



## **Dorset, Bournemouth and Poole Waste Plan**

### **Local Plan Legal Compliance Checklist – Updated March 2018**

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

This checklist will be updated prior to submission including details of 'Stage 5 – Submission' and the addition of references for all documents referred to within the checklist.

#### **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**

Where the 'possible evidence' column refers to a document that will not be complete until a later stage (for example, the sustainability appraisal report), 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.

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 environment consultation bodies)



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- 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 tool, 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 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.



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**Stage one: The beginning**

Activity	Legal requirement	Guidance reference	Additional notes	Evidence Provided
<p>1. Is the DPD identified in the adopted LDS? Have you recorded the timetable for its production?</p>	<p>The Act section 15(2) and section 19(1)</p>	<p>NPPF para 153</p>		<p>The current Minerals and Waste Development Scheme (MSWS) was published in 2014. However, the milestones were updated and published in May 2016 and most recently in May 2017 and November 2017 (WPDCC28). The November 2017 iteration contains the up to date timetable for production of the Plan. Consultation/engagement has been in line with the relevant MWDS. The Authority Monitoring Report (2017) explains the Waste Plan progress.</p>
<p>2. How will community engagement be programmed into the preparation of the DPD?</p>	<p>The Act section 19(3)  Regulation 18</p>	<p>NPPF paras 150, 155 and 157</p>	<p>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.</p>	<p>Dorset's Statement of Community Involvement (SCI) (WPDCC39) sets out how people and organisations can contribute to the development of the Waste Plan. Public engagement/consultation on the Waste Plan has been carried out in accordance with the most up to date version of the SCI which was adopted by the Council in April 2013. This was a review of the original SCI adopted in March 2007.</p> <p>The MWDS (WPDCC28) provides details of when communities would be involved in Plan</p>



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Activity	Legal requirement	Guidance reference	Additional notes	Evidence Provided
				<p>preparation.</p> <p>Bournemouth and Poole have their own SCI's.</p> <p>Bournemouth's SCI was originally adopted in December 2006 and revised and adopted in January 2015 (WPDCC40).</p> <p>Poole's SCI was adopted in February 2006 and a revised version adopted in December 2015 (WPDCC41).</p> <p>Consultation and public participation on waste planning documents are subject to the provisions of the Dorset County Council SCI. The County Council has liaised with Bournemouth and Poole to ensure that consultation on Plans covered by their SCI are up-to-date with the two authorities own SCI commitments where appropriate.</p>
<p>3. Have you considered the appropriate bodies you should consult?</p>	<p>Regulation 18</p>	<p>NPPF paras 4.25 -4.26</p>	<p>Regulation 2 defines the general and specific consultation bodies.</p>	<p>The Dorset Statement of Community Involvement (WPDCC39) includes details of consultation that can be expected at each main stage of the Waste Plan preparation. This includes relevant specific consultation bodies (as defined in the Local Planning Regulations),</p>



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Activity	Legal requirement	Guidance reference	Additional notes	Evidence Provided
			<p>The possible evidence may duplicate each other. Only use what you need to.</p>	<p>general consultation bodies and residents/businesses.</p> <p>The Consultation Statement (WPSD04) on the Waste Plan and the Duty to Co-operate Statement (WPSD05) provides further details on which bodies have been engaged throughout the process.</p> <p>Reports of representations, received to the key consultation stages, have been published along with officer's responses. These documents demonstrate how comments from consultees have helped shape decision making through Plan preparation (WPDCC05 – 10).</p>
<p>4. How you will co-operate with other local planning authorities, including counties, and prescribed bodies, to identify and address any issues or strategic priorities that will have a significant impact on at least two planning areas?</p>	<p>The Act section 33A(1)(a) and (b), section 33A(3)(d) (e) &amp; (4)</p> <p>The Act Section 20(5)(c)</p>	<p>NPPF paras 178 to 181 (which comprise the guidance referred to in the Act section 33A(7))</p> <p>Under NPPF Para 182, to be</p>	<p>Section 33A(4) defines a "strategic matter".</p> <p>Under section 33A(6) the required engagement includes considering joint approaches to the plan making</p>	<p>The Waste Plan (WPSD01) is prepared jointly with the three authorities of Bournemouth, Dorset and Poole.</p> <p>A Duty to Co-operate Statement (WPSD05) 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 Waste Plan and its evidence base.</p>



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Activity	Legal requirement	Guidance reference	Additional notes	Evidence Provided
	Regulation 4	<p>'Effective' a plan should be based on effective joint working on cross-boundary strategic priorities.</p> <p>Strategic priorities are listed at NPPF Para 156</p>	<p>activities (including the preparatory activities) and considering whether to agree joint local development documents under section 28.</p> <p>The bodies prescribed by section 33A(1)(c) are set out at Regulation 4(1).</p>	<p>The Consultation Statement (WPSD04) provides further details on what consultation has taken place, when and with whom. This report also sets out how responses and sustainability appraisal have influenced the Plan. The main stages of public consultation represented an opportunity for engagement with such prescribed bodies under the duty to cooperate.</p>
<p>5. How you will co-operate with any local enterprise partnerships (LEP) or local nature partnerships (LNP) to identify and address any issues or strategic priorities that will have a significant impact on at least two planning areas?</p>	<p>The Act section 33A(1)(c) and section 33A(9), section 33A(3)(d) and (e)</p> <p>The Act section 20(5)(c).</p>	<p>NPPF paras 178 to 181</p>	<p>Section 33A(4) defines a "strategic matter".</p> <p>Strategic priorities are listed at NPPF Para 156.</p> <p>Regulation 4(2) prescribes LEPs and LNPs for the purposes of section 33A(9).</p>	<p>The Duty to Co-operate statement (WPSD05) has been prepared, which sets out the Councils engagement with key stakeholders. This includes the LEP and LNP.</p> <p>The Consultation Statement (WPSD04) provides further details on what consultation has taken place, when and with whom. This report also sets out how responses and sustainability appraisal have influenced the Plan.</p>



