

Ref:
(For official use only)

Completed forms must be received at our offices by **17:00 16 May 2019**

Scan and email to: **developmentplanning@havering.gov.uk**

Post hard copy to: **Development Planning, Town Hall, Main Road, Romford, RM1 3BD**

PART A – CONTACT DETAILS

Please note that representations must be attributable to named individuals or organisations. They will be available for public inspection and cannot be treated as confidential.

	1. Personal Details	2. Agent Details (if applicable)
Title		
First Name		
Last Name		
Job title (where relevant)		
Organisation (where relevant)		
Address Line 1		
Address Line 2		
Address Line 3		
Address Line 4		
Post Code		
Telephone number		
Email address (where relevant)		

PART B – YOUR REPRESENTATION

Name or Organisation	
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3.	Do you consider that Revised Policy 11 of the Proposed Local Plan is: (please tick as appropriate)				
3.1	Legally Compliant	Yes		No	
3.2	Sound	Yes		No	
3.3	Complies with Duty to Co-operate	Yes		No	

4.	<p>Please give details of why you consider Revised Policy 11, as a whole, is not legally compliant or is unsound or fails to comply with the Duty to Co-operate. Please be as precise as possible.</p> <p>If you wish to support the legal compliance or soundness of the Havering Local Plan or its compliance with the Duty to Co-operate, please also use this box to set out your comments.</p> <p>(Continue on separate sheet/expand box if necessary)</p>				
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5.	<p>Please set out what modification(s) you consider necessary to make this section of the Havering Local Plan as a whole legally compliant or sound, having regard to the Matter you have identified at 4 above where this relates to soundness. (NB Please note that any non-compliance with the Duty to Co-operate is incapable of modification at examination).</p> <p>You will need to say why this modification will make this section of the Havering Local Plan as a whole legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.</p> <p>(Continue on separate sheet/expand box if necessary)</p>

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues she identifies for examination.

6.	Partaking at the oral part of the examination
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If you wish to participate at the hearings sessions on 29 and 30 May 2019, you will need to confirm this in writing or by email to the Programme Officer, Andrea Copsey by **5pm on 16th May 2019.**

The Programme Officer's contact details are:

Examination, PO Box 12607, Clacton-on-Sea, CO15 8GN

Tel: 07842 643988

E-mail: copseyandrea@gmail.com

***Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.*

7.	Do you have any other comments on this section (revised Policy 11) of the Havering Local Plan?
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Signature		Date	
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Please note that comments cannot be treated as confidential. Your comments and contact details will be passed on to the Planning Inspector. Your comments will be made publically available on the Council's website. Your personal contact details will not be made public. We will retain your contact details for future Local Plan consultations, unless you specifically ask us not to. We will not disclose personal information to third parties for marketing purposes.

Privacy Statement

The information you provide will be protected by the Data Protection Act 2018, which ensures that the Council and its employees protect the confidentiality of data collected from individuals.

For further information please refer to the Council's privacy notice which can be found on the Havering Website, or by clicking [this link](#).

PART C – Guidance Notes

We have produced this Guidance Note to help you complete our Consultation Questionnaire for the Local Plan to ensure that your comments can be considered as fully as possible during the plan-making process.

Responses made to this consultation will be treated as a formal representation and considered by an independent Planning Inspector.

For this consultation we are asking you to consider two questions:

Is the Local Plan Legally Compliant? If your response is about the way in which we prepared the Local Plan, then these are likely to relate to whether or not it is **legally compliant**.

Is the Local Plan Sound? If your response is about the content of the Local Plan and the strategy it proposes, then these are likely to relate to whether or not it is **sound**.

Does the Plan meet the Duty to Cooperate? If your response is about whether the Council has worked with other Local Authorities, and other bodies to address strategic issues in the preparation of the Local Plan, then these are likely to relate to whether or not the **duty to cooperate** has been met.

Is the Plan Legally Compliant?

