	Evidence provided
<ul style="list-style-type: none"> notification that the documents prescribed in Regulation 22(3)(a)(i)-(iii) are available for inspection where and when they can be inspected? 			<p>amination.asp</p> <p>and the Submission documents can be viewed or downloaded at:</p> <p>http://www.cumbria.gov.uk/planning-environment/policy/minerals_waste/MWLP/submitdocuments.asp</p> <p>This is set out in the notification to all consultees.</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>	<ul style="list-style-type: none"> i. Copies of correspondence ii. Record of sending 	<p>This is set out in the notification of submission to all consultees.</p>
<p>21. If an examination is being held, at least six weeks before its opening, has the Programme Officer:</p> <ul style="list-style-type: none"> published the time and place of the examination and the name of the person appointed to carry out the examination on your website? notified those who have made representations on the published DPD, which have not been withdrawn, of these details? 	<p>The Act section 20</p> <p>Regulations 24 and 35</p>	<ul style="list-style-type: none"> i. Record of publication of information ii. Record of sending iii. Copies of correspondence iv. Copy of advertisement 	<p>This will be done by the appointed Programme Officer, but the information on the Examination is not yet available.</p>