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Activity	Legal requirement	Guidance reference	Additional notes	Evidence Provided
	Regulation 4		Under section 33A(6) the required engagement includes consulting on joint approaches to relevant activities.	
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 section13	NPPF paras 158 - 177		<p>Yes, Background Paper 1 'Waste arising's and projections' (WPDCC24) provides fundamental data on which the Waste Plan is based. This paper also explains the methodology and scenarios considered to establish waste growth. Justification is given to the preferred level of waste growth. As a result of the capacity gap a series of identified needs are established that are addressed through site allocations and criteria passed policy guidance in the Waste Plan.</p> <p>Additionally, further work to ensure the Waste Plan contained a robust baseline for C&amp;I and CDE Waste was commissioned in September 2017 and informed the final Waste Plan (WPDCC29).</p> <p>In addition, a detailed list of evidence documents has been prepared to support the Waste Plan.</p> <p>The Pre-Submission Draft Waste Plan</p>



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Activity	Legal requirement	Guidance reference	Additional notes	Evidence Provided
				(WPSD01) provides the framework for monitoring implementation of the Plan. Future monitoring reports will enable the Plans progress to be evaluated, highlighting any issues and the need for review.
7. Is baseline information being collected and evidence being gathered to set the framework for the sustainability appraisal?	The Act section19(5)	NPPF paras 165 and 167  Strategic Environmental Assessment Guide, chapter 5		Yes, SA/SEA has been an iterative process throughout Plan Preparation.  The Sustainability Appraisal Scoping Report (WPDCC42) sets out a set of sustainability objectives which have been used to assess the polices and proposals of the Waste Plan. The up-to-date Waste and Minerals Sustainability Appraisal Scoping Report was published in March 2015 (WPDCC42) and is accompanied by a series of topic papers. The topic papers set out baseline information for each of the topics addressed through the SA process. The collection of baseline information for the Waste Plan is an ongoing process and has been updated in the various SA reports that have accompanied the Waste Plan throughout Plan preparation. The Sustainability Appraisal Report (WPSD03) is the most recent of these documents.
8. Have you consulted the statutory environment	Regulations 9 and 13 of The	NPPF paras 165 and 167	The Strategic Environmental	Yes, consultation on the Sustainability Appraisal Scoping Report (WPDCC42) was



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Activity	Legal requirement	Guidance reference	Additional notes	Evidence Provided
consultation bodies for five weeks on the scope and level of detail of the environmental information to be included in the sustainability appraisal report?	Environmental Assessment of Plans and Programmes Regulations 2004 No 1633.	SEA Guide chapter 3	Assessment consultation bodies are also amongst the 'specific consultation bodies' which are defined in Regulation 2).	undertaken in accordance with the Strategic Environmental Assessment (SEA) Directive. The Statutory environmental bodies were included to comment along with the LEP, LNP and Homes and Communities Agency. Other stakeholders were invited to review and comment on the scope of the SA. During the consultation, responses were received from the Environment Agency, Dorset Wildlife Trust and English Heritage.



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## **Stage two: Plan preparation - frontloading phase**

Information assembled during this phase contributes to:

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

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.



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## Stage two: Plan preparation

Activity	Legal requirement	Guidance reference	Additional notes	Evidence Provided
<p>1. Have you notified:</p> <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>	<p>Regulation 18(1) and (2)(a) (b)</p>	<p>NPPF paras 159 – 173</p>	<p>Specific and general consultation bodies are defined in Regulation 2.</p>	<p>The Statement of Community Involvement (WPDCC39) sets out what stakeholders can expect in terms of consultation. Consultation met the requirements of the SCI and in many cases exceeded requirements.</p> <p>The Duty to Co-operate Statement (WPSD05) has been prepared, which sets out the Councils engagement with neighbouring authorities, prescribed bodies and key stakeholders with a statutory responsibility in the preparation of the Local Plan and its evidence base. Further detail on consultation arrangements for each consultation is set out in the Consultation Statement (WPSD04).</p> <p>Reports of representations, received to the key consultation stages, have been published along with officer’s responses (WPDCC05-10). These documents demonstrate how comments from consultees have helped shape decision making through Plan preparation.</p>
<p>2. Are you inviting representations from people resident or carrying out business in your area about the</p>	<p>Regulation 18(1) and (2)(c)</p>	<p>NPPF paras 159 – 173</p>		<p>The Statement of Community Involvement (WPDCC39) sets out what stakeholders can expect in terms of consultation. Consultation has been undertaken in accordance with this statement at all stages.</p>



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content of the DPD?				<p>The Duty to Co-operate Statement (WPSD05) has been prepared, which sets out the Councils engagement with neighbouring authorities, prescribed bodies and key stakeholders with a statutory responsibility in the preparation of the Local Plan and its evidence base. Further detail on consultation arrangements for each consultation is set out in the Consultation Statement (WPSD04).</p> <p>Reports of representations, received to the key consultation stages, have been published along with officer's responses (WPDCC05-10). These documents demonstrate how comments from consultees have helped shape decision making through Plan preparation.</p> <p>At all consultation stages information and consultation documents were published on the County Councils website (links from Bournemouth and Poole's web pages).</p> <p>There have been five main consultative states in the preparation of the Waste Plan;</p> <ul style="list-style-type: none"> <li>• Waste Plan Issues Consultation (Dec 2013) (WPDCC01)</li> <li>• Draft Waste Plan (July 2015) (WPDCC02)</li> <li>• Draft Waste Plan Update (May 2016) (WPDCC03)</li> </ul>



