### Local Development Scheme February 2022























**Business, Growth and Infrastructure** 

In accordance Section 15(7) of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011), this Local Development Scheme shall have effect from February 2022.

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### **1** Introduction

1.1 This document is Bury's Local Development Scheme (LDS). It sets out the proposed programme and timescales for the production of Bury's Development Plan and other associated documents.

#### **Bury's Development Plan**

- 1.2 As illustrated in Figure 1, Bury's development plan will include three jointly-prepared, sub-regional plans. Two of these (the Greater Manchester Minerals and Waste Plans) cover the whole of Greater Manchester whilst the Places for Everyone Joint Plan will cover nine of the ten Greater Manchester districts (including Bury). The Greater Manchester Minerals and Waste plans are already adopted. Places for Everyone principally seeks to address strategic issues around housing and employment and is currently at the Publication stage with a view to submission in early 2022.
- 1.3 Sitting alongside these plans, will be the Bury Local Plan. The Bury Local Plan will address local issues that are not covered in the three joint plans.



#### Figure 1 - Bury's Development Plan

#### The 'Saved' Plan

- 1.4 The Planning and Compulsory Purchase Act allowed the current Bury Unitary Development Plan (UDP) (1997) to be saved until 28 September 2007. In order to save policies beyond this date the Council applied to Government Office North West (GONW) to save all the UDP policies apart from OL7/1 – East Lancashire Paper Mill Water Catchment Area. The Secretary of State directed that the current UDP policies could be saved, and consequently all the policies in the Unitary Development Plan remain in place apart from OL7/1.
- 1.5 When the Bury Local Plan is adopted the UDP policies will either be discontinued or replaced, and these will no longer form part of the Borough's Statutory Development Plan.

# Supplementary Planning Guidance and Documents

- 1.6 In addition to the Local Plan, local authorities can prepare Supplementary Planning Documents (SPDs) to add further detail to the policies in the Local Plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design.
- 1.7 Prior to the introduction of the Planning and Compulsory Purchase Act in 2004, these documents were prepared as Supplementary Planning Guidance (SPGs) to support the Unitary Development Plan. Existing SPGs will be carried forward and will remain in force where linked to a relevant 'saved' policy of the Bury UDP.
- 1.8 New SPD's may be developed against 'saved' policies of the Bury UDP.
- 1.9 Once the UDP policies are superseded, the current SPG's/SPD's cannot be treated as material planning considerations in the determination of planning applications as the policy basis for them will be removed. New SPD's will need to be adopted to reflect the new policy framework within Places for Everyone and the Bury Local Plan.

## 2 Plan Making Process

2.1 The process for preparing and adopting development plan documents is set out in the Town and Country Planning (Local Planning) (England) Regulations 2012.

#### **Public Participation**

2.2 The scale and nature of public participation will vary according to the stage of document production and will be guided by the Council's Statement of Community Involvement (SCI). This sets out the approach to involving stakeholders and the community in the production of all local development documents. The original SCI was submitted to GONW on 27 July 2005, and subsequently adopted on 22 March 2006. It has then been revised in December 2009, October 2015, October 2020 (to include temporary measures in response to the Covid pandemic) and in June 2021.

#### **Plan Preparation**

2.3 Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 covers all stages of plan preparation, such as the identification of key issues and the preparation of early drafts of the plan.

#### **Publication and Submission**

- 2.4 On completion of the public participation stages the Council will prepare the document for Publication, also known as the proposed submission stage under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012. This will be published by the Council to allow people to view the document. Once published there is a statutory six week period for representations to be made on issues of soundness and legal compliance.
- 2.5 Following consultation on the Publication plan, the Council can, if necessary, propose minor amendments to the published document before submitting the plan and relevant supporting documentation to the Secretary of State under Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

#### **Integrated Appraisal**

- 2.6 To assess the potential effects of the plan it will be subject to an Integrated Appraisal. This includes a Sustainability Appraisal which considers the social, economic and environmental effects and incorporates the requirements of the European Strategic Environmental Assessment (SEA) Directive and the UK SEA Regulations. As part of the plan preparation process reasonable alternatives are appraised to ensure that the plan is the most appropriate option. The Integrated Appraisal also incorporates an Equalities Impact Assessment and a Health Impact Assessment.
- 2.7 Appraisals are carried out at each stage of the plan preparation process, and the outcomes influence the content of the plan. Where appropriate, the sustainability appraisal may suggest measures to mitigate any potential adverse effects that are identified through the appraisal.

