**TORBAY LOCAL PLAN**

**A landscape for success**

**The Plan for Torbay – 2012 to 2032 and beyond**

SUBMISSION PLAN

**EXAMINATION BRIEFING NOTE TC2 Update to Statement of Legal Compliance (SD18)**

Torbay Council – 11 November 2014

**BACKGROUND**

This Briefing Note provides an update to the Council’s Submission Document SD18 ‘Statement of Legal Compliance (July 2014)’. It sets out how the Council has met the legal requirements of those parts of The Town and Country Planning (Local Planning) (England) Regulations 2012 that follow actual Submission to the Secretary of State and which, by definition, could not be included in SD18.

Specifically, this note addresses how the Council has complied with Regulation 22(3) regarding availability and publicity of the Submission stage and, subsequently, how it has met the requirements of Regulation 24 regarding the current Independent Examination.

**REGULATION 22 (3) – SUBMISSION AND AVAILABILITY / PUBLICITY**

The Council formally submitted the Proposed Submission Torbay Local Plan and all relevant related documents to the Secretary of State on Thursday 31 July 2014, in accordance with Regulation 22(1) and (2).

On Monday 4 August, the Council published on its website a formal announcement that it had submitted its Local Plan to the Secretary of State for Independent Examination. This information was enshrined in a Statement of Availability of Documentation, giving full information regarding the key documents submitted and the locations and times where they could be viewed and accessed. All Submission Documents were made available for reference and downloading on the Council’s New Local Plan web page, including electronic copies of representations made on the Proposed Submission Plan, and a wide range of supporting documents. Reference copies of key documents were made available for inspection at the Council’s Spatial Planning Office at Electric House in Torquay, at Council Libraries and at Connections Offices, during normal opening hours.

In the same context, all general and specific consultation bodies invited to make representations under Regulation 18(1) were contacted by email / letter and notified of the various documents formally Submitted and the locations and times where they could be viewed and accessed. A Statement of Availability of Documentation was enclosed to reinforce this requirement. This consultation process also included the notification of those persons previously requesting to be notified of the Plan’s Submission.

**REGULATION 24 – INDEPENDENT EXAMINATION**

On Tuesday 6 October 2014, six weeks prior to the opening of the Examination Hearing sessions, the Council published details on its web site of the date, time and place at which the Hearing was scheduled to take place, plus details of the person appointed to carry out the Independent Examination. As part of the Council’s preparation for the Hearing Sessions, its bespoke Examination web page ([www.torbay.gov.uk/localplanexamination](http://www.torbay.gov.uk/localplanexamination) ) was formalised for this purpose.

This information was also available at the Council’s Spatial Planning Office at Electric House in Torquay, at Council Libraries and at Connections Office, during normal opening hours.

Similarly, a formal Notice was placed in the Torbay Herald Express on 9 October notifying the public of these details.

In tandem, all persons making representations in accordance with Regulation 20 (‘Representations relating to a local plan’) were notified of these details by email / letter by the Examination Programme Officer, on behalf of the Council.

**Change of Hearing Sessions venue**

In early November, it became clear that there would be difficulties in accommodating the likely number of Hearing Session participants in the proposed Hearing Sessions venue at Torquay Town Hall. Following discussion with the Examination Inspector and Programme Officer, the venue for the Hearing Sessions of the Local Plan Examination was subsequently changed by the Council to the Grace Murrell Suite, Riviera International Centre, Torquay.

An announcement to this effect was placed prominently on the Council’s examination web page as soon as possible thereafter. At the same time, the Programme Officer notified all Hearing Session participants of this change directly by email and letter. A formal Notice announcing this change in venue was also placed in the weekly Torbay Herald Express newspaper on Thursday 13 November, and sent to Council Libraries and Connections Offices.