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				<ul style="list-style-type: none"> <li>• Draft Waste Plan Update – focused consultation on Blandford &amp; Purbeck (February 2017) (WPDCC04)</li> <li>• Pre-Submission Draft Waste Plan (December 2017) (WPSD01)</li> </ul> <p>These have all been open to residents, business, the waste industry and statutory consultees.</p> <p>Reports of representations, received to the key consultation stages, have been published along with officer’s responses (WPDCC05-10). These documents demonstrate how comments from consultees have helped shape decision making through Plan preparation.</p>
<p>3. Are you engaging with stakeholders responsible for delivery of the strategy?</p>	<p>Regulation 18</p>	<p>NPPF para 155</p>	<p>NPPF paras 160-171 4.29 give examples of relevant bodies which should be consulted.</p>	<p>The Statement of Community Involvement (WPDCC39) sets out what stakeholders can expect in terms of consultation. Consultation has been undertaken in accordance with this statement at all stages. In many cases, engagement has exceeded requirements.</p> <p>Further detail on consultation arrangements for each consultation is set out in the Consultation Statement (WPSD04).</p> <p>Reports of representations, received to the key consultation stages, have been published along with officer’s responses</p>



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				<p>(WPDCC05-10). These documents demonstrate how comments from consultees have helped shape decision making through Plan preparation.</p> <p>Many of the site options/site allocations are being promoted by landowners/waste industry. These sites have emerged from informal discussions and a 'call for sites' exercise (see Background Paper 2 Waste Plan Site Selection WPDCC25). The site promoters and the wider waste industry have been involved both through representations during the consultation process and direct correspondence and discussions with the WPA.</p> <p>In addition, the three waste management authorities have also been involved throughout the preparation of the Waste Plan. Meetings and other correspondence have taken place at key stages to ensure the Plan address the need for new/improved facilities and that emerging site options are appropriate.</p> <p>Some of the Waste Plan policies (particularly safeguarding) and the monitoring framework will be delivered through ongoing dialogue with the Waste Management Authorities and the district/borough councils.</p>
4. Are you taking into account representations	Regulation 18(3)	NPPF para 155	Evidence from participation is part of the	Yes, at each key stage reports of representations received have been published (WPDCC05-10). These reports set out all representations received verbatim and provide an



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made?			justification. Show how you have taken representations into account.	<p>officer response to those comments. Following the Draft Waste Plan consultations in 2015, 2016 and 2017 a summary of comments made to each site options and an officer response to each key issues raised was prepared. Where changes were proposed as a result of comments these are set out.</p> <p>The Consultation Statement (WPSD04) summarises the main consultation stages held prior to submission of the Plan.</p>
5. Does the consultation contribute to the development and sustainability appraisal of alternatives?	<p>The Act section19(5)</p> <p>Regulations 12 and 13 of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633</p>	<p>NPPF paras 165 – 168</p> <p>SEA Guide, chapter 3</p>		<p>Reasonable alternatives have been considered throughout the preparation of the Waste Plan. Chapter 4 of the Sustainability Appraisal Report (WPSD03) summarises the key alternatives. Alternatives include high level spatial options together with options covering more specific issues such as the level of waste growth. A number of site specific options for addressing the waste management needs are also considered and developed throughout the preparation of the Plan. The options taken forward and reasons for taking the chosen option forward or discounting other options are also summarised in Chapter 4 of the SA.</p> <p>The SA of policies and site options has been subject to consultation at each stage in Plan preparation. A summary of the consultation responses to the SA is included in</p>



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				Chapter 2 of the SA report along with an officer response. No Specific comment on the Sustainability appraisal was made during the 2016 and 2017 consultation, however many responses focused on issues covered in the appraisal which are considered fully in the report of representations.
<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 155		<p>Yes, consultation procedures have been in full accordance with the relevant SCI at the time of consultation. Often consultation has gone further than required.</p> <p>The Consultation Statement (WPSD04) summarises the main consultation stages prior to Submission of the Plan.</p> <p>The preparation of Community Strategies is no longer required – see section 100 of the Deregulation Act 2015 <a href="http://www.legislation.gov.uk/ukpga/2015/20/section/100/enacted">http://www.legislation.gov.uk/ukpga/2015/20/section/100/enacted</a></p>
<p>7. Are you keeping a record of:</p> <ul style="list-style-type: none"> <li>• the individuals or bodies invited to make</li> </ul>	<p>The Act section20(3)</p> <p>Regulation 17</p>	NPPF paras 158 - 171	You will need to submit a statement of representations under Regulation 22 (1) (c): see	<p>The Consultation Statement (WPSD04) summarises the main consultation stages held prior to submission of the Plan. This includes who was consulted and how.</p> <p>Records of comments made during consultations are held</p>



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Activity	Legal requirement	Guidance reference	Additional notes	Evidence Provided
<p>representations?</p> <ul style="list-style-type: none"> <li>• how this was done?</li> <li>• the main issues raised?</li> </ul>			<p>Submission stage below.</p> <p>Regulation 35 deals with the availability of documents and the time of their removal.</p>	<p>in the Objective Consultation System, which is available online.</p> <p>The issues raised through each consultation have been reported in a report of representations. Comments made to policies and text are reported verbatim. A separate report lists the key issues raised to site options. Both reports include an officer response to the issues raised.</p>
<p>8. Are you inviting representations on issues that would have significant impacts on both your areas from another local planning authority? Or county issues from an affected county council that is not a planning authority? Or significant cross-boundary issues and strategic priorities of a body prescribed under Section 33A(1)(c)?</p>	<p>The Act section 33A(1)(a) (b) and (c), section 33A(3)(d) &amp; (e) section 33A(4) section 33A(9)</p> <p>The Act section 20 (5)(c)</p>	<p>NPPF paras 178 to 181</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>The Duty to Co-operate Statement (WPSD05) summarises the engagement with a range of bodies include, Waste Planning Authorities (Neighbouring and wider), district and borough authorities in Dorset and Statutory bodies.</p> <p>The representations made during Plan preparation mainly relate to site allocations.</p> <p>At each key consultation stage reports of representations received have been published (WPDCC05-10. These reports set out all representations received verbatim and provide an officer response to those comments. A second report was provided following the Draft Waste Plan 2015, 2016 and 2017 which provides a summary of comments made to each site options and an officer response to each key issues raised.</p>



