

# Wiltshire and Swindon Aggregate Minerals Site Allocations Plan

## Legal Compliance Self Assessment

Background Paper

June 2012

## 1. Introduction

- 1.1 This document has been prepared in support of the **Wiltshire and Swindon Aggregate Minerals Site Allocations Local Plan** (previously known as a Development Plan Document (DPD)<sup>1</sup>) which was formally submitted to the Secretary of State for Communities and Local Government on 20 July 2012 in accordance with Regulations<sup>2</sup>.
- 1.2 Having been formally submitted to the Secretary of State, the Aggregate Minerals Site Allocations Plan will now be considered by an independent Planning Inspector through a process known as – the examination, which essentially presents a final opportunity to test whether the document is sound.
- 1.3 The role of the Planning Inspector at the examination will be to consider two main issues:
- Whether the Aggregate Minerals Site Allocations Plan is ‘sound’; and
  - Whether the Aggregate Minerals Site Allocations Plan is ‘legally compliant’.
- 1.4 To be considered ‘sound’, the Aggregate Minerals Site Allocations Plan must pass the following ‘tests’<sup>3</sup>:
- The document is **positively prepared** (i.e. the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements and unmet requirements from neighbouring authorities where reasonable to do so and consistent with achieving sustainable development;
  - The document is **justified** (i.e. it is founded on a robust and credible evidence base; and it presents the most appropriate strategy when considered against reasonable alternatives);
  - The document is **effective** (i.e. it is deliverable, flexible and based, where appropriate, on joint working on cross-boundary strategic priorities); and
  - The document is **consistent** (i.e. it is consistent with national policy, enable the delivery of sustainable development and can demonstrate a clear line of conformity with higher order policies such as the adopted Wiltshire and Swindon Minerals Core Strategy)
- 1.5 The appointed Planning Inspector will use the examination process to determine whether the Aggregate Minerals Site Allocations Plan is sound. To assist the decision making process, the councils have prepared a ‘soundness self assessment’ checklist covering the matters listed above.

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<sup>1</sup> Please note, historical references to the DPD remain in the appendices, previous supporting evidence base documents and consultee comments.

<sup>2</sup> The Town and Country Planning (Local Development)(England)(Amendment) Regulations 2008 and The Town and Country Planning (Local Planning)(England) Regulations 2012.

<sup>3</sup> As outlined through the National Planning Policy Framework (NPPF) 2012.

- 1.6 To be considered **legally compliant**, the councils must demonstrate that the Minerals Site Allocations Plan has been prepared in accordance with the a range of documents, regulations and legislation, including:
- National planning legislation and relevant regulations;
  - National planning policy
  - Regional policy<sup>4</sup>
  - The councils' adopted Sustainable Community Strategies
  - The councils' Local Development Scheme<sup>5</sup>;
  - The councils' adopted Statement(s) of Community Involvement; and
  - The Sustainability Appraisal (incorporating the requirements of the Strategic Environmental Assessment Directive).
  - The Habitats Regulations Assessment (HRA)
- 1.7 The Planning Inspector will determine whether these matters have been satisfactorily addressed through the examination process. The 'legal compliance' self assessment has been prepared.

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<sup>4</sup> Until finally and formally revoked, the Aggregate Minerals Site Allocations DPD must demonstrate due regard has been afforded to the evidence and draft policy framework set out across the draft Regional Strategy for the South West.

<sup>5</sup> Prior to local government reorganisation in Wiltshire (2009), the Aggregate Minerals Site Allocations DPD was included within Wiltshire County Council's Minerals & Waste Development Scheme. The document has consistently appeared in Swindon's Local Development Scheme.

## **Stage one: Inception**

### **Introduction**

This section of the report documents the ‘inception stage’. In essence, the information presented in the table below covers the early preparatory work undertaken by the councils, including: who and how we consulted; the collation of relevant baseline evidence; and the development of the various appraisal frameworks<sup>6</sup> applied during the development of the Aggregate Minerals Site Allocations Plan.

In terms of legal compliance, the main issues for the inception stage relate to:

- pre-planning for community engagement;
- planning the sustainability appraisal (including consultation with the statutory environment consultation bodies); and
- ensuring that the plan is based upon on a credible evidence base.

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<sup>6</sup> Sustainability Appraisal (incorporating the requirements of the Strategic Environmental Assessment); and the Habitats Regulations Assessment.

**Stage 1: Inception**

Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
<p>1. Is the development plan document identified in the adopted local development scheme and have you recorded the timetable for its production?</p>	<p>The Act section 15(2); section 19(1)</p>	<p>PPS12 paragraphs 4.50; 4.53-4.58</p>	<p>Milestones are set out in PPS12 (box after paragraph 4.55).</p>	<p>i. The adopted local development scheme at the time of:</p> <ul style="list-style-type: none"> <li>• commencement of the development plan document</li> <li>• the published development plan document</li> <li>• the submitted development plan document</li> </ul> <p>ii. The relevant annual monitoring report (if changes need to be explained)</p>	<p>Yes. The Aggregate Minerals Site Allocations Plan has been consistently identified in the councils Local Development Schemes / Minerals and Waste Development Schemes. The document (as with all other minerals and waste DPDs/plans) represents a joint commitment for the councils.</p> <ul style="list-style-type: none"> <li>• LDS/01 - Wiltshire Local Development Scheme (2011)</li> <li>• LDS/02 - Swindon Borough Local Development Scheme, Fourth Review (2011)</li> <li>• MIN/01 – Aggregate Minerals Sites</li> </ul>

Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
					Plan
<p>2. Has the development plan document been prepared in accordance with section 110 of the Localism Act</p>					<p>The provisions of s110 came into force <u>post</u> the majority of the preparatory phases of the Aggregate Minerals Site Allocations Plan. However, the fact that the plan is a shared product of long-standing joint working arrangements, the councils would argue the spirit of the provisions have at least been met. In addition, throughout the preparation of the plan, the councils have met all requirements to consult <b>and</b> engage neighbouring authorities on matters of strategic policy and evidence. Officers have actively represented the council at Regional Aggregate Working</p>

Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
					<p>Party (now AWP) meetings; through technical advisory meetings on aggregates apportionment and regional policy development; and have sought to engage with mineral planning officers from neighbouring authorities through meetings and continued dialogue.</p> <ul style="list-style-type: none"> <li>• MIN/04 – Regulation 22 Statement</li> <li>• MIN/05 – Duty to Cooperate Statement</li> <li>• MIN/21 – NAM Report of Stakeholder Consultation Event</li> <li>• MIN/24 – Consultation report on initial site options</li> <li>• MIN/27 – Final</li> </ul>

Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
					Forum Report <ul style="list-style-type: none"> <li>• MIN/28 – Minerals Development Forum</li> </ul>
3. Have you considered how community engagement will be programmed into the preparation of the development plan document?	The Act section19(3) 1. Regulation 25	PPS12 paragraphs 4.19-4.29	Unless the statement of community involvement has been amended, you may need to set out any changes to community engagement as a result of changes in legislation.	i. The statement of community involvement ii. The project plan for the development plan document	Yes. The preparation of the Aggregate Minerals Site Allocations plan has been prepared in full accordance with locally adopted Swindon and Wiltshire Statements of Community Involvement (SCI). <ul style="list-style-type: none"> <li>• SCI/01 – Wiltshire SCI</li> <li>• SCI/03 – Swindon SCI</li> <li>• MIN/04 – Regulation 22 Statement</li> </ul>
4. Have you considered the appropriate bodies you should consult?	Regulation 25	1. PPS12 paragraphs 4.25 -4.26 2. Plan Making Manual – Consultee list	Regulation 2 defines the general and specific consultation bodies	i. The statement of community involvement ii. Reports and decisions setting out the approach to be taken to specific and	At all stages of plan preparation, the councils have sought to use the adopted SCIs and consultation databases to identify and target a range of appropriate



Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
				general consultation bodies iii. Consultation statement	consultees. <ul style="list-style-type: none"> <li>• SCI/01 – Wiltshire SCI</li> <li>• SCI/03 – Swindon SCI</li> <li>• MIN/04 – Regulation 22(1)(c) Statement</li> <li>• MIN/32 – Regulation 27 Statement</li> </ul>
4. Is baseline information being collected and evidence being gathered to keep the matters which affect the development of the area under review?	The Act, section 13	PPS12 paragraphs 4.36 – 4.47		i. Documents dealing with collection of baseline information ii. Relevant technical studies iii. The annual monitoring report	Yes. The Aggregate Minerals Site Allocations plan builds upon the councils' adopted policy framework for minerals. As such matters relevant to the supply of mineral to meet the needs of Wiltshire and Swindon and surrounding markets are kept under review through the AMR process. <ul style="list-style-type: none"> <li>• AMR/01 – Wiltshire AMR 2010/11</li> </ul>

Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
					<ul style="list-style-type: none"> <li>MIN/01 – Aggregate Minerals Sites Plan</li> </ul>
5. Is baseline information being collected and evidence being gathered to set the framework for the sustainability appraisal?	The Act section 19(5)	<ol style="list-style-type: none"> <li>PPS12 paragraphs 4.50; 4.39-4.43</li> <li>Strategic Environmental Assessment Guide, chapter five</li> </ol>		<ol style="list-style-type: none"> <li>Sustainability report scoping document</li> <li>Sustainability appraisal report</li> </ol>	<p>Yes. The councils have undertaken an iterative and fulsome sustainability appraisal process from the start of the plan making process</p> <ul style="list-style-type: none"> <li>SUS/22/23/29 – Minerals Sustainability Appraisal Reports</li> </ul>
6. Have you consulted the statutory environment consultation bodies for five weeks on the scope and level of detail of the environmental information to be included in the sustainability	Regulations 9 and 13 of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633.	PPS12 paragraph 4.40 SEA Guide Ch 3	The Strategic Environmental Assessment consultation bodies are also amongst the 'specific consultation bodies' which are defined in Regulation 2 )	Copies of the consultation letters sent to the bodies	<p>Yes. The process of preparing the Minerals Development Framework<sup>7</sup> has involved consultation with the requisite consultees.</p> <ul style="list-style-type: none"> <li>MIN/04 – Regulation 22(1)(c) Statement</li> </ul>

<sup>7</sup> Wiltshire and Swindon Minerals Core Strategy DPD – adopted July 2009; Wiltshire and Swindon Minerals Development Control Policies DPD – adopted September 2009; Wiltshire and Swindon Minerals Site Allocations Local Plan (formerly DPD) – submission draft 2012. All three documents have been through an iterative and challenging SA/SEA process. At the scoping stages for each SA/SEA, the Natural England (formerly English Nature), English Heritage and the Environment Agency have been actively consulted on matters.

Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
appraisal report?					<ul style="list-style-type: none"> <li>• MIN/32 – Regulation 27 Statement</li> <li>• MIN/33 – Dialogue following proposed submission consultation</li> </ul>

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

### **Introduction**

The council is required to invite specific and general consultation bodies to make representations about the content of the development plan document. The New Regulation 25 section in the Plan Making Manual observes that the requirements of the regulations may be fulfilled by other activities of the council and its partners. You should review all the legal requirements set out in this, as well as the following phase, to satisfy yourself that they are properly addressing all the matters they should.

Information assembled during this phase contributes to:

- showing that the procedures have been complied with
- 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.

You can refer to the following sections of the Plan Making Manual:

- Preparation of development plan documents
- Core strategy: managing its development
- Sustainability Appraisals: challenge questions
- Developing the evidence base

**Stage 2: Plan preparation - frontloading phase**

Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
<p>1. Have you notified the specific consultation bodies that have an interest in the subject of the development plan document and invited them to make representations about its contents?</p>	<p>Regulation 25(1) and (2)(a)</p>	<p>PPS12 paragraphs 4.24 – 4.29</p>	<p>Specific consultation bodies are defined in Regulation 2 If any bodies are omitted, you should give a clear justification for doing so, including reference to the SCI.</p>	<ul style="list-style-type: none"> <li>i. Consultation statement</li> <li>ii. Copies of documents consulting these bodies</li> <li>iii. Record of discussions</li> <li>iv. Copies of representations made</li> <li>v. A brief statement setting out the reasons why any bodies have been omitted from consultation</li> </ul>	<p>Yes. Work on the Aggregate Minerals Site Allocations Plan first commenced in 2004/05. At the time, work was published in accordance with the original 2004 Regulations and as such the formality of advertisement requirements was different, but nonetheless the work was advertised appropriately. When work on the Plan was published in 2010, the process of plan making had already commenced, so taking a step backwards in relation to advertisement (i.e. in relation to the then amended Regulation 25<sup>8</sup>) was not considered to be appropriate.</p>

<sup>8</sup> As reflected in the Town & Country Planning (Local Development) (England) Regulations, 2008 (as amended).

Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
					<p>Instead, the document was advertised and published in accordance with the provisions of the councils' adopted SCIs. This process targeted all those with an interest in minerals policy matters, statutory consultees, non-statutory consultees and local community groups. To this extent the consultation undertaken in 2010 was more inclusive than prescribed by the revisions to Regulation 25.</p> <ul style="list-style-type: none"> <li>• MIN/04 – Regulation 22(1)(c) Statement</li> <li>• MIN/32 – Regulation 27 Statement</li> <li>• MIN/33 – Dialogue following proposed submission consultation</li> </ul>

Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
2. Have you notified the general consultation bodies that you consider have an interest in the subject of the development plan document and invited them to make representations about its contents?	Regulation 25(1) and (2)(b)	PPS12 paragraphs 4.24 – 4.29	General consultation bodies are defined in Regulation 2. You should be able to give a clear justification for your selection of the bodies, including reference to the statement of community involvement.	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 were or were not included	Yes; as above.
3. Are you inviting representations from people resident or carrying out business in your area about the content of the development plan document?	Regulation 25(3)	PPS12 paragraphs 4.24 – 4.29		i. Consultation statement ii. Copies of documents consulting these persons iii. Record of discussions iv. Copies of representations made	Yes; as above. Please refer to the councils' Regulation 22(1)(c) Statement of The Town and Country Planning (Local Planning)(England) Regulations 2012 (Ref: MIN/04)
4. Are you engaging with stakeholders responsible for delivery of the strategy?	Regulation 25	PPS12 paragraphs 4.4; 4.27 – 4.29; 4.45	PPS12 paragraph 4.29 gives examples of relevant delivery agencies	i. Consultation statement ii. Copies of documents consulting these people iii. Record of discussions	Yes; as above. Please refer to the councils' Regulation 22(1)(c) Statement of The Town and Country Planning (Local Planning)(England) Regulations 2012 (Ref:

Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
					<p>MIN/04).</p> <p>In addition, the councils have undertaken extensive dialogue with the minerals industry and landowners to ensure that the proposals with the Plan represent reasonable / deliverable options.</p>
<p>5. Are you taking into account representations made?</p>	<p>Regulation 25(5)</p>	<p>PPS12 paragraphs 4.19-4.29; 4.37</p>	<p>Evidence from participation is part of the justification</p>	<ul style="list-style-type: none"> <li>i. Consultation statement</li> <li>ii. Any reports on the selection of alternatives and options for the development plan document</li> </ul>	<p>Yes; as above. Please refer to the councils' Regulation 22(1)(c) Statement of The Town and Country Planning (Local Planning)(England) Regulations 2012 (Ref: MIN/04)</p> <p>As far as has been reasonably possible, every effort has been made to iteratively amend the plan to address concerns and issues raised through consultations.</p> <p>Evidence for this can be starkly expressed by</p>



Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
					the fact that after receiving 4000+ comments to the 2010 Initial Consultation document, the pre-submission plan only received 100+ comments.
6. Does the consultation contribute to the development and sustainability appraisal of alternatives?	<ol style="list-style-type: none"> <li>1. The Act section 19(5)</li> <li>2. Regulations 12 and 13 of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633.</li> </ol>	<ol style="list-style-type: none"> <li>1. PPS12 paragraphs 4.39-4.43</li> <li>2. SEA Guide, chapter three</li> </ol>		<ol style="list-style-type: none"> <li>i. Consultation statement</li> <li>ii. Any reports on the selection of alternatives and options for the development plan document</li> <li>iii. Sustainability appraisal report</li> </ol>	Yes. <ul style="list-style-type: none"> <li>• SUS/22/23/29 – Minerals Sustainability Appraisal Reports</li> <li>• MIN/22 – Summary of minerals site appraisal matrices</li> <li>• MIN/23 – Site selection and site appraisal methodology</li> </ul>
7. Is the participation: <ul style="list-style-type: none"> <li>• following the principles set out in your statement of community involvement</li> <li>• integrating involvement with the sustainable</li> </ul>	<ol style="list-style-type: none"> <li>1. The Act s.19(3)</li> <li>2. Regulation 25</li> </ol>	PPS12 paragraphs 4.19 – 4.26; 4.42		<ol style="list-style-type: none"> <li>i. Consultation Statement</li> <li>ii. The statement of community involvement</li> <li>iii. The relevant sustainable community strategies</li> </ol>	Yes. <ul style="list-style-type: none"> <li>• SCI/01 – Wiltshire SCI</li> <li>• SCI/03 – Swindon SCI</li> <li>• CPP/08 – Wiltshire Community Plan</li> <li>• CPP/12 – Swindon Community</li> </ul>

Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
<p>community strategy</p> <ul style="list-style-type: none"> <li>• proportionate to the scale of issues involved in the development plan document?</li> </ul>					<p>Strategy</p> <ul style="list-style-type: none"> <li>• CPP/13 – Wiltshire Community Strategy</li> <li>• MIN/30 – Minerals and Waste Evidence Base Part A: Spatial Context</li> </ul>
<p>8. Are you keeping a record of:</p> <ul style="list-style-type: none"> <li>• the individuals or bodies invited to make representations</li> <li>• How this was done</li> <li>• The main issues raised?</li> </ul>	Regulation 24	PPS12 paragraphs 4.24 – 4.29	<p>You will need to submit a statement of representations under Regulation 30(1)(d): see Submission stage below.</p> <p>Regulation 49 deals with the availability of documents and the time of their removal</p>	<ul style="list-style-type: none"> <li>i. Consultation statement</li> <li>ii. Reports by the council on the consultation</li> <li>iii. Copies of representations and relevant correspondence</li> <li>iv. Technical reports on the engagement process</li> </ul>	<p>Yes. Please refer to the councils' Regulation 22(1)(c) Statement of The Town and Country Planning (Local Planning)(England) Regulations 2012 (Ref: MIN/04)</p>
<p>9. Are you developing a framework for monitoring the effects of the development plan document?</p>	<ul style="list-style-type: none"> <li>1. The Act section 35</li> <li>2. Regulation 48 Reg 17 of The Environmental Assessment of Plans and Programmes Regulations 2004</li> </ul>	<ul style="list-style-type: none"> <li>1. PPS12 paragraphs 4.39 – 4.43 and 4.47</li> <li>2. SEA Guide, Chapter five</li> <li>3. Office of</li> </ul>		<ul style="list-style-type: none"> <li>i. Sustainability appraisal report</li> <li>ii. The annual monitoring report</li> <li>iii. Reports or documents setting out the appraisal and monitoring framework</li> </ul>	<p>Yes. All Minerals DPDs/plans produced to date are geared to monitoring frameworks, as is the SA/SEA Framework.</p> <p>The councils are committed to the</p>

Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
	No1363	the Deputy Prime Minister monitoring guide			<p>principles of <i>plan, monitor, manage</i> and as such the AMR process (for example) provides opportunity to monitor policy performance amongst other factors.</p> <ul style="list-style-type: none"> <li>• AMR/01 – Wiltshire AMR 2010/11</li> <li>• SUS/22/23/29 – Minerals Sustainability Appraisal Reports</li> <li>• MIN/01 – Minerals Sites Plan</li> </ul>
10. Have you arranged to send copies of documents used in consultation to the Planning Inspectorate?	Not statutory, but will assist in identifying issues leading towards a sound development plan document	Plan Making Manual - New Regulation 25		Copies of correspondence with the Planning Inspectorate	Yes. Dialogue with the Planning Inspectorate has been undertaken and copies of all documents relied upon by the councils throughout the preparation of the plan will be submitted to support the examination process.

## Stage three: Plan preparation - formulation phase

### Introduction

This stage has many legal matters, for process and content, to address. The council should be beginning to formulate the preferred strategy for the core strategy (or whichever vehicle the council chooses to address Regulation 25 requirements). To do this, the council should use the information gathered and previous collaborative work with stakeholders.

For other types of development plan document, the term 'preferred strategy' refers to the preferred site allocations or policies. Paragraphs 4.26 and 4.38 of PPS12 make it clear that explicit consideration of alternatives is a key part of the plan making process. They also state that for significant development plan documents it is usually appropriate to involve the community in considering them. Paragraph 4.5 of PPS12 notes that it is essential that the core strategy makes clear spatial choices about where development should go in broad terms.

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.

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 development plan document.

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.

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

**The council should tell all parties that this is the main participation opportunity on the emerging plan. The publication stage will not be a participation or consultation process.** Instead, the publication stage is a formal opportunity for anyone to communicate their dissatisfaction with an aspect of the development plan document's soundness. This is carried out with representations made to the inspector for consideration at examination. The more effectively this message is put across, the lower the chance of late changes being brought forward following publication.

