

PSP.WA/P3213.31I.LC.28
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1 August 2008

John Wright
Team Leader Minerals and Waste Planning
Environment and Heritage services
Community Services Dept
Leicestershire County Council
County Hall
GLENFIELD, Leicester LE3 8TE

Dear Sir

**CONSULTATION ON LEICESTERSHIRE AND LEICESTERSHIRE MINERALS
AND WASTE CORE STRATEGIES – SUBMISSION DRAFT**

Thank you for your letter of 18 June 2008, regarding the submission of the above
Development Plan Documents.

I **enclose** for your attention one representation on the Minerals Core Strategy. This
relates to the detailed wording of Policy CS5 gypsum.

This representation has been seen and approved by the Leader of the County
Council David Kirkham.

Yours faithfully

Wayne Allum
Service Manager Minerals and Waste Policy

Enc.

**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	Wayne	
Last Name	Allum	
Job Title (where relevant)	Service Manager Minerals and Waste Policy	
Organisation (where relevant)	Nottinghamshire County Council	
Address Line 1	Communities Trent Bridge House	
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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:

This representation concerns detailed policy wording which, in line with Government guidance, was not available for consultation until the Submission Draft stage, hence no opportunity to make comments of this nature until now. General subject area has, however, been previously commented on.

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

Sound¹
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

Policy **CS5
Gypsum
Provision**

Proposals Map

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 supporting text (Para 4.46) refers the Nottinghamshire Marbleagis Mine having the potential to extend into Leicestershire. This option is supported by this Authority as set out in comments made at previous stages in the preparation of this Core Strategy. Whilst this Authority is content with the supporting text, the wording of Policy CS5 would be improved if it made a specific reference to this area of land and/or the Mine to which it relates. (If accepted then a similar reference to the Barrow Mine would also be appropriate).

Suggested re-wording of Policy CS5:

'The Strategy for gypsum is to allow proposals for extensions to the Marbleagis and Barrow Mines only where they are required

(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:

¹ 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.

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:

Annex : Failure to meet a Soundness Test

1	It has not been prepared in accordance with the authority's Local Development Scheme (LDS).	
2	A	It has not been prepared in compliance with the Statement of Community involvement (SCI).
	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.
3	The plan and its policies have not been subject to sustainability appraisal.	
4	A	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	It is inconsistent with national planning policy.
	C	It is not in general conformity with the regional spatial strategy (or spatial development strategy in London).
5	It does not have regard to the authority's community strategy.	
6	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.	
7	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.	
8	There are no clear mechanisms for implementation and monitoring.	
9	The plan is not reasonably flexible to enable it to deal with changing circumstances.	