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Activity	Legal requirement	Guidance reference	Additional notes	Evidence Provided
<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 section 33A(1)(c) and Section 33A(9).</p> <p>The Act section 20(5) (c).</p> <p>Regulation 4</p>	<p>NPPF paras 178 to 181</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>Representations have been sought from the LEP and LNP throughout Plan preparation. Engagement with the two specific bodies has been summarised in the Duty to Cooperate Statement WPSD05).</p> <p>Specific reports presented to the LEP are included within the list of examination documents (WPDCC43 – 47).</p>
<p>10. Are you developing a framework for monitoring the effects of the DPD?</p>	<p>The Act section 35</p> <p>Regulation 34</p> <p>Regulation 17 of The Environmental Assessment</p>	<p>NPPF paras 165 - 1687</p> <p>SEA Guide, Chapter 5</p>	<p>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</p>	<p>Yes, the Pre-Submission Draft Waste Plan (WPSD01) provides a monitoring framework for the Plan. For each policy, the framework establishes the relevant objectives, indicators, targets, implementation partners and any issues that have been highlighted that could impact on implementation of the policy and potential need for review.</p> <p>Monitoring information will be presented through the authorities Monitoring Report. The monitoring report contains trigger points where it could then be ascertained if an intervention is required. Such intervention could be a</p>



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Activity	Legal requirement	Guidance reference	Additional notes	Evidence Provided
	of Plans and Programmes Regulations 2004 No1363		EU legislation” Chief Planning Officer letter 30 March 2011 withdrawing ODPM guidance.	review of the evidence base, as specific policy or the entire Plan. This will be reported in the Monitoring Report on a regular basis following the adoption of the Waste Plan.



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### **Stage three: Plan preparation - formulation phase**

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

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

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

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

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

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

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

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



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### Stage three: Plan preparation – writing the plan

Activity	Statutory requirement	Guidance reference	Additional notes	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 paras 152 - 182  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>Yes, reasonable alternatives have been considered through previous stages of consultation of the Waste Plan Prior to Publication of the Draft Waste Plan.</p> <p>Chapter 4 of the Sustainability Appraisal Report (WPSD03) summarises the options and alternatives considered. Alternatives include high level spatial options together with options covering more specific issues such as the level of waste growth. A number of site specific options for addressing the waste management needs are also considered and developed throughout the preparation of the Plan – see Background Paper 2: Waste Plan Site Selection (WPDCC25).</p> <p>The Waste Plan Issues Consultation document (WPDCC01) contained options related to levels of growth for the different waste streams. As a direct result of the responses from consultees further work was undertaken. This included a focused consultation with the waste management authorities and the waste industry. This resulted in the refinement of the growth scenarios presented, for consultation, in the Draft Waste Plan (2015) (WPDCC02).</p> <p>High level options to address the need for new waste management facilities were set out in the Waste Plan Issues Paper. These were then refined into site specific options within further iterations of the Waste Plan in 2015, 2016 and 2017. At each stage SA/SEA was undertaken on options. The matrices containing the sustainability appraisal of options can be found in</p>



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Activity	Statutory requirement	Guidance reference	Additional notes	Evidence Provided
<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 151</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>the appendices of the SA Report (WPSD03).</p> <p>The Waste Plan is considered to be compliant with the National Planning Policy Framework (2012) and the National Waste Management Plan (2013). See also Soundness Self-Assessment Checklist (WPDCC37).</p> <p>The SW Regional Spatial Strategy was revoked in 2013.</p> <p>Reasonable alternatives have been considered through previous stages of consultation of the Waste Plan, in particular within the Waste Plan Issues Paper (2013) and the Draft Waste Plan (2015). These are summarised within Chapter 4 of the Sustainability Appraisal Report (WPSD03). Alternatives include high level spatial options together with options covering more specific issues such as the level of waste growth. A number of site specific options for addressing the waste management needs are also considered and developed throughout the preparation of the Plan.</p>
<p>3. Are you having regard to (where relevant):</p> <ul style="list-style-type: none"> <li>• adjoining regional</li> </ul>	<p>The Act sections 19 (2) and 24 (1) and (4)</p>		<p>Where the regional strategy has been revoked you should record that fact.</p>	<p>The Duty to Co-operate Statement (WPSD05) has been prepared, which sets out the Councils 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>



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spatial strategies? <ul style="list-style-type: none"> <li>• the spatial development strategy for London?</li> <li>• Planning Policy for Wales?</li> <li>• the National Planning Framework for Scotland?</li> </ul>	Regulation 10 and 21			<p>The SW Regional Spatial Strategy was revoked in 2013.</p> <p>the planning policy for wales and the spatial development strategy for London has been paid regard in order to raise any relevant cross boundary movements of waste.</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	The Act section 33A(2)(a)  Section 33A(6)(a)(b)  Section 20(5)(c)	NPPF paras 181 and 185	.	<p>The emerging Waste Plan is a joint document between Bournemouth Borough Council, Dorset County Council and The Borough of Poole.</p> <p>Officers are active members of the South West Technical Advisory Body (SWTAB). This has enabled a full understanding of strategic planning matters and cross boundary issues within the south west authorities. Opportunities for specific discussions with adjoin authorities have taken place within the group forum and within individual authorities as appropriate. A list of meetings of the SWTAB and with individual adjoining authorities is set out as an appendix to the Duty to Co-operate Statement (WPSD05)</p> <p>The SWTAB has prepared a joint Residual Waste</p>