Please refer to the following sections in the Plan Making Manual:

9. Core strategy: managing its development
9. Sustainability appraisal
9. Considering alternatives

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

Activity	Statutory Requirement	Guidance reference	Additional Notes	Possible evidence	Evidence provided
<p>11. Are you preparing reasonable alternatives for evaluation during the preparation of the development plan document?</p>	<p>Regulation 12 of The Environmental Assessment of Plans and Programmes Regulations 2004 No. 1633</p>	<p>1. PPS12 paragraph 4.38 2. SEA Guide, Chapter five</p>	<p>The sustainability appraisal report and supporting documents relevant to the preparation of the development plan document are part of the proposed submission documents (see Regulation 24)</p>	<p>Documents supporting decisions on alternatives and any preferred strategy</p>	<p>Yes. The process of preparing the plan has reviewed all previously proposed sites (relating to the former Minerals Local Plan, 2001) and appraised in excess of 62 'new' individual site options and all areas of the designated Mineral Resource Zones<sup>9</sup> through the site selection and appraisal process carried out to inform the plan. This process has been supported by an inclusive and iterative SA/SEA and detailed site assessments.</p> <p>The process of options assessment has also benefitted from stakeholder engagement. When the plan was first conceived, the councils undertook an extensive process of engaging local communities and stakeholders through the 'Minerals Development Forum' process. This work was independently facilitated by Adams Hendry Ltd. and designed to consider site options and issues of strategy.</p>

<sup>9</sup> Reference to the adopted Wiltshire and Swindon Minerals Core Strategy, 2009).

Activity	Statutory Requirement	Guidance reference	Additional Notes	Possible evidence	Evidence provided
					<ul style="list-style-type: none"> <li>• SUS/22/23/29 – Minerals Sustainability Appraisal Reports</li> <li>• MIN/12/13/14/15/16/17/18 – Detailed Site Assessment Reports</li> <li>• MIN/22 – Summary of mineral site appraisal matrices</li> <li>• MIN/25 – Initial Site Options Report</li> <li>• MIN/27 – Final Forum Report</li> <li>• MIN/28 – Minerals Development Framework Forum</li> </ul>
<p>12. 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?</li> </ul>	<p>The Act section 19(2), section 24</p>	<p>PPS12 4.30 – 33</p>	<p>General conformity with the regional spatial strategy is tested formally later but you need to consider it during preparation of the development plan document</p>	<p>i. Supporting documents ii. Correspondence with Government Offices and regional planning body (or Mayor of London)</p>	<p>Yes. The plan has been consistently prepared in accordance with national, regional and local<sup>10</sup> plans and strategies. Options that have been considered to not meet the requirements of higher order policies have been dismissed.</p>
<p>13. Are you having</p>	<p>1. The Act</p>			<p>i. Supporting</p>	<p>Yes. Throughout the plan preparation process, consultation</p>

<sup>10</sup> Adopted Wiltshire and Swindon Minerals Core Strategy (2009); ‘saved policies’ of the Wiltshire Structure Plan; ‘saved policies’ of the former District-wide Local Plans; the emerging Wiltshire Core Strategy; and emerging plans and strategies of neighbouring authorities.

Activity	Statutory Requirement	Guidance reference	Additional Notes	Possible evidence	Evidence provided
<p>regard to:</p> <ul style="list-style-type: none"> <li>• adjoining regional spatial strategies, the spatial development strategy for London, or Welsh Spatial Plan (as appropriate)</li> <li>• the National Planning Framework for Scotland?</li> </ul>	<p>section19(2) 2. Regulation 15(1)(g)</p>			<p>documents</p> <p>ii. Correspondence with the relevant bodies</p>	<p>and engagement with neighbouring authorities and the former Regional Planning Body have been undertaken. There are considered to be no conformity issues or areas of conflict with neighbouring strategies.</p>
<p>14. Are you having regard to:</p> <ul style="list-style-type: none"> <li>• the sustainable community strategy of the authority or other authorities whose area comprises part of the area of the council</li> <li>• any other local development documents adopted by the</li> </ul>	<p>The Act section19(2)</p>	<p>PPS12 paragraphs 1.6; 4.22 - 4.23; 4.34 - 4.35</p>		<p>i. Supporting documents</p> <p>ii. The Sustainable community strategies</p> <p>iii. Relevant local development documents</p> <p>iv. Correspondence with the local strategic partners</p>	<p>Yes. Throughout the preparation of all adopted Minerals DPDs and this Aggregate Minerals Site Allocations Plan, the councils have ensured that all relevant aspects of the former and current sustainable community strategies have been fully considered.</p> <ul style="list-style-type: none"> <li>• MIN/30 – Minerals and Waste Evidence Base Part A: Spatial Context</li> </ul>

Activity	Statutory Requirement	Guidance reference	Additional Notes	Possible evidence	Evidence provided
council?					
<p>15. Do you have regard to other matters and strategies relating to:</p> <ul style="list-style-type: none"> <li>• resources</li> <li>• the regional development agencies' regional economic strategy</li> <li>• the local transport plan and transport facilities and services</li> <li>• waste strategies</li> <li>• hazardous substances and accidents?</li> </ul>	<ol style="list-style-type: none"> <li>1. The Act section 19(2)</li> <li>2. Regulation 15</li> </ol>		<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 development plan document.</p>	<ol style="list-style-type: none"> <li>i. Supporting documents</li> <li>ii. Correspondence with the relevant bodies and the Government Office</li> </ol>	<p>Yes.</p> <ul style="list-style-type: none"> <li>• MIN/30 – Minerals and Waste Evidence Base Part A: Spatial Context</li> </ul>
<p>16. Are you having regard to the need to include policies on mitigating and adapting to climate change?</p>		<p>Annex to PPS1 on climate change</p>	<p>This is expected to be an amendment to section 19(2) of the Act.</p>	<p>Supporting documents</p>	<p>Yes. The councils have incorporated climate change adaptation issues into the SA/SEA framework and responded accordingly. In itself, this plan does not seek to issue specific policy in relation to climate change adaptation as it simply seeks to</p>



Activity	Statutory Requirement	Guidance reference	Additional Notes	Possible evidence	Evidence provided
					<p>establish suitable locations for future winning and working of sand and gravel. Although detailed design features have not been incorporated into the plan, such matters are referred to as being required for consideration at the planning application stage. It will be for the planning application process to consider the detailed aspects of design and incorporation of adaptation features.</p>
<p>17. Have you undertaken the necessary sustainability appraisal of alternatives, including consultation on the sustainability appraisal report?</p>	<p>1. The Act section 19(5) 2. Regulation 12 and 13 of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633</p>	<p>1. PPS12 paragraphs 4.38 – 4.43 2. SEA Guide, Chapter five</p>	<p>Regulation 13 of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633 sets out the consultation procedures</p>	<p>i. Reports on the sustainability of alternatives ii. Record of work undertaken on sustainability appraisal iii. Supporting documents</p>	<p>Yes.</p> <ul style="list-style-type: none"> <li>• SUS/22/23/29 – Minerals Sustainability Appraisal Reports</li> <li>• MIN/04 – Regulation 22(1)(c) Statement</li> </ul>
<p>18. Are you setting out clear reasons for any preferences between</p>	<p>Regulation 13(1)</p>	<p>PPS12 paragraphs 4.36 – 4.38</p>	<p>This will include Information from the sustainability appraisal.</p>	<p>i. Any reports setting out alternatives and choices considered ii. Supporting</p>	<p>Yes.</p> <ul style="list-style-type: none"> <li>• MIN/11 – Wiltshire Council and Swindon Borough Council Cabinet Reports and Key</li> </ul>

