



City of London City Plan 2036

Guidance Notes on Completing Part B of the Representation Form

Introduction

1. The City Plan 2036 has been published by the City of London Corporation in order for representations to be made on it before it is submitted for examination by a Planning Inspector. The Planning and Compulsory Purchase Act 2004, as amended, states that the purpose of the examination is to consider whether the City Plan complies with the relevant legal requirements, including the duty to co-operate, and is sound. The Inspector will consider all representations on the City Plan that are made within the consultation period set by the City of London Corporation.
2. To ensure an effective and fair examination, it is important that the Inspector and all other participants in the examination process are able to know who has made representations on the City Plan. The City Corporation will therefore ensure that the names of those making representations can be made available (including publication on the City Corporation's website) and taken into account by the Inspector.
3. In these notes we explain the criteria that the inspector will use and that you should also use when commenting on the City Plan.

Legal Compliance and Duty to Co-operate

4. You should consider the following before making a representation on legal compliance:
 - The City Plan should be included in the current Local Development Scheme (LDS) and the key stages set out in the LDS should have been followed. The LDS is a programme of work prepared by the City Corporation, setting out the plans it proposes to produce. It should set out the key stages in the production of any plans which the City Corporation proposes to bring forward for examination. If a plan is not in the current LDS it should not have been published for representations. The LDS is available on the City Corporation's website and, subject to Covid-19 restrictions, at the Guildhall.
 - The process of community involvement for the City Plan should be in general accordance with the City Corporation's Statement of Community Involvement (SCI). The SCI sets out the City Corporation's strategy for involving the community in the preparation and revision of plans and the consideration of planning applications. The SCI is available on the City Corporation's website.
 - The City Corporation is required to provide a Sustainability Appraisal (SA) report when it publishes a plan. This should identify the process by which SA has been carried out, and the baseline information used to inform the process and the outcomes of that process. SA is a tool for assessing the extent to which the City Plan, when judged against reasonable alternatives, will help to achieve relevant environmental, economic and social objectives. The Sustainability Appraisal for City Plan 2036 is incorporated into an Integrated Impact Assessment (IIA), which combines the Sustainability Appraisal, Health Impact Assessment



screening and Equalities Impact Assessment screening. The IIA is available on the City Corporation's website.

- The City Plan 2036 should be in general conformity with the Mayor's London Plan.
 - The City Plan 2036 should comply with all other relevant requirements of the Planning & Compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning) (England) Regulations 2012, as amended.
5. You should consider the following before making a representation on compliance with the duty to co-operate:
- Section 33A of the Planning & Compulsory Purchase Act requires the City Corporation to engage constructively, actively and on an ongoing basis with neighbouring authorities and certain other bodies over strategic matters during the preparation of the plan. The City Corporation is expected to provide evidence of how it has complied with the duty.
 - Non-compliance with the duty to co-operate cannot be rectified after the submission of the City Plan. Therefore, the Inspector has no power to recommend modifications in this regard. Where the duty has not been complied with, the Inspector cannot recommend adoption of a plan.

Soundness

6. The tests of soundness are set out in paragraph 35 of the National Planning Policy Framework (NPPF). The Inspector will consider whether the City Plan is sound against the following:
- **Positively prepared** – The City Plan should provide a strategy which, as a minimum seeks to meet the City of London's objectively assessed needs, and is informed by agreements with other authorities, so that unmet need from neighbouring authorities is accommodated where it is practical to do so and is consistent with achieving sustainable development;
 - **Justified** – The City Plan should be the most appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence
 - **Effective** – The City Plan should be deliverable over the plan period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
 - **Consistent with national policy** – The City Plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.
7. If you think the content of the City Plan is not sound because it does not include a policy on a particular issue, you should go through the following steps before making representations:
- Is the issue with which you are concerned already covered specifically by national planning policy, or by the London Plan?
 - Is the issue with which you are concerned already covered by another policy in the City Plan?
 - If the policy is not covered elsewhere, in what way is the City Plan unsound without the policy?



- If the City Plan is unsound without the policy, what should the policy say?

General Advice

8. If you wish to make a representation seeking a modification to the City Plan or part of the City Plan you should set out clearly in what way you consider the City Plan or part of the City Plan is legally non-compliant or unsound, having regard as appropriate to the soundness criteria set out above. Your representation should be supported by evidence wherever possible. It will be helpful if you also say precisely how you think the City Plan should be modified.
9. You should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification. You should not assume that you will have a further opportunity to make submissions. Any further submissions after the City Plan has been submitted for examination may only be made if invited by the Inspector, based on the matters and issues he or she identifies.
10. Where groups or individuals share a common view on the City Plan, it would be very helpful if they would make a single representation which represents that view, rather a large number of separate representations repeating the same points. In such cases the group should indicate how many people it is representing and how the representation has been authorised.
11. Please consider carefully how you would like your representation to be dealt with in the examination: whether you are content to rely on your written representation, or whether you wish to take part in hearing session(s). Only representors who are seeking a change to the City Plan have a right to be heard at the hearing session(s), if they so request. In considering this, please note that written and oral representations carry the same weight and will be given equal consideration in the examination process.

Further Information

12. Further information is available via the links below:
 - Guidance on preparing Local Plans is available in the National Planning Policy Framework and the national Planning Practice Guidance at: [Planning Practice Guidance](#)
 - Guidance on the Local Plan examination process and the Planning Inspectorate's Plans Privacy Statement is available at: [Local Plans](#)
 - The City Plan 2036 and supporting information is available at: [City Plan 2036](#)
 - The City of London's Department of the Built Environment Privacy Notice is available at: [Privacy Notice](#)

If you would like further advice, please contact Development Plans Team at:
[Development Plans Team](#) or telephone: 020 7332 1710