#### **Habitats Regulations Assessment**

- 2.8 The Conservation of Habitats and Species Regulations (as amended) requires Habitat Regulations Assessment (HRA) to be undertaken to assess the impacts of a land-use plan against the conservation objectives of European Sites and to ascertain whether it would adversely affect the integrity of those sites.
- 2.9 The process of HRA involves an initial screening stage, followed by an Appropriate Assessment (AA) if proposals are likely to have a significant adverse impact on a European site. Where significant negative effects are identified, alternative options should be examined to avoid any potential damaging effects.
- 2.10 Habitats Regulations Assessments, including Appropriate Assessment as necessary, will be undertaken prior to submission of the plan, to consider emerging policies against the Habitats Directive. Although there are no European sites within the Borough, Appropriate Assessment may still be required to assess whether policies will affect sites outside the Borough.

#### Examination

- 2.11 Once a plan has been submitted to the Secretary of State, it must be examined by an independent Inspector before the Council can adopt it.
- 2.12 The role of the Inspector is to consider whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is sound.

- 2.13 To examine whether the submitted document is legally compliant the Inspector will check that it:
  - has been prepared in accordance with the Local Development Scheme and in compliance with the Statement of Community Involvement and the Regulations;
  - has been subject to sustainability appraisal and strategic environmental assessment;
  - has regard to national policy; and
  - has regard to any sustainable community strategy for the area.
- 2.14 The Inspector will also assess whether the plan has been prepared in accordance with the duty to co-operate and whether it is sound. A local planning authority should only submit a plan for examination which it considers to be 'sound' namely that it is:
  - Positively prepared providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
  - **Justified** an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
  - Effective 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 enabling the delivery of sustainable development in accordance with the policies in the National Planning Policy Framework and other statements of national planning policy, where relevant.

### 3 Summary and Profile of Proposed Development Plan Documents

- 3.1 It is the Council's intention to replace the existing Bury UDP with a new Local Plan and Policies Map as well as three Development Plan Documents to be prepared jointly across Greater Manchester authorities.
- 3.2 The following documents will form Bury's overall Development Plan:
  - Bury Local Plan
  - Adopted Policies Map
  - Places for Everyone Joint Plan
  - Greater Manchester Joint Waste Plan
  - Greater Manchester Joint Minerals Plan
- 3.3 This chapter sets out the subject matter and geographical area to which each document is to relate and the timetables for their preparation.

### Bury Local Plan

Key Features			
Coverage/Status	Borough-wide – Development Plan Document		
Role and Content	Locally-specific document setting out the overall vision for Bury focussing on key issues to be addressed and a strategy setting out how much development is intended to happen where, when, and by what means it will be delivered. It will include a range of planning policies, designations and site allocations and will be accompanied by the Adopted Policies Map.		
Conformity	With the NPPF and the Pla	aces for Everyone Joint Plan.	
Timetable/Milestor	nes		
Consultation on SA S	coping Report	May - June 2016	
Notification of intention to prepare Local Plan and consultation on what it should include		March – April 2017	
Consultation on Key Issues and Policy Framework and 'Call for Sites'		August - October 2017	
Consultation on Policy Directions		October - November 2018	
Consultation on first draft plan		Autumn 2022	
Consultation on revised draft plan (if necessary)		Early-2023	
Publication of Proposed Submission Documents		Mid-2023*	
Submission		Late -2023 *	
Examination in Public		Early 2024**	
Adoption		Mid-2024 **	

\* Subject to progress on the Places for Everyone Joint Plan.