Activity	Statutory Requirement	Guidance reference	Additional Notes	Possible evidence	Evidence provided
alternatives?				documents	<p>Decisions</p> <ul style="list-style-type: none"> <li>• MIN/12/13/14/15/16/17/18 – Detailed Site Assessment Reports</li> <li>• MIN/22 – Summary of mineral site appraisal matrices</li> <li>• MIN/25 – Initial Site Options Report</li> </ul>
<p>19. Have you taken into account any representations made on the content of the development plan document and the sustainability appraisal?</p> <p>20. Are you keeping a record?</p>	<ol style="list-style-type: none"> <li>1. Regulations 24, 25(5) and 30(1)(d)(iv)</li> <li>2. Regulation 13(4) of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633</li> </ol>	PPS12 paragraphs 4.19 – 4.29	Records on the sustainability appraisal should also include recording any assessment made under the Habitats Directive	<ol style="list-style-type: none"> <li>i. Correspondence from those making representations</li> <li>ii. Any reports on issues raised</li> <li>iii. Consultation statement</li> <li>iv. sustainability appraisal report</li> </ol>	<p>Yes. The SA/SEA process has been an iterative and integral element of the plan preparation process.</p> <p>All comments received throughout the plan preparation process have been recorded, registered and addressed. Please refer to the councils' Objective consultation system.</p> <p><a href="http://consult.wiltshire.gov.uk/portal">http://consult.wiltshire.gov.uk/portal</a> and the submitted Regulation 22(1)(c) Statement of The Town and Country Planning (Local Planning)(England) Regulations 2012</p> <ul style="list-style-type: none"> <li>• MIN/04 – Regulation 22(1)(c) Statement</li> <li>• MIN/12/13/14/15/16/17/18 – Detailed Site Assessment Reports</li> <li>• MIN/22 – Summary of mineral</li> </ul>

Activity	Statutory Requirement	Guidance reference	Additional Notes	Possible evidence	Evidence provided
					site appraisal matrices.
<p>21. Where sites are to be identified or areas for the application of policy in the development plan document, are you preparing sufficient illustrative material to:</p> <ul style="list-style-type: none"> <li>• enable you to amend the currently adopted proposals map</li> <li>• inform the community about the location of proposals?</li> </ul>	<p>Regulations 9 and 14</p>	<p>PPS12 paragraphs 4.6 - 4.7; 8.1-8.3</p>	<p>1. Regulation 2 defines the terms 'submission' and 'adopted' proposals map. 2. A map showing changes to the adopted proposals map is part of the proposed submission documents defined in Regulation 24.</p>	<p>i. The adopted proposals map ii. Any reports on proposals to amend the proposals map iii. Illustrative material that shows how the proposals map will be amended or replaced</p>	<p>Yes. Throughout the plan, Inset Maps have been presented for each site allocation and this has been cross-referenced on the revised Minerals and Waste Development Framework Policies Map.</p> <ul style="list-style-type: none"> <li>• MIN/03 – Minerals Sites Plan Policies Map</li> </ul>
<p>22. Are the participation arrangements compliant with the statement of community involvement?</p>	<p>1. The Act, section 19(3) 2. Regulation 25</p>	<p>PPS12 paragraphs 4.19-4.29</p>	<p>You should make sure the arrangements remain in line with legislative changes affecting community engagement.</p>	<p>i. The statement of community involvement ii. Consultation statement</p>	<p>Yes.</p> <ul style="list-style-type: none"> <li>• SCI/01 – Wiltshire SCI</li> <li>• SCI/03 – Swindon SCI</li> </ul>
<p>23. Have you</p>		<p>Plan Making</p>		<p>i. Copies of</p>	<p>In the very early stages yes.</p>

Activity	Statutory Requirement	Guidance reference	Additional Notes	Possible evidence	Evidence provided
<p>remained in close contact with the Government Office and discussed any emerging issues that might affect the soundness of the development plan document?</p>		<p>Manual - New Regulation 25</p>		<p>correspondence with the Government Office                      ii. Copies of the relevant documents</p>	<p>Iterations to key milestones were communicated through amendments to LDSs. With the winding up of the GOSW, no further communication was made on this matter. As a result of changes to planning regulations and the emergence of the National Planning Policy Framework (NPPF), the councils have communicated with The Planning Inspectorate and have attended a meeting with a Government appointed Planning Inspector to discuss issues of conformity with the NPPF prior to submission to the Secretary of State.</p>

## Stage 4: Publication

### Introduction

The 2008 Local Development Framework Regulations change the procedure for submission of development plan documents. They bring the period for formal representations forward, which now take place **before** the development plan document is submitted for examination.

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 development plan document 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 statement of community involvement
- update the sustainability appraisal report.

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

**You should make it clear that publication of a development plan document is not public participation, nor a consultation.** The six weeks publication period is the opportunity for those dissatisfied (or satisfied) with the development plan document to make formal representations to the inspector about its soundness.

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'.

Please refer to the following sections of the Plan Making Manual:

- Publication and submission of a development plan document
- Sustainability appraisal
- Considering alternatives

**Stage 4: Publication**

Activity	Statutory Requirement	Guidance Reference	Additional notes	Possible evidence	Evidence provided
24. Have you prepared the sustainability appraisal report?	1. The Act section 19(5) 2. Regulation 12 of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633	1. PPS12 paragraphs 4.38 – 4.43 2. SEA Guide Chapter five		Sustainability appraisal report	Yes. • SUS/22/23/29– Minerals SA Reports
25. Have you made clear where and within what period representations must be made?	Regulation 28(2) and (3)		The period must be at not less than 6 weeks from when you give notice under Regulation 27(e) (see below)	i. Report or record of decisions ii. The statement of community interest	Yes. • MIN/04 – Regulation 22(1)(c) Statement
26. Have you made copies of the following available for inspection: • the proposed submission documents? • the statement of the representations procedure?	Regulation 27(a)		Regulation 24 gives definitions	i. Copies of the relevant statements ii. Report on where and when made available iii. Record of where and when made available	Yes. The councils made documents available in a variety of forms (hard copy and web-links to the councils on-line consultation portal). In addition, the councils formally advertised the consultation and made it clear where and how documents could be accessed.

