

**Leicestershire Minerals Development Framework  
and  
Leicestershire and Leicester Waste Development  
Framework  
Submission Stage Representation Form**

Ref:

(For official  
use only)

DPD to which this representation relates: **Minerals Core Strategy & DC Policies**  
**Waste Core Strategy & DC Policies**


**1. Personal Details\***

*\*If an agent is appointed, please complete only the Title and Name boxes below but complete the full contact details of the agent in 2.*

**2. Agent's Details (if applicable)**

Title	Mr	
First Name	David	
Last Name	Brewer	
Job Title (where relevant)	Director General	
Organisation (where relevant)	Confederation of UK Coal Producers (CoalPro)	
Address Line 1	Confederation House	
Line 2	Thornes Office Park, Denby Dale Road	
Line 3	Wakefield	
Post Code	WF2 7AN	
Telephone Number	01924 200802	
E-mail Address (where relevant)	admin@coalpro.co.uk	

**3. Did you raise the matter that is the subject of your representation with the LPA earlier in the process of the preparation of the DPD, ie before it was submitted for examination?**

No  Yes (at issues and alternative options stage)  Yes (at preferred options stage)

If 'No', can you briefly explain why you did not do so:

4(a). Do you consider the DPD is :

Sound<sup>1</sup>  
Go to Qu.5  
(ie you  
support the  
DPD)

Unsound  
Go to Qu.4.(b)  
(ie you  
consider the  
DPD should be  
changed)

4(b). If you consider the DPD is **unsound**, please identify which test of soundness your representation relates to (having regard to test numbers 1-9 listed in the Annex).

*Please note you should complete a separate form for each test you consider the development plan document fails.*

Soundness  
Test no.  
(see Annex)

5. To which part of the DPD does your representation relate?

Paragraph

See 6  
below

Policy

See 6  
below

Proposals Map

N/A

6. Please give details of what change(s) you consider necessary to make the DPD sound, having regard to the test you have identified at 4. above. You will need to say why this change will make the DPD sound. Please be as precise as possible.

The Confederation of UK Coal Producers (CoalPro) represents member companies who produce over 90% of UK coal output. CoalPro considers the Submission Draft to be a good and sound document generally speaking but has some comments to make.

(i) Para 4.62

International coal prices have increased more than four fold over the last four years. If these prices are maintained, it cannot be assumed that deep-mining coal operations are unlikely in the period up to 2021.

(ii) Para 4.102

It should be recognised that the restoration phase of mineral workings offers opportunities for the extension of forested areas in line with the plans for the National Forest (see Policy DC21).

(iii) Para 4.112

Whilst it is true that mineral operations can exist for a number of decades, it should also be recognised that they can be completed and fully restored within a few years. This is typically the case with opencast coal operations.

(iv) Policy DC3

CoalPro considers this policy to be too loosely worded. Virtually any mineral operation could be adjudged to have a significant adverse effect. Scale and particularly duration are important elements and this should be recognised.

(v) Policy DC5

The same considerations apply to Policy DC5, perhaps more so. It should be recognised that mineral operations of small scale or of relatively short duration will have a limited effect.

(vi) 5.24

It should also be recognised that remains and artefacts can often only be recovered and/or

<sup>1</sup> Sound may be considered in this context within its ordinary meaning of "showing good judgement" and "able to be trusted" and within the context of fulfilling the expectations of legislation.

documented by mineral extraction.

(vii) Policy DC25

CoalPro considers that the word “and” should be replaced by “or”. This will bring this policy in line with the wording in Policy CS7.

(Continue on a separate sheet /expand box if necessary)

**Please note** your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation. **After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.**

7. Can your representation seeking a change be considered by written representations or do you consider it necessary to participate at the oral part of the examination?

Written representations

Participate at the oral examination

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

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.

Signature:  Date: 04.04.08

<b>Annex : Failure to meet a Soundness Test</b>	
<b>1</b>	It has not been prepared in accordance with the authority's Local Development Scheme (LDS).
<b>2</b>	<b>A</b> It has not been prepared in compliance with the Statement of Community involvement (SCI).
	<b>B</b> Where no SCI exists, it has not been prepared in accordance with the minimum requirements of the Town and Country Planning (Local Development) (England) Regulations 2004.
<b>3</b>	The plan and its policies have not been subject to sustainability appraisal.
<b>4</b>	<b>A</b> It is not a spatial plan, or it has not properly had regard to any other relevant plans, policies and strategies relating to the area or to adjoining areas.
	<b>B</b> It is inconsistent with national planning policy.
	<b>C</b> It is not in general conformity with the regional spatial strategy (or spatial development strategy in London).
<b>5</b>	It does not have regard to the authority's community strategy.
<b>6</b>	The strategies/policies/allocations in the plan are not coherent and consistent within and between Development Plan Documents (DPDs) prepared by the authority and by neighbouring authorities, where cross boundary issues are relevant.
<b>7</b>	The strategies/policies/allocations fail to represent the most appropriate in all the

	circumstances, having considered the relevant alternatives, and they are not founded on a robust and credible evidence base.
<b>8</b>	There are no clear mechanisms for implementation and monitoring.
<b>9</b>	The plan is not reasonably flexible to enable it to deal with changing circumstances.