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Activity	Statutory requirement	Guidance reference	Additional notes	Evidence Provided
development documents?				<p>Management Paper which reviews available capacity within the region (WPDCC27).</p> <p>Hampshire CC is the only adjoining WPA which does not form part of the SWTAB and so engagement has been undertaken with HCC as appropriate through email/letter/meetings. See Duty to Co-operate Statement for further details (WPSD05).</p> <p>Letters were sent to Waste Planning Authorities managing Dorset's waste. Waste Planning Authorities were asked whether waste exports could continue over the Plan period (and beyond). Generally, most authorities that responded were not aware of any planning reasons why movements of a similar level to those experienced could not continue in the future.</p> <p>Further detail is contained in Background Paper 3 Cross boundary movements of waste (WPDCC26) and summarised in the Duty to Co-operate Statement (WPSD05).</p>
5. Are you cooperating with a person prescribed for the purposes of Regulation 33A(1)(c) to address significant cross boundary issues	<p>The Act section 33A(2)(a), section 33A(6)(a)</p> <p>The Act section 20 (5)</p>	NPPF paras 181 and 182	The bodies prescribed by The Act section 33A(1)(c) are set out at Regulation 4 (1).	<p>The Duty to Co-operate Statement (WPSD05) has been prepared. It sets out the WPA'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>Meaningful dialogue with District/Borough Councils in Dorset has been held throughout the Plan making process (via meeting/letters/emails). All meetings are listed in the</p>



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Activity	Statutory requirement	Guidance reference	Additional notes	Evidence Provided
including preparing joint approaches?	(c) Regulation 4			Duty to Cooperate Statement.
6. Are you cooperating with having regard to the activities of the LEP and LNP?	The Act section 33A(2)(b) and section 33A(9). Regulation 4 (2)	NPPF para 181 and 182		The Duty to Cooperate Statement (WPSD05) summarises contact made with the LEP and LNP as outlined as prescribed bodies under regulation 4. Copies of reports to the Dorset LEP are also available (WPDCC43-47)
7. Are you having regard to: <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>	The Act section 19(2)			<p>The preparation of Community Strategies is no longer required – see section 100 of the Deregulation Act 2015 <a href="http://www.legislation.gov.uk/ukpga/2015/20/section/100/enacted">http://www.legislation.gov.uk/ukpga/2015/20/section/100/enacted</a></p> <p>Meaningful engagement with the districts and boroughs has been undertaken throughout the preparation of the Waste Plan this has included discussions of emerging local developed documents, as appropriate. Responses have been made to emerging local development documents as necessary. A specific review of allocated sites for employment/residential uses contained in local plans has been undertaken as part of the assessment of cumulative impacts of the Waste Plan – see Sustainability Appraisal Report for further details (WPSD03).</p> <p>A list of meetings with consultees is set out as an appendix to the Duty to Co-operate Statement (WPSD05).</p>



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Activity	Statutory requirement	Guidance reference	Additional notes	Evidence Provided
<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)</p> <p>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>The Pre-Submission Draft Waste Plan has had regard to a wide range of policy documents and resources inc;</p> <ul style="list-style-type: none"> <li>• District/Borough Local Plans</li> <li>• Bournemouth, Dorset and Poole Minerals Strategy</li> <li>• Eastern Dorset Housing Market Area review</li> <li>• Municipal Waste Management Strategies for the three authorities</li> <li>• Dorset Local Enterprise Partnership Strategic Economic Plan</li> <li>• DWP Infrastructure Review</li> <li>• National Low Level Waste Strategy</li> <li>• NDA Waste Strategy</li> <li>• Bournemouth, Dorset &amp; Poole Renewable Energy Strategy</li> <li>• Dorset Biodiversity Strategy</li> <li>• Commercial and Industrial Waste in the UK and Ireland</li> <li>• ADEPT Making Space for waste</li> </ul> <p>Further details on documents relevant documents and guidance is included in the Sustainability Appraisal Scoping Report (WPDCC42).</p>
<p>9. Are you having regard to the need</p>	<p>The Act</p>	<p>NPPF paras</p>		<p>Yes, reference to mitigation and adapting to climate change</p>



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Activity	Statutory requirement	Guidance reference	Additional notes	Evidence Provided
to include policies on mitigating and adapting to climate change?	section19(1A)	93 -108		<p>is made throughout the Plan.</p> <p>The vision for the Waste Plan is for waste management facilities to minimise impacts on climate change. This will be achieved through Objective 1 through the management of waste at the highest feasible level of the waste hierarchy. Objective 2 to optimise self-sufficiency by ensuring facilities in appropriate locations to reduce the total mileage travelled by waste. Objective 5 brings these two together to specifically assist in adaptation/mitigation and reduce reliance to climate change.</p> <p>These objectives will be implemented through the following policies:</p> <p>Policy 1, which requires proposals to confirm with the guiding principles of the plan – The Waste Hierarchy, Self Sufficiency and proximity. The application of the spatial strategy should allow for new facilities in appropriate locations thereby minimising vehicle movements.</p> <p>Policy 7 ‘Final disposal of non-hazardous waste’ ensures that landfilling of non-hazardous waste is considered only as a last resort whereby Policy 6 ‘Recovery Facilities’ looks more favourably on waste treatment allowing for new facilities subject to certain criteria. These policies will ensure the Waste Hierarchy is applied and waste is managed as sustainably as possible.</p> <p>In addition, Policy 15 ‘Sustainable construction and operation of facilities ensures that proposals demonstrate that the ‘...site design, layout and operation takes account of climate change mitigation and resilience...’</p> <p>Policy 17 ‘Flood Risk’ deals specifically with the issue of</p>