Activity	Statutory Requirement	Guidance Reference	Additional notes	Possible evidence	Evidence provided
<p>27. Have you published on your website the following:</p> <ul style="list-style-type: none"> <li>• the proposed submission documents?</li> <li>• the statement of the representations procedure?</li> <li>• statement and details of where and when documents can be inspected?</li> </ul>	Regulation 27(b)		Regulations 2 and 24 give definitions	Record of publication	Yes. See above.
<p>28. Have you sent to each of the specific consultation bodies invited to make representations under Regulation 25(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 27(c)		Regulations 2 and 24 give definitions	<ul style="list-style-type: none"> <li>i. Copies of correspondence</li> <li>ii. Record of sending</li> </ul>	<p>Yes.</p> <ul style="list-style-type: none"> <li>• MIN/04 – Regulation 22(1)(c) Statement</li> </ul>
<p>29. Have you sent to each of the general consultation bodies</p>	Regulation 27(d)		Regulations 2 and 24 give definitions	i. Copies of correspondence	<p>Yes.</p> <ul style="list-style-type: none"> <li>• MIN/04 – Regulation</li> </ul>

Activity	Statutory Requirement	Guidance Reference	Additional notes	Possible evidence	Evidence provided
invited to make representations under Regulation 25(1): <ul style="list-style-type: none"> <li>• the statement of the representations procedure?</li> <li>• where and when the documents can be inspected?</li> </ul>				ii. Record of sending	22(1)(c) Statement
30. Have you given notice by local advertisement setting out: 31. the statement of the representations procedure <ul style="list-style-type: none"> <li>• where and when the documents can be inspected?</li> </ul>	Regulation 27(e)		Regulation 24 gives definitions	i. Copy of advertisement ii. Where and when placed	Yes. <ul style="list-style-type: none"> <li>• MIN/04 – Regulation 22(1)(c) Statement</li> </ul>
32. Have you requested the opinion of the regional planning body (or the Mayor in London) on the general conformity of the development plan document with the regional spatial strategy (or spatial	1. The Act section 24 2. Regulation 29	PPS12 paragraph 4.21	The period is six weeks from when you make copies available for inspection under Regulation 27(a)	Copies of correspondence	No. As with the recently submitted Wiltshire and Swindon Waste Site Allocations Plan, the councils took the view that this element of process was not specifically required. Confirmation that this approach was



Activity	Statutory Requirement	Guidance Reference	Additional notes	Possible evidence	Evidence provided
development strategy)?					appropriate was sought from the Planning Inspectorate prior to submission of the Waste Site Allocations Plan.

## **Stage five: Submission**

### **Introduction**

At the submission stage, the council should receive and collate the representations made at publication stage. Reporting these representations to elected members is not mandatory. However, there may be requirements deriving from other legislation, Standing Orders or council procedures that must be considered.

However, if they are reported, they should report the facts of the representations made, not the results of a consultation process by the council. They should not treat it as a consultation or consider whether to make changes to try to answer representations.

The section called Changing your plan after publication in the Plan Making Manual distinguishes between 'focused changes', 'extensive changes' and 'minor changes'. You should be guided by the manual and its accompanying changes diagram in making decisions on how far to go back in the procedures, or to supplement existing work.

You should ensure you are in legal compliance with the statement of community involvement, 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 many possible combinations of approaches that could be taken to changes. You should be satisfied that you remain fully compliant with the legal requirements when any changes are made (and any consequential effects on the development plan document as a whole). All decisions and new steps taken should be fully documented and reflected in the 'evidence provided' column.

The PINS guide identifies seven key questions that inspectors will use in relation to legal compliance. These have been incorporated into the tool and are identified by shading in the left-hand 'Question' column.

Apart from notification of the examination, this tool does not deal with the legal requirements that need to be followed after submission. You should refer to the PINS guidance for further advice.

Please refer to the following sections of the Plan Making Manual:

- Publication and submission of a development plan document
- Changing your plan after publication
- Examination of a development plan document

**Stage five: Submission**

Question	Statutory Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
<p>33. Are you ready to submit the Plan?</p> <p>34. Are there any major issues revealed by the representations on publication?</p> <p>35. Are all the relevant documents in place?</p>	<ol style="list-style-type: none"> <li>1. The Act section 20(2)(b)</li> <li>2. The Act section 20(1)</li> <li>3. Regulation 30(1)</li> </ol>		<p>If you are not ready to submit, you may need to do more work on the development plan document or consider withdrawing and republishing a revised version. Regulation 30(1) sets out the documents which must be submitted in addition to the development plan document.</p>	<ol style="list-style-type: none"> <li>i. Report on issues resulting from Regulation 28 representations</li> <li>ii. Resolution to carry out more work on part of the development plan document or to withdraw plan</li> <li>iii. The development plan document</li> <li>iv. The documents prescribed at Regulation 30(1)</li> </ol>	<p>The councils have been through all necessary steps to reach the submission stage. A clear political mandate for the work has been consistently maintained by both councils and the pre-submission draft document has been presented to respective Cabinet and Full Council meetings following pre-submission consultation. At each preparatory stage, political sign-off has been granted.</p> <p>The representations received at the pre-submission stage have been summarised and presented in the Regulation 22(1)(c) Statement. In the opinion of the councils, the representations received do not affect the overall soundness of the</p>

Question	Statutory Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
					submitted plan.
<p>36. Has the development plan document been prepared in accordance with the local development scheme?</p> <p>37. Does the development plan document's listing and description in the local development scheme match the document?</p> <p>38. Have the timescales set out in the local development scheme been met?</p>	The Act, section 19(1)	PPS12 paragraph 4.50; 4.53 – 4.55	<p>The Act section 15(2) and Regulation 8 note the matters specified in the local development scheme</p> <p>The box on local development schemes in PPS12 after paragraph 4.55 sets out milestones</p>	<p>i. The local development scheme</p> <p>ii. Explanation of any changes from the milestones set out in the local development scheme</p> <p>iii. Relevant annual monitoring reports</p> <p>iv. Correspondence with the Government Office on the local development scheme</p>	<p>The plan has been prepared in accordance with the LDS. Both authorities have made a consistent and long-standing commitment to preparing and adopting the plan.</p> <p>In the main, key stage milestones have been met. Where slippages have occurred, these have naturally been explained and addressed through subsequent iterations of the respective LDSs.</p>
39. Has the development plan document had regard to any sustainable community strategy for its area (like a county and district)?	The Act section 19(2)	PPS12 paragraph 4.34 – 4.35; 4.50		<p>i. The sustainable community strategy(ies)</p> <p>ii. Reference to sections of the development plan document showing how regard has been had to them</p>	<p>Yes (see above).</p> <ul style="list-style-type: none"> <li>• CPP/08 – Wiltshire Community Plan</li> <li>• CPP/12 – Swindon SCS</li> <li>• CPP/13 – Wiltshire SCS</li> <li>• MIN/30 – Minerals and Waste Evidence Base Part A: Spatial Context</li> </ul>

Question	Statutory Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
<p>40. Is the development plan document in compliance with the statement of community involvement (where one exists)?</p> <p>41. Has the council carried out consultation as described in the statement of community involvement?</p>	<p>1. The Act s19(3)</p> <p>2. Regulation 32(1)(c)</p>	<p>PPS12 paragraph 4.50; box after paragraph 4.26</p>	<p>Before the statement of community involvement 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).</p>	<p>i. The statement of community involvement</p> <p>ii. The Regulation 32(1)(c) statement</p>	<p>Yes and yes. Evidence of how the councils have sought to engage local communities can be found in the submitted Regulation 22(1)(c) Statement.</p> <ul style="list-style-type: none"> <li>• CPP/08 – Wiltshire Community Plan</li> <li>• CPP/12 – Swindon SCS</li> <li>• CPP/13 – Wiltshire SCS</li> <li>• MIN/04 – Regulation 22(1)(c) Statement</li> </ul>
<p>42. Has the development plan document been subject to sustainability appraisal?</p> <p>43. Has the council provided a final report of the findings of the appraisal?</p>	<p>1. The Act section19(5)</p> <p>2. Regulation 32(1)(a)</p>	<p>1. PPS12 paragraph 4.39 – 4.43; 4.50</p> <p>2. SEA Practical Guide, chapter five</p>		<p>Sustainability appraisal report</p>	<p>Yes.</p> <ul style="list-style-type: none"> <li>• SUS/22/23/29 – Minerals Sustainability Appraisal Reports</li> </ul>
<p>44. Is the development plan document to be submitted consistent with national policy?</p>	<p>The Act section20(2) and Schedule 8</p>	<p>PPS12 paragraphs 4.30 – 33; 4.50</p>	<p>You need to be sure changes made up to the time of submission are compliant with the</p>	<p>i. Correspondence with Government Offices</p> <p>ii. Representations from Government</p>	<p>In the opinion of the councils – yes. Clearly much of the early preparatory work was undertaken within a</p>