This section of the response form focusses on the first test that we need to meet before we are able to adopt our Local Plan.

Select YES if you think that the plan is **legally compliant**. A plan is considered **legal** when it complies with the legal requirements under section 20(5) (a) of the Planning and Compulsory Purchase Act 2004.

Select NO if you think that the Local Plan **is not legally compliant**. If you think that we have not met the legal requirement in the preparation of the Plan, please use the response form to tell us what we have not done or what we have done incorrectly.

Some of the issues to consider for Legal Compliance include:

- **National Policy and Legislation:** Do the plan comply with national policy and legislation issued by the Secretary of State?
- **Sustainability Appraisal:** Whether a Sustainability Appraisal assessing social, environmental and economic factors has been undertaken and made public? The Sustainability Appraisal is a tool for appraising policies to ensure they reflect social, environmental, and economic factors. The Sustainability Appraisal is available on the Council website: https://www.havering.gov.uk/downloads/download/642/havering_local_plan_supporting_documents. The document is titled 'LBHLP.8 Sustainability Appraisal for Havering Local Plan 2017'.
- **Consultation:** have the appropriate bodies been consulted and have we consulted in accordance with our Statement of Community Involvement?
- The Local Plan should comply with the Town and County Planning (Local Planning) (England) Regulations 2012. On submission of the Local Plan, the Council must publish the documents prescribed in the regulations, and make them available at their principal offices and on their website. Have the appropriate notifications have been made.

Please tell us:

- why you consider the Local Plan is or is not legally compliant.
- what changes you think are needed to make the Local Plan legally compliant. Please state why this change will make the Local Plan legally compliant. It would also be helpful if you could suggest revised wording for any policy or supporting text. Please be as precise as possible.

Is the Plan Sound?

This section gives you the opportunity to comment on the second test that we need to meet to be able to adopt our Local Plan.

To meet the Tests of Soundness, the independent Planning Inspector is required to consider if our Local Plan has been **positively prepared, justified and effective** and is **consistent with national policy**.

You may wish to consider the following before making a representation on the Soundness of our plan:

Positively Prepared: This means that we have objectively assessed the need for homes, jobs, services and infrastructure and these have been delivered sustainably. If you think that our assessments are not objective or do not take sufficient account of unmet needs in neighbouring authorities then your comments relate to whether our Local Plan has been positively prepared or not.

Justified: This means that the Plan is based upon a robust and credible evidence base. If you think that the evidence doesn't support the choice made in our Local Plan or there are realistic alternatives then your comments relate to whether it is justified.

Effective: This means that the Plan will deliver what it sets out to. If you think that what we are proposing in the Local Plan will not happen because for example the required

infrastructure cannot be provided, the groups who will deliver elements of it haven't signed up to it or our Local Plan does not join up with the strategies of our neighbouring authorities, then your comments relate to whether our Local Plan is effective or not.

Consistent with national policy: Do you consider that our Local Plan accords with the National Planning Policy Framework and other policies or includes clear and convincing reasons for doing something different? Alternatively, you may think that the Local Plan should depart from national policy due to an identified and justified local need.

For each of these tests of soundness, the response form gives you an opportunity to:

- give details of why you consider the Plan to be either sound or unsound.
- explain what change you think should be made to the Plan to make it sound. It is helpful if you can include why this change will make the Plan sound as well as suggesting any revised wording of the policy or text.

Does the Plan meet the Duty to Cooperate?

This section gives you the opportunity to comment on the third test that we need to meet to be able to adopt our Local Plan.

We have a duty to work with other Local Authorities, and other bodies to address strategic issues in the preparation of the Local Plan. This duty was created by the Localism Act (2011) and is set out in paragraphs 178-181 of the National Planning Policy Framework.

Further information about the Duty to Co-operate can be found in the National Planning Practice Guidance

(<https://webarchive.nationalarchives.gov.uk/20180607112721/https://www.gov.uk/guidance/duty-to-cooperate>).