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Activity	Statutory requirement	Guidance reference	Additional notes	Evidence Provided
				<p>flooding ensuring proposals are not at significant risk of flooding. A Strategic Flood Risk Assessment (SFRA) has also been prepared to accompany the Waste Plan. This process has ensured that site allocations are not at risk of flooding.</p> <p>Policy 18 'Biodiversity and geological interest' makes specific reference to impacts of climate change.</p>
<p>10. Have you undertaken the sustainability appraisal of alternatives, including consultation on the sustainability appraisal report?</p>	<p>The Act section 19(5)</p> <p>Regulation 12 and 13 of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633</p>	<p>NPPF para 182</p> <p>SEA Guide, Chapter 5</p>	<p>Regulation 13 of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633 sets out the consultation procedures.</p>	<p>The production of the Sustainability Appraisal /Strategic Environmental Assessment has been an iterative process at each stage of the Waste Plan. The sustainability appraisal of policies and site option has been presented for consultation alongside consultation Waste Plan at each stage in Plan preparation.</p> <p>The full SA Report (WPSD03) has been published for consultation alongside the Pre-Submission Draft Waste Plan (WPSD01).</p>
<p>11. Are you setting out reasons for any preferences between alternatives?</p>	<p>Regulation 8(2)</p>	<p>NPPF para 182</p>	<p>This will include Information from the sustainability appraisal.</p>	<p>Both strategic and site-specific options have been considered at various stages in the preparation of the Plan</p> <p>At each stage SA/SEA was undertaken on options. The matrices containing the sustainability appraisal of options can be found in the appendices of the SA Report. Colour scoring is used in the sustainability appraisal and accompanying site assessments to highlight issues of concern and opportunities. This assisted in the development of preferences.</p>



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Activity	Statutory requirement	Guidance reference	Additional notes	Evidence Provided
				<p>For each main consultation stage a report of consultation responses has been prepared (WPDCC05-10). These documents set out all comments received to the text and policies, verbatim, and an officer response to each comment. These documents are available and set out how responses have influenced the Plan and choice of options going forward. Where possible summaries within the document suggest which sites are to be taken forward and for what waste management uses.</p> <p>In addition, Background Paper 2 Waste Plan Site Selection (WPDCC25) contains a large number of site specific options considered at the early stages of plan preparation. This includes details of why sites have been discounted/progressed.</p>
<p>12. Have you taken into account any representations made on the content of the DPD and the sustainability appraisal? Are you keeping a record?</p>	<p>Regulations 17, 18(3) and 22 (1) (c) (iv)</p> <p>Regulation 13(4) of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633</p>	<p>NPPF paras 150, 155, 157 and 159-171</p>	<p>Records on the sustainability appraisal should also include recording any assessment made under the Habitats Directive.</p>	<p>For each main consultation stage a report of consultation responses has been prepared including those on the SA. These documents set out all comments received to the text and policies, verbatim, and an officer response to each comment. Comments on site options have been summarised into a list of key issues. Again, an officer response to each issue has been prepared. These documents are available and set out how responses have influenced the Plan.</p> <p>Comments on the SA have also been fully considered, these are listed in Chapter 2 of the SA Report with an</p>



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Activity	Statutory requirement	Guidance reference	Additional notes	Evidence Provided
				<p>officer response.</p> <p>In addition, records of comments made during consultations are held in the Objective Consultation System, which is available online.</p>
<p>13. Where sites are to be identified or areas for the application of policy in the DPD, are you preparing sufficient illustrative material to:</p> <ul style="list-style-type: none"> <li>• enable you to amend the currently adopted policies map?</li> <li>• inform the community about the location of proposals?</li> </ul>	<p>Regulations 5 (1)(b) and 9</p>	<p>NPPF para 157</p>	<p>Regulation 2 defines the terms 'submission' and 'adopted' proposals map.</p> <p>A map showing changes to the adopted policies map is part of the proposed submission documents defined in Regulation 17.</p>	<p>The Policies Map (WPSD02) will be updated following adoption of the Waste Plan.</p> <p>The Pre-Submission Draft Waste Plan (WPSD01) provides an overview of the location of allocated sites. Please also refer to the location maps showing preferred sites boundaries.</p>
<p>14. Are the participation</p>	<p>The Act, section 19(3)</p>	<p>NPPF paras 150 and 155</p>		<p>Yes, arrangements relating to the Pre-Submission consultation were carried out in accordance with the</p>



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Activity	Statutory requirement	Guidance reference	Additional notes	Evidence Provided
arrangements compliant with the SCI?	Regulation 18			Minerals and Waste Statement of Community Involvement (WPDCC39). Details are provided in the Consultation Statement (WPSD04).



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#### **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'.



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### Stage four: Publication

Activity	Statutory requirement	Guidance reference	Additional notes	Evidence Provided
1. Have you prepared the sustainability appraisal report?	<p>The Act section 19(5)</p> <p>Regulation 12 of the Environmental Assessment of Plans and Programmes Regulations 2004 No 1633</p>	<p>NPPF paras 165 - 168</p> <p>SEA Guide Chapter 5</p>		<p>Yes, the Sustainability Appraisal Report (WPSD03) was published on 1 December along with the Pre-Submission Draft Waste Plan (WPSD01).</p>
2. Have you made clear where and within what period representations must be made?	<p>Regulation 17, 19, 20 and 35</p>		<p>The period must not be less than 6 weeks from when you publish under Regulations 19 and 35 (see below).</p>	<p>Yes, a Statement of Representations Procedure (WPDCC48) was prepared as required by Regulation 19. It was made available at the offices of Bournemouth, Dorset and Poole, on our website and sent to stakeholders.</p> <p>The Statement of Representation Procedure (WPDCC48) provides details on the representation</p>



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Activity	Statutory requirement	Guidance reference	Additional notes	Evidence Provided
				period, where documents can be viewed and how representations can be made.
<p>3. Have you made copies of the following available for inspection:</p> <ul style="list-style-type: none"> <li>• the proposed submission documents?</li> <li>• the statement of the representations procedure?</li> </ul>	Regulation 19(a)		Regulation 17 gives definitions.	<p>Copies of the relevant submission documents were made available to view at the offices of Bournemouth, Dorset and Poole from 1 December 2017.</p> <p>A Statement of Representations Procedure (WPDCC48 was prepared as required by Regulation 19. It was made available at the offices of Bournemouth, Dorset and Poole, on our website and sent to stakeholders.</p>
<p>4. Have you published on your website:</p> <ul style="list-style-type: none"> <li>• the proposed submission documents?</li> <li>• the statement of the representations</li> </ul>	Regulations 19 and 35		Regulations 2 and 17 give definitions.	<p>Copies of the relevant submission documents were made available to view on our website from 1 December 2017.</p> <p>A Statement of</p>



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Activity	Statutory requirement	Guidance reference	Additional notes	Evidence Provided
<p>procedure?</p> <ul style="list-style-type: none"> <li>statement and details of where and when documents can be inspected?</li> </ul>				<p>Representations Procedure (WPDCC48 was prepared as required by Regulation 19. It was made available to view on our website from 1 December 2017.</p>
<p>5. Have you sent to each of the specific consultation bodies invited to make representations under Regulation 18(1):</p> <ul style="list-style-type: none"> <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.	<p>A copy of the Representations Procedure (WPDCC48) was sent to all Stakeholders.</p> <p>This includes details of where the submission documents can be viewed.</p>
<p>6. Have you sent to each of the general consultation bodies invited to make representations under Regulation 18(1):</p> <ul style="list-style-type: none"> <li>the statement of the representations procedure?</li> </ul>	Regulation 19(b)		Regulations 2 and 17 give definitions.	<p>A copy of the Representations Procedure (WPDCC48) was sent to all Stakeholders.</p> <p>This includes details of where the submission documents can be viewed.</p>



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Activity	Statutory requirement	Guidance reference	Additional notes	Evidence Provided
<ul style="list-style-type: none"><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).	N/A



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## Stage five: Submission

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

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

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

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

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

## Stage five: Submission

Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
1. Has the DPD been prepared in accordance with the LDS? Does the DPD's listing and description in the LDS match the document?	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	Yes, the Waste Plan has been prepared in accordance the Local Development Scheme (WPDCC28). The content of the Waste Plan is consistent with the



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Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
Have the timescales set out in the LDS been met?			Regulations.	description in the Local Development Scheme.
2. Has the DPD had regard to any sustainable community strategy for its area (like a county and district)?	The Act section 19(2)	NPPF para 182		The preparation of Community Strategies is no longer required – see section 100 of the Deregulation Act 2015 <a href="http://www.legislation.gov.uk/ukpga/2015/20/section/100/enacted">http://www.legislation.gov.uk/ukpga/2015/20/section/100/enacted</a>
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).	Dorset's Statement of Community Involvement (SCI) (DCCWP39) sets out how people and organisations can contribute to the development of the Waste Plan.  Public engagement/consultation on the Waste Plan has been carried out in accordance with the most up to date version of the SCI which was adopted by the Council in April 2013 (WPDCC39). This was a review of the original SCI adopted in March 2007.
4. Have you identified and	The Act section	NPPF paras 181	Under NPPF para 182, the	The Waste Plan is prepared



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Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
<p>addressed any issues which are likely to have a significant impact on at least two planning areas. In doing so, have you co-operated with other local planning authorities, county councils where they are not a planning authority, LEPs, LNPs and the prescribed bodies in identifying and addressing any strategic cross-boundary issues</p> <p>If you have not agreed on the approach is there a justification?</p>	<p>33A(1) and section 20(5)</p>	<p>and 182</p>	<p>plan should be based on effective joint working on cross-boundary strategic priorities to be found 'Effective'.</p>	<p>jointly with the three authorities of Bournemouth, Dorset and Poole.</p> <p>A Duty to Co-operate Statement (WPSD05) 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 Waste Plan and its evidence base.</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)</p> <p>Regulation 22(1)(a)</p>	<p>NPPF para 165</p> <p>SEA Practical Guide, chapter 5</p>		<p>Yes, the Sustainability Appraisal Report (WPSD03) was published on 1 December along with the final Waste 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 151</p>		<p>The Waste Plan is considered to be compliant with the National Planning Policy Framework (2012) and the</p>



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Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
				National Waste Management Plan (2013). See also Soundness Self-Assessment Checklist.
<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?</p> <p>If the LPA is a London borough or a mayoral development corporation has it requested an opinion from the Mayor of London on the general conformity of the plan with the spatial development strategy?</p>	<p>The Act section 24(1)(a) and 24(4)</p> <p>Regulation 21</p>	<p>NPPF para 218 footnote 41</p>	<p>In London the requirement is for general conformity with the spatial development strategy (The London Plan).</p>	<p>N/A</p>
<p>8. Has the council published the prescribed documents, and made them available at their principal offices</p>	<p>The Act section 20(2), 20(3) and 20(5)(b)</p>	<p>NPPF para 182</p>	<p>Requirements relating to publication of the prescribed documents are listed later in this table.</p>	<p>As set out in the Statement of Representations Procedure (WPDCC48), the submission documents have been made</p>



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Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
<p>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>Regulations 8 and 19</p>			<p>available in the offices of Bournemouth, Dorset and Poole and on our website.</p> <p>The Statement of Representations Procedure was sent to stakeholders on the database.</p> <p>Yes, the Waste Plan contains a list of superseded saved policies.</p>
<p>9. Are there any policies applying to sites or areas by reference to an Ordnance Survey map or to amend an adopted policies map?</p> <p>If yes, have you prepared a submission policies map?</p>	<p>Regulations 5(1) (b), 9 (1), 17 &amp; 22(1)</p>			<p>Yes, a Submission Policies Map (WPSD02) is included as Appendix 2 of the Pre-Submission Draft Waste Plan (WPSD01).</p>
<p>10. Is the DPD consistent with any other adopted DPDs for the area? If the DPD is intended to</p>	<p>Regulation 8(3) and (4)</p>		<p>Development Plan is defined in Section 38 of the Act.</p>	<p>See Appendix 6 of the Pre-Submission Draft Waste Plan 'Programme of replacement saved policies'. (WPSD01</p>



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Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
supersede any adopted development plan policies, does it state that fact and identify the superseded policies?	Regulation 8(5)			
11. Have you prepared a statement setting out: <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>	The Act section 20 (3)  Regulation 22(1)(c)		This will bring forward material from the Consultation statement (see Stage 2 above).	Yes, see Consultation Statement (WPSD04) and associated reports of representations (WPDCC05-10).
12. Have you prepared a statement giving: <ul style="list-style-type: none"> <li>• the number of representations made under Regulation 22?</li> <li>• a summary of the main issues raised?</li> </ul> OR	The Act section 20(3)  Regulation 22(1)(c)			Yes, see Consultation Statement (WPSD04).



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Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
<ul style="list-style-type: none"> <li>that no representations were made?</li> </ul>				
<b>UPDATED ON SUBMISSION OF THE WASTE PLAN – MARCH 2018</b>				
13. Have you collected together all the representations made under Regulation 28?	The Act section 20(3)  Regulation 22(1)(e)			Yes, See schedule of representations received at Pre-Submission Draft Waste Plan stage – March 2016 (WPDCC – 49).
14. Have you assembled the relevant supporting documents?	The Act section 20(3)  Regulation 22(1)(g)			Yes, all documents referred to in Reg 22 have been submitted. This includes; <ul style="list-style-type: none"> <li>Submission Policies Map (WPSD02)</li> <li>The Sustainability Appraisal Report (WPSD03)</li> <li>Consultation Statement (WPSD04)</li> <li>Copies of representations</li> <li>Such supporting documents relevant to the preparation of the local plan including the Duty to Co-operate</li> </ul>



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Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
				Statement (WPSD05), Habitats Regulation Assessment (WPSD06 & 07) and Strategic Flood Risk Assessment (WPSD08).
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.	Yes, each of the three authorities have approved the Waste Plan for submission.
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.	A hard copy of the Waste Plan (WPSD01) has been sent to the Planning Inspectorate. All other documents have been sent electronically unless otherwise requested as a hard copy.
17. Have you made the following available at the	Regulation 22(3)		You should do this as soon as reasonably practicable	Yes, the documents have been made available as required.



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Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
<p>same places where the proposed submission documents were to be seen:</p> <ul style="list-style-type: none"> <li>• The DPD?</li> <li>• The documents prescribed in Regulation 22(1)?</li> </ul>			<p>after submission.</p>	
<p>18. On your website, have you published the:</p> <ul style="list-style-type: none"> <li>• DPD?</li> <li>• submission policies map?</li> <li>• sustainability appraisal 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</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>Yes, the following documents have been made available on the Dorsetforyou website:</p> <ul style="list-style-type: none"> <li>• The Pre-Submission Draft Waste Plan (WPSD01)</li> <li>• The Submission Policies Map (WPSD02)</li> <li>• The SA report (WPSD03)</li> <li>• The Consultation Statement (Updated March 2018) (WPSD04)</li> <li>• Supporting documents</li> <li>• A Schedule of representations made under regulation 20 (WPDCC – 49)</li> </ul>



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Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
available?				
19. For each general consultation body invited to make representations under Regulation 18(1), have you sent: <ul style="list-style-type: none"> <li>• notification that the documents prescribed in Regulation 22(3)(a)(i)-(iii) are available for inspection</li> <li>• where and when they can be inspected?</li> </ul>	Regulation 22(3)(b)		You should do this as soon as reasonably practicable after submitting to the Secretary of State.	As soon as reasonably practicable after submission of the Waste Plan all consultation bodies will be written to via letter or email and invited to make representations under Regulation 18(1) have been sent a notification that the submission documents are available for inspection, where and when they can be inspected.
20. Have you given notice to persons who have requested to be notified that submission has taken place?	Regulation 22(3)(c)		You should do this as soon as reasonably practicable after submitting to the Secretary of State.	Yes, letters and/or will be sent to all persons that made representations at the Pre-Submission Stage to inform them that submission has taken place.
21. If an examination is being held, at least six weeks before its opening has the Programme Officer: <ul style="list-style-type: none"> <li>• published the time and place of the examination and the</li> </ul>	The Act section 20  Regulations 24 and 35			To be completed following submission, at least six weeks before the Plan examination.



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Activity	Legal requirement	Guidance reference	Additional notes	Possible evidence
<p>name of the person appointed to carry out the examination on your website?</p> <ul style="list-style-type: none"><li>notified those who have made representations on the published DPD which have not been withdrawn of these details?</li></ul>				