Question	Statutory Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
			requirements	Offices	<p>context set by national and regional policy. More recent developments – such as the publication of the NPPF have been scoped and assessed to ensure the plan still conforms with national policy. Furthermore, the councils have communicated with The Planning Inspectorate and have attended a meeting with a Government appointed Planning Inspector to discuss the Plan’s conformity with the NPPF prior to submission to the Secretary of State.</p> <ul style="list-style-type: none"> <li>• MIN/09 – NPPF Conformity Checklist</li> <li>• MIN/30 – Minerals and Waste Evidence Base Part A: Spatial Context</li> </ul>
45. Does the development plan document contain any policies or proposals that are not in general	<ol style="list-style-type: none"> <li>1. The Act s 24(1)(a); 24(2) and 24(4)</li> <li>2. Regulation</li> </ol>	PPS12 paragraphs 4.30 – 33; 4.50	In London the requirement is for general conformity with the spatial development strategy (The London Plan)	i. Correspondence with or representations from the regional planning body, or Mayor of London	Yes – the councils approach to meeting the need for aggregates. Whilst the submission draft plan still broadly relies on the evidence

Question	Statutory Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
<p>conformity with the regional spatial strategy?</p> <p>46. If yes, is there local justification?</p> <p>47. Has the council got confirmation from the regional planning body about the general conformity of the plan with the regional spatial strategy?</p>	<p>29</p>			<p>ii. Confirmation of conformity from the regional planning body, or Mayor</p>	<p>presented in support of the draft Regional Spatial Strategy (RSS) for the South West, it does present evidence in favour of a locally derived apportionment figure for sand and gravel based on calculating a rolling 10 year average of sales data through a local aggregate assessment and following a robust and evidence based assessment of all possible site options in the plan area. This approach is in accordance with the approach as set out in the NPPF.</p> <p>Although this approach does not strictly accord with the policy requirements of the draft Regional Strategy for the South West, it does nonetheless carry the support of our politicians and key stakeholders. In addition, the locally derived provision 'policy' approach does not</p>

Question	Statutory Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
					undermine or conflict with the overarching Minerals Core Strategy policy – MSC1.
<p>48. Does the development plan document comply with the 2004 regulations (as amended)?</p> <p>49. Specifically, has the council published the prescribed documents, and made them available at their principal offices and their website?</p> <p>50. Has the council placed local advertisements?</p> <p>51. Has the council notified the development plan document bodies?</p> <p>52. Does the development plan document contain a list of superseded saved policies?</p>	<p>1. The Act section 20(2), 20(3) and 20(5)(b)</p> <p>2. Regulations 13(1), 13(2), 13(5) and 30(1)</p>	<p>PPS12 paragraphs 4.36; 4.50</p>	<p>Requirements relating to publication of the prescribed documents are listed later in this table.</p>	<p>i. The documents prescribed at Regulation 30(1)</p> <p>ii. Relevant annual monitoring reports</p> <p>iii. Records of the actions undertaken (see below)</p>	<p>This particular plan has been prepared in accordance with the 2008/2009 Regulations (initial Issues and Options stage 2010 and pre-submission stage, 2011). Following a further change to the regulations in 2012, the submission stage of the plan has been prepared in accordance with the 2012 regulations.</p> <p>All necessary documentation has been published and presented at the principal offices and on the website. Information in relation to the examination will also be added to the website as and when it becomes available.</p> <p>Local advertisements were placed in several</p>



Question	Statutory Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
					<p>newspapers at the pre-submission stage. In addition, press releases were issued and media interviews were conducted. All requisite bodies have been informed. As and when details of the examination are made available, this too will be advertised.</p> <p>The plan does not contain a list of superseded policies as there are no residual 'saved' development plan policies (relating to minerals matters) to replace.</p>
<p>53. Are there any policies applying to sites or areas by reference to an Ordnance Survey map or to amend an adopted proposals map?</p> <p>54. If yes, have you prepared a submission proposals map?</p>	<p>Regulations 13(4) 14 and 30(1)(b)</p>	<p>PPS12 paragraphs 4.6 - 4.7; 8.1-8.3</p>		<p>i. Submission proposals map</p> <p>ii. Brief statement if a submission proposals map is not required</p>	<p>Yes.</p> <p>A revised Policies Map (the replacement to the former Proposals Map) has been submitted.</p>

Question	Statutory Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
55. If the development plan document is not a core strategy, is it in conformity with the core strategy?	Regulation 13(6)			<ul style="list-style-type: none"> <li>i. The core strategy</li> <li>ii. Documents or reports demonstrating conformity</li> </ul>	In the opinion of the councils, the submitted plan is in conformity with the adopted Wiltshire and Swindon Minerals Core Strategy.
56. 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 25</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 30(1)(d)		This will bring forward material from the Consultation statement (see Stage 2 above)	<ul style="list-style-type: none"> <li>i. Consultation statement</li> <li>ii. The Statement as required in Regulation 30(1)(d)</li> </ul>	Yes. <ul style="list-style-type: none"> <li>• MIN/04 – Regulation 22(1)(c) Statement</li> </ul>
57. Have you prepared a statement giving: <ul style="list-style-type: none"> <li>• the number of representations made under Regulation 28(2)</li> <li>• a summary of the main issues raised</li> </ul>	The Act section 20(3) Regulation 30(1)(e)			The Statement as required in Regulation 30(1)(e)	Yes. As above.

Question	Statutory Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
OR • that no representations were made?					
58. Have you collected together all the representations made under Regulation 28?	The Act section20(3) Regulation 30(1)(f)			Copies of the representations	Yes. These form part of the submission pack.
59. Have you assembled the relevant supporting documents?	1. The Act section20(3) 2. Regulation 30(1)(g)			All necessary evidence and records of decisions relevant to the development plan document	Yes. Again, these form part of the submission pack.
60. Has your council approved the development plan document for submission?	The Act section20		The full council has to approve the development plan document for submission (requirements are set out in Local Authorities Functions Regulations)	Report and resolution of the council	Yes. This was achieved through the following channels:  <b>Wiltshire Council</b> Cabinet: 19 June 2012 Council: 26 June 2012 <b>Swindon Borough Council</b> Cabinet: 11 June 2012 Council: 19 July 2012 Resolutions from these meetings will be submitted to the Planning