\*\* Subject to the timetable of the Planning Inspectorate

Arrangements for production and monitoring			
	Bury Council Strategic Planning team – lead responsibility for production process, preparation of documents, consultations and presentation of evidence at Examination.		
Production and Resources	Planning Inspectorate on behalf of the Secretary of State – responsible for undertaking independent Examination and production of Inspector's Report. Resources – In-house.		
Community and	At the stages identified above, and in accordance with the		
stakeholder involvement	appropriate Regulations and the Statement of Community Involvement.		
Monitoring and Review	The Local Plan is intended to be a long-term document covering the period up to 2037. The Authority's Monitoring Reports will examine contextual issues, development trends and, if necessary, recommend matters for review.		

### Adopted Policies Map

Key Features					
Coverage/Status	Borough-wide – Development Plan Document				
Role and Content	An Ordnance Survey based plan mapping development plan policy designations and site specific proposals arising from other Development Plan Documents.				
Conformity		omponents of wider development P Proposals Map will be `saved'.			
Timetable/Milestone	S				
Initiation and early awa	areness				
Consultation on Issues Sites'	and Options and 'Call for				
Consultation on draft p	lan	To run with Bury Local Plan			
Publication of Proposed	Submission Documents	To run with Bury Local Plan			
Submission		To run with Bury Local Plan			
Examination		To run with Bury Local Plan			
Adoption		To run with Bury Local Plan			
Arrangements for pr	Arrangements for production and monitoring				
Production and Resources	In line with Bury Local Plan.				
Community and stakeholder involvement	In line with Bury Local Plan.				
Monitoring and Review	The Adopted Policies Map will reflect policy designations and site specific allocations from the development plan.				

#### **Places for Everyone Joint Development Plan**

Key Features				
	The Places for Everyone Joint Plan (PfE) will provide an overarching plan that will cover the nine participating Greater Manchester districts. It will principally set out the scale and distribution of housing and employment growth across the conurbation for the next 20 years.			
Role and subject	It will identify strategic land allocations for housing and employment and also key infrastructure requirements to support this growth. It will provide a strategic environmental policy framework to ensure that growth is accommodated in a sustainable way and that the nine participating areas will be resilient to existing and future climate pressures. PfE will also set out strategic development management policies where it is important for there to be a consistent approach across the nine districts.			
Coverage	e The nine participating Greater Manchester districts (Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford, Wigan).			
	PfE is currently being progressed as a joint Development Plan Document.			
	PfE is one of a suite of documents through which the Greater Manchester Combined Authority is progressing its growth and reform ambitions and devolution agreement namely:			
	<ul> <li>A Greater Manchester 'Vision' which extends beyond the Greater Manchester Strategy;</li> </ul>			
Status	<ul> <li>A residential growth strategy setting out how we will bring forward land to meet our identified demand;</li> </ul>			
	<ul> <li>A transport strategy;</li> </ul>			
	An infrastructure plan; and			
	<ul> <li>An investment strategy, sitting alongside financial tools such as the Manchester Investment Fund and the Housing Investment Fund.</li> </ul>			
Consistent with national planning policy and having regard the Greater Manchester Strategy, Greater Manchester Gro and Reform Plan.				
Timetable/Milestones				

Initial consultation on objectively assessed development needs	November 2014	
Consultation on draft growth options	November 2015 - January 2016	
Consultation on draft plan October 2016 - January 2017		
Consultation on 2 <sup>nd</sup> draft plan	January 2019 - March 2019	
Publication/Final Draft	August – October 2021	
Submission	Early 2022	
Examination in Public*	Summer 2022	
Adoption *	2023	

\* Subject to Examination timetabling by Planning Inspectorate.

#### **Greater Manchester Joint Waste Plan**

Key Features				
Coverage/Status	Greater Manchester-wide – Joint Development Plan Document			
Role and Content	<ul> <li>Sets out now waste management will be considered alongside other spatial concerns, recognising the positive contribution waste management can make to the development of sustainable communities;</li> <li>Plans for the provision of new capacity on clear policy objectives, robust analysis of available data and information, and an appraisal of options; and</li> <li>Sets out detailed criteria based and site specific policies for the plan area.</li> <li>Allocates sites/areas for waste management facilities.</li> <li>The JWDPD is in conformity with European legislation, National Planning Guidance and each of the GM district's development</li> </ul>			
Conformity				
Timetable/Milestone	25			
SA Scoping Report Consultation		September 2006		
Consultation		September 2006 – January 2010 <sup>1</sup>		
Publication		1 November 2010 <sup>2</sup>		
Submission to Secretary of State		February 2011		

<sup>&</sup>lt;sup>1</sup> During the consultation period a Stage 1 Issues and Options consultation was undertaken in from 14 May – 22 June 2007. There was further Issues and Options consultation on Built Facilities (6 Oct – 14 Nov 2008) and Residual Waste Disposal (23 Mar – 1 May 2009) in order to evaluate alternative strategies and establish the most appropriate strategy to take forward. A targeted consultation on the JWDPD Preferred Options was then undertaken from 13 November 2009 – 8 January 2010. <sup>2</sup> This was followed by a statutory 6 week period to submit representations.

Pre-Examination Meeting		April 2011	
Examination		June - September 2011	
Receipt of Inspector's report		November 2011	
Adoption		1 April 2012	
Arrangements for pr	oduction and monitor	ing	
	Work on the JWDPD was co-ordinated and managed by the Greater Manchester Minerals and Waste Planning Unit on behalf of each planning authority.		
Production and Resources	A Joint Committee was established to act as an Executive, with responsibility for all documents except those prepared for submission and adoption which were agreed by each planning authority's Full Council. The Joint Committee was supported by a Steering Group consisting of officers from each of the authorities as well as the two Waste Disposal Authorities.		
	GM Minerals and Waste Planning Unit were responsible for co- ordinating and managing the JWDPD preparation, also drawing on contributions from each of the ten Greater Manchester authorities, the Association of Greater Manchester Authorities (AGMA) Policy Unit as well as Wigan and Greater Manchester Waste Disposal Authorities. Additional consultancy support was required to assist the work carried out by GM Minerals and Waste Planning Unit.		
Community and stakeholder involvement	Consultation on the JWDPD was carried out in accordance with each of the planning authority's Statement of Community Involvement (SCI). To ensure conformity with the SCIs, a Consultation Strategy was prepared which set out detailed methods for engaging with key stakeholders.		
Monitoring and Review	Annual Monitoring is carried out by GM Minerals and Waste Planning Unit as they are the most appropriate body to undertake this work. A report is produced by GM Minerals and Waste Planning Unit and this is incorporated into each district's Authority's Monitoring Reports. The report contains details on the progress of the JWDPD, and make any necessary amendments to the LDS timetable. Monitoring of the JWDPD is carried out in accordance with each of the 10 Greater Manchester Authorities and the Regulations.		

#### **Greater Manchester Joint Minerals Plan**

Key Features				
Coverage/Status	Greater Manchester-wide – Joint Development Plan Document			
Role and Content	<ul> <li>the Greater Manchest</li> <li>Develops the main point presentation and r</li> <li>Details how the Plann contribution to delive for all minerals, withit environmental param</li> <li>Sets out how mineral spatial concerns, record use of minerals in presentation of the second second</li></ul>	olicies and broad framework for monitoring; hing Authorities will meet their ring the identified needs of the region n acceptable social, economic and leters; s will be considered alongside other ognising the importance of the prudent eserving natural resources; ail head, wharfage, and other storage s and identify future sites to		
Conformity	The JMDPD was written to conform to National Planning Guidance and each of the GM district's development plans.			
Timetable/Milestones				
SA Scoping Report Consultation 27 November 2009 – 8 January 20		27 November 2009 – 8 January 2010		

Consultation		November 2009 – November 2010 <sup>3</sup>	
Publication		29 July 2011 <sup>4</sup>	
Submission to Secretar	ry of State	November 2011	
Pre-Examination Meeting	ng	6 December 2011	
Examination		February - November 2012	
Receipt of Inspector's r	report	January 2013	
Adoption		26 April 2013	
Arrangements for prod	uction and monitoring		
<i>Production and Resources</i>	<ul> <li>Work on the JMDPD was co-ordinated and managed by the Greater Manchester Minerals and Waste Planning Unit on behalf of each planning authority.</li> <li>A Joint Committee was established to act as an Executive, with responsibility for approval of the document except at publication and adoption, at which point the JMDPD was agreed by each District's Full Council, with delegated approval to the Joint Committee at submission. The Joint Committee was be supported by a Steering Group consisting of officers from each of the Districts.</li> <li>GM Minerals and Waste Planning Unit had responsibility for coordinating and managing the JMDPD preparation, also drawing on contributions from each of the ten Greater Manchester Councils and the Association of Greater Manchester Authorities</li> </ul>		
<i>Community and stakeholder involvement</i>	Consultation on the JMDPD was carried out in accordance with each of the District's Statement of Community Involvement (SCI). To ensure conformity with the SCIs, the existing Consultation Strategy for the JWDPD was updated in light of revisions to the District SCIs.		

<sup>&</sup>lt;sup>3</sup> Consultation on Issues and Options took place from 17 February to 31 March 2010. Consultation on defining mineral safeguarding areas in Greater Manchester took place from 6 August – 27 August. Following this, consultation on the preferred approach towards planning for minerals took place from 15 October to 26 November 2010.

<sup>&</sup>lt;sup>4</sup> This was followed by a statutory 6 week period to submit representations.

Monitoring and Review	In respect of the JMDPD, annual monitoring is carried out by GM Minerals and Waste Planning Unit as they are considered to be the most appropriate body to undertake this work. A report is produced and this is incorporated in to each districts' Authority's Monitoring Reports. The document contains details on the progress of the JMDPD, and makes any necessary amendments to the LDS timetable. Monitoring of the JMDPD is carried in accordance with each of the 10 Greater Manchester Authorities and the Regulations.
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### 4 Supplementary Planning Documents

- 4.1 Complementing Bury's Development Plan Documents will be further documents which will largely comprise an extensive set of Supplementary Planning Documents. It is envisaged that these will take three basic forms:
  - Policy Guidance Notes to provide additional guidance on the implementation of particular policies;
  - Masterplans and Development Area Guidance to take the form of providing additional guidance for broad areas of the Borough such as town centres; and
  - Development Briefs to provide advice and guidance on the development of specific sites.
- 4.2 The following Supplementary Planning Documents have been prepared to date:

Ref.	Document	Status	Adoption date
SPD1	Recreation Provision in New Housing Developments	SPD	Updated 10 June 2015
DCPGN2	Wildlife Links and Corridors	SPG	July 2001
DCPGN3	Planning Out Crime in New Development	SPG	July 2001
DCPGN4	Per Cent for Public Art	SPG	July 2001, updated July 2003
DCPGN5	Affordable Housing Provision in New Residential Development	SPG	January 2004
SPD6	Alterations and Extensions to Residential Properties	SPD	March 2004, updated March 2006, January 2010 and January 2020
SPD7	Managing the Supply of Housing Land in Bury	SPD	7 April 2006, amended 12 September 2007 and 14 January 2009

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SPD8	New Buildings and Associated Development in the Green Belt	SPD	10 January 2007
SPD9	Conversions and Re-Use of Buildings in the Green Belt	SPD	10 January 2007
SPD10	Planning for Equestrian Development	SPD	10 January 2007
SPD11	Parking Standards in Bury	SPD	30 May 2007
SPD12	Travel Plans in Bury	SPD	30 May 2007
SPD13	Conversion of Buildings to Houses of Multiple Occupation	SPD	30 May 2007
SPD14	Employment Land and Premises	SPD	12 September 2007, last updated October 2011
SPD15	Residential Conversions	SPD	9 January 2008
SPD16	Design and Layout of New Development	SPD	29 October 2008

- 4.3 The Council's existing Supplementary Planning Guidance (SPG) will be replaced by new Supplementary Planning Documents (SPDs) that will be aligned to policies within the Local Plan once these are adopted.
- 4.4 It should also be noted that the Council has a number of masterplans, development area strategies and development briefs which have been produced outside the current requirements and these will remain with the status of 'material planning considerations'. At the present time these include:
  - Bury but Better 2009 Bury Town Centre Vision and Development Strategy
  - Love Prestwich Village Town Centre Development Strategy
  - Radcliffe Strategic Regeneration Framework

### 5 Council Procedures and Reporting Protocols

- 5.1 The levels of political responsibility for approving the Local Plan at its various stages of preparation are as follows:
  - Cabinet decision for approval of the draft Local Plan (Regulation 18) and to approve the Publication of the Local Plan (Regulation 19); and
  - Full Council resolution required to submit the Local Plan to the Secretary of State (Regulation 22) and to adopt the Plan (Regulation 26).
- 5.2 Work on the JWDPD and JMDPD were co-ordinated and managed by the Greater Manchester Minerals and Waste Planning Unit on behalf of each planning authority. A Joint Waste Planning Committee and a Joint Minerals Planning Committee have been established to act as an Executive, with responsibility for all documents except those prepared for publication and adoption which must be agreed by each planning authority's Full Council. The Joint Committees are supported by a Steering Group consisting of officers from each of the authorities as well as the two Waste Disposal Authorities.
- 5.3 For the Greater Manchester Joint Waste and Minerals DPDs the levels of political responsibility are as follows:
  - Joint Committee decision for all pre-publication stages.
  - Full Council resolution required by each of the 10 Greater Manchester authorities for publication and adoption stages, with delegated approval to the Joint Committee at submission.
- 5.4 Work on PfE is coordinated and managed by the Greater Manchester Combined Authority on behalf of the nine districts. In terms of decision making:
  - The decision-making body for pre-submission stages will be the Places for Everyone Joint Committee.
  - Full Council resolution required by each of the nine participating Greater Manchester authorities for the publication and adoption stages.
- 5.5 However, the Greater Manchester Agreement provides for a directly elected mayor with powers over strategic planning, including the power to create a statutory spatial development strategy for GM (with a unanimous

vote of the Mayor's cabinet). However, legislation is required to enable these changes to come into force.

- 5.6 For the Statement of Community Involvement and each Supplementary Planning Document the levels of political responsibility are as follows:
  - Cabinet Decision for all stages, including adoption.

### 6 Monitoring and Review

- 6.1 The Council is required to monitor on at least an annual basis how effective its policies and proposals are in meeting its vision and strategy for the future development of the Borough.
- 6.2 The Council is also required to monitor its Local Development Scheme and assess how it is performing against the timescales it sets out.
- 6.3 The authority's monitoring reports will:
  - Report progress on the timetable and milestones for the preparation of documents set out in this Local Development Scheme, including reasons where they are not being met;
  - Report progress on the delivery of policies in the Local Plan. This will include progress against any relevant targets and highlight any unintended significant effects of the implementation of the policies on social, environmental and economic objectives. Where policies and targets are not being met or on track or are having unintended effects, reasons will be provided along with any appropriate actions to redress the matter. Policies may also need to change to reflect changes in national policy; and
  - Include progress against housing targets, and an update of the housing trajectory to demonstrate how policies will deliver housing provision in the Borough.
- 6.4 As a result of monitoring, the Council will consider what changes, if any, need to be made and will bring forward such changes through the review of its Local Development Scheme and Local Plan.
- 6.5 In respect of the Joint Waste and Minerals Plans, annual monitoring will be carried out by GM Minerals and Waste Planning Unit as they are the most appropriate body to undertake this work. They will produce a report which will be incorporated into the authority's monitoring reports. The reports monitor the policies within the JWDPD and JMDPD, and make any necessary amendments to the LDS timetable. Monitoring of the JWDPD and JMDPD will be carried out in accordance with each of the 10 Greater Manchester Authorities and the Regulations.
- 6.6 The Authority's Monitoring Reports, incorporating any proposed revisions to the Local Development Scheme, will be produced annually. These reports make an important contribution to the evidence base for the Local Plan.

6.7 The Authority's Monitoring Reports will be available for inspection at the Council's Planning offices at 3 Knowsley Place, Bury and available through the Council's web site.