



Report to Cabinet Member for Strategic Planning

Decision to be taken on or after 27 October 2005

Decision can normally be implemented at least 3 working days after decision has been signed.

Cabinet Member Report No. SP01.05

Title: Buckinghamshire Minerals and Waste Local Plan Proposed Modifications – Public Consultation

Date: 19 October 2005

Author: Head of Planning and Environment

Contact Officer: Graham Liddiard 01296 382114

Electoral Divisions Affected: All

Relevant Overview and Scrutiny Committee: Environment

Summary

Following a Public Inquiry into the Buckinghamshire Minerals and Waste Local Plan (BM&WLP), the County Council has now prepared Proposed Modifications to the draft plan.

The Public Inquiry opened on 26 April and was formally closed on 19 September 2005. Following consideration of the Inspector's recommendations, the Council has modified the draft plan where appropriate. This revised draft of the BM&WLP (the "Proposed Modifications") should now proceed to public consultation as a necessary formal stage prior to the adoption of the plan. The purpose of this report is therefore to seek the necessary decision to take the Proposed Modifications to public consultation.

The BM&WLP, when adopted in May 2006, will replace the Council's existing minerals and waste local plans.

Recommendation

That the Proposed Modifications to the Buckinghamshire Minerals and Waste Local Plan (BM&WLP) should proceed to public consultation from Wednesday, 7 December 2005 to Wednesday, 1 February 2006.

A. Narrative setting out the reasons for the decision

The relevant (current) planning regulations provide for the modification of a draft local plan. This must be undertaken for the plan to progress to adoption, and to take legal effect. The Cabinet Member for Strategic Planning will consider all responses to the consultation before the Council prepares an Adoption Draft of the plan.

The Adoption Draft will then be considered by the County Council at its meeting of 27 April 2006. Given that the County Council announces its intention to adopt the plan, the BM&WLP can be adopted (subject to there being no legal challenge) in May 2006.

B. Other options available, and their pros and cons

There are no other options to public consultation at the relevant stages available for the preparation of a statutory local plan. The relevant existing (and emerging) planning regulations require a prescribed period of formal public consultation on the Proposed Modifications.

C. Resource implications

The cost of the consultation is expected to be some £18,000. This figure embraces the production, printing and distribution costs of the Proposed Modifications and response forms. It also includes a sum for the necessary Public Notices to be placed in the local newspapers circulating in Buckinghamshire. This sum can be met from the existing budgetary provision for the plan.

D. Legal implications

A six-week consultation period on the Proposed Modifications is required in accordance with the regulations (including the necessary Public Notices etc). Failure to comply with the regulations will render the plan subject to legal challenge.

E. Other implications/issues

The Plan further supports the environmental sustainability of the County with regard to natural resource conservation and reductions in emissions of greenhouse gases and certain water and air pollutants. The advertising of the forthcