

Minerals Plan Publication Form 2018

Please add your personal details here:

Please refer to the Guidance Note to assist you in completing this form.

Name:
Postal address:
Email:

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Part A - Your personal details

Please refer to the Guidance Note to assist you in completing this form.

All respondents must provide their personal details including a full postal address and postcode. Please ensure your details are complete and correct in the 'My Account' section of the website before submitting your comment. It is not possible to accept anonymous representations.

Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012, requires all representations received to be submitted to the Secretary of State. By completing this form and submitting it to the Council you are giving your consent to the processing of personal data by Warwickshire County Council and that any information received by the Council, including personal data, may be put into the public domain.

Please indicate your interest in the Minerals Plan

(please select all that apply)

- Developer/Promoter*
- Landowner*
- Agent*
- Borough/District resident*.....
- Interest group*
- Other*
- Parish or Town Council*
- Neighbourhood Planning group*

Future stages

Do you wish to be notified of future stages in the Minerals Plan, including Submission, Examination and Adoption?

(please select one answer)

Yes No

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Part B - Your representations

The Publication Draft Minerals Plan consultation seeks the views of local residents, key stakeholders and other interested parties as to whether the Minerals Plan has been prepared in accordance with legal and procedural requirements, and whether it is 'sound'.

Soundness

Paragraph 35 of the National Planning Policy Framework (2018) sets out the considerations in relation to a plan being considered 'sound'.

- a) **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;
- b) **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- c) **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
- d) **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in this Framework.

Legal Compliance

For the Minerals Plan to be considered legally compliant, the following needs to be determined:

- Whether the Minerals Plan is detailed in the current Local Development Scheme (LDS) and that the key stages have been followed.
- That community involvement has been carried out in accordance with the current Statement of Community Involvement (SCI).
- Whether the Minerals Plan makes satisfactory regard to the Sustainable Community Strategy (SCS). That the Minerals Plan complies with the Planning and Compulsory Purchase Act 2004 (as amended). That the Minerals Plan complies with the Town and Country Planning (Local Planning) (England) Regulations 2012.
- That a Sustainability Appraisal Report (SA) is published to accompany the Minerals Plan and is adequate. That the Habitats Regulations Assessment (HRA) is carried out in accordance with the Conservation of Habitats and Species Regulations (The Habitats Regulations) 2010.
- That the Minerals Plan has regard to national planning policy.
- That Section 110 of the Localism Act 2011 (Duty to Co-operate) has been complied with.

The Statement of Community Involvement, Local Development Scheme, Sustainable Community Strategy, Sustainability Appraisal and Habitats Regulations Assessment are available via the Council's website (www.warwickshire.gov.uk/mdf).

Representations received at this stage may not result in changes to the document but will be recorded and considered alongside the Minerals Plan at Examination by the appointed Inspector.

Representations must primarily be on the basis of the 'soundness' of the Minerals Plan or its legal compliance. If you wish to make a representation with a view to making a change to the Minerals Plan you should make it clear exactly what you want to be changed and the reason(s) for this change. Your representation should include information and supporting evidence justifying the suggested change.

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1. To which part of the Minerals Plan does this representation relate?

Please submit a separate comment for each representation.

Policy number:

ADD TEXT HERE...

Paragraph:

Policies map element:

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2. Do you consider the Minerals Plan to be legally compliant?*(please select one answer)*

Yes..... No

3. Do you consider the Publication Minerals Plan to be 'sound'? If No, please continue to Question 4, otherwise please continue to Question 5.*(please select one answer)*

Yes No

4. Do you consider the Minerals Plan is 'unsound' because it is not:*(please select all that apply)*

1. *Positively prepared*
2. *Justified*
3. *Effective*
4. *Consistent with national planning policy*

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5. If you consider that the Minerals Plan is not legally compliant or is unsound please give details as to why you consider this to be so. Please ensure you are as precise as possible. If you wish to support the legal compliance or 'soundness' of the Minerals Plan, please also use this box to provide your comments.

ADD TEXT HERE...

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6. Please set out any change(s) that you consider necessary to make the Minerals Plan legally compliant or 'sound', having regard to the test you have identified at Question 4 above where this relates to 'soundness'. You will need to say why this change will make the Minerals Plan legally compliant or 'sound'. Where relevant, please include proposed revised wording of any policy or text.

ADD TEXT HERE...

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7. Duty to Co-operate

The duty to cooperate was created in the Localism Act 2011, and amends the Planning and Compulsory Purchase Act 2004. It places a legal duty on local planning authorities, county councils in England and public bodies to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local and Marine Plan preparation in the context of strategic cross boundary matters.

The duty to cooperate is not a duty to agree. But local planning authorities should make every effort to secure the necessary cooperation on strategic cross boundary matters before they submit their Local Plans for examination.

Local planning authorities must demonstrate how they have complied with the duty at the independent examination of their Local Plans. If a local planning authority cannot demonstrate that it has complied with the duty then the Local Plan will not be able to proceed further in examination.

Local planning authorities will need to satisfy themselves about whether they have complied with the duty. As part of their consideration, local planning authorities will need to bear in mind that the cooperation should produce effective and deliverable policies on strategic cross boundary matters (Planning Policy Guidance).

Please note that any non compliance with duty to co-operate is incapable of modification at examination.

7. Do you consider the Minerals Plan complies with the Duty to Co-operate?

(please select one answer)

Yes No na

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Please give details of why you consider the Minerals Plan complies with the duty to co-operate.

Please be as precise as possible.

ADD TEXT HERE...

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Please give details of why you consider the Minerals Plan fails to comply with the duty to co-operate.

Please be as precise as possible.

ADD TEXT HERE...

Please note: Your representation should cover succinctly all the information, evidence and supporting information necessary to support and justify the representation and the suggested change. There will not normally be a subsequent opportunity to make further representations.

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

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8. If your representation is seeking to make a change to the Minerals Plan, do you consider it necessary to participate in the oral part of the examination?

(please select all that apply)

No, I do not wish to participate at the oral examination

Yes, I do wish to participate at the oral examination

9. If you do wish to participate at the oral part of the examination, please outline why you consider this to be necessary.

ADD TEXT HERE...

Please note the appointed 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.