Question	Statutory Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
					<p>Inspectorate.</p> <ul style="list-style-type: none"> <li>• Wiltshire Cabinet (<a href="https://cms.wiltshire.gov.uk/ieListDocuments.aspx?CId=141&amp;MId=6822">https://cms.wiltshire.gov.uk/ieListDocuments.aspx?CId=141&amp;MId=6822</a> ) and Wiltshire Full Council (<a href="https://cms.wiltshire.gov.uk/ieListDocuments.aspx?CId=130&amp;MId=6847&amp;Ver=4">https://cms.wiltshire.gov.uk/ieListDocuments.aspx?CId=130&amp;MId=6847&amp;Ver=4</a> )</li> <li>• Swindon Cabinet (<a href="http://ww5.swindon.gov.uk/moderngov/ieListDocuments.aspx?CId=285&amp;MId=5791&amp;Ver=4">http://ww5.swindon.gov.uk/moderngov/ieListDocuments.aspx?CId=285&amp;MId=5791&amp;Ver=4</a> ) and Swindon Full Council (<a href="http://ww5.swindon.gov.uk/moderngov/ieListDocuments.aspx?CId=284&amp;MId=5540">http://ww5.swindon.gov.uk/moderngov/ieListDocuments.aspx?CId=284&amp;MId=5540</a> )</li> <li>• MIN/11 – Wiltshire Council and Swindon Borough Council Cabinet Reports and Key Decisions</li> </ul>
61. Have you sent the Secretary of State	1. The Act s20(1) and		Regulation 49 deals with the availability of	Record of sending	Yes. Clearly, if there are any missing documents,

Question	Statutory Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
<p>(the Planning Inspectorate) a paper copy of the following:</p> <ul style="list-style-type: none"> <li>• the development plan document?</li> <li>• the submission proposals map (unless there are no site allocation policies)?</li> <li>• the documents prescribed in Regulation 30(1)?</li> </ul>	<p>20(3) 2. Regulations 30(1) and 30(2)(a)</p>		<p>documents and the time of their removal.</p>		<p>the councils will make this available (e.g. documents relied upon but not necessarily forming part of the core submission pack).</p>
<p>62. Have you sent the Secretary of State (the Planning Inspectorate) an electronic copy of the:</p> <ul style="list-style-type: none"> <li>• development plan document?</li> <li>• submission proposals map (unless there are no site allocation policies)?</li> <li>• documents prescribed in Regulation 30(1)?</li> </ul>	<p>1. The Act s20(1) and 20(3) 2. Regulations 30(1) and 30(2)(b)</p>		<p>Electronic copies of some of the representations and supporting documents may not be practicable. Regulation 49 deals with the availability of documents and the time of their removal.</p>	<p>i. Record of sending ii. Reasons why documents cannot be sent electronically</p>	<p>Yes (as above).</p>
<p>63. Have you made the following available at</p>	<p>Regulation 30(3)(a)</p>		<p>You should do this as soon as reasonably</p>	<p>Record of where and when made available</p>	<p>This will be undertaken “as soon as reasonably</p>

Question	Statutory Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
<p>the same places where the proposed submission documents were to be seen:</p> <ul style="list-style-type: none"> <li>• The development plan document?</li> <li>• The documents prescribed in Regulation 30(1)?</li> </ul>			<p>practicable after submitting to the Secretary of State</p>		<p>practicable” after the submission date (no later than week commencing August 2012).</p>
<p>64. On your website, have you published the:</p> <ul style="list-style-type: none"> <li>• development plan document</li> <li>• submission proposals map</li> <li>• sustainability appraisal report</li> <li>• Regulation 30(1)(d) statement</li> <li>• Regulation 30(1)(e) statement</li> <li>• supporting documents (where practicable)</li> <li>• representations made under Regulation 28 (where</li> </ul>	<p>Regulation 30(3)(b)</p>		<p>You should do this as soon as reasonably practicable after submitting to the Secretary of State</p>	<p>Record of publication</p>	<p>As above. All documentation will be available on the website. Any new information relating the examination will be added to the ‘Examination’ web pages.</p>

Question	Statutory Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
practicable) • statement as to where and when the development plan document and the documents are available?					
65. For each specific consultation body invited to make representations under Regulation 25(1), have you sent the: <ul style="list-style-type: none"> <li>• development plan document</li> <li>• submission proposals map</li> <li>• sustainability appraisal report</li> <li>• adopted statement of community involvement</li> <li>• Regulation 30(1)(d) statement</li> <li>• Regulation 30(1)(e) statement</li> <li>• supporting documents you consider relevant to</li> </ul>	Regulation 30(3)(c)		You should do this as soon as reasonably practicable after submitting to the Secretary of State	i. Copies of correspondence ii. Record of sending	This will be undertaken “as soon as reasonably practicable” after the submission date (no later than week commencing 6 August 2012).

Question	Statutory Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
<p>each body</p> <ul style="list-style-type: none"> <li>statement as to where and when the development plan document and the documents are available?</li> </ul>					
<p>66. For each general consultation body invited to make representations under Regulation 25(1), have you sent:</p> <ol style="list-style-type: none"> <li>notification that the documents prescribed in Regulation 30(1) are available for inspection</li> <li>where and when they can be inspected?</li> </ol>	Regulation 30(3)(d)		You should do this as soon as reasonably practicable after submitting to the Secretary of State	<ol style="list-style-type: none"> <li>Copies of correspondence</li> <li>Record of sending</li> </ol>	This will be undertaken “as soon as reasonably practicable” after the submission date (no later than week commencing 6 August 2012).
<p>67. Have you given notice by local advertisement setting out:</p> <ul style="list-style-type: none"> <li>the title of the development plan document?</li> <li>the subject and area covered by the</li> </ul>	Regulation 30(3)(e)		You should do this as soon as reasonably practicable after submitting to the Secretary of State	<ol style="list-style-type: none"> <li>Copy of advertisement</li> <li>Where and when placed</li> </ol>	This will be undertaken “as soon as reasonably practicable” after the submission date (no later than week commencing 6 August 2012).



Question	Statutory Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
<p>development plan document?</p> <ul style="list-style-type: none"> <li>• notification that the documents prescribed in Regulation 30(1) are available for inspection</li> <li>• where and when they can be inspected?</li> </ul>					
<p>68. Have you given notice to persons who have requested to be notified that submission has taken place?</p>	<p>Regulation 30(3)(f)</p>		<p>You should do this as soon as reasonably practicable after submitting to the Secretary of State</p>	<ul style="list-style-type: none"> <li>i. Copies of correspondence</li> <li>ii. Record of sending</li> </ul>	<p>This will be undertaken “as soon as reasonably practicable” after the submission date (no later than week commencing 6 August 2012).</p>
<p>69. If an examination is being held, at least six weeks before its opening has the Programme Officer:</p> <ul style="list-style-type: none"> <li>• published the time and place of the examination and the name of the person appointed to carry out the examination on your website</li> <li>• notified those who have made</li> </ul>	<ul style="list-style-type: none"> <li>1. The Act section 20</li> <li>2. Regulation 34</li> </ul>			<ul style="list-style-type: none"> <li>i. Record of publication of information</li> <li>ii. Record of sending</li> <li>iii. Copies of correspondence</li> <li>iv. Copy of advertisement</li> </ul>	<p>This will be ensured once further information in relation to the examination is provided by the appointed Inspector.</p>

Question	Statutory Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
<p>representations on the published development plan document which have not been withdrawn of these details</p> <ul style="list-style-type: none"> <li>• advertised these details?</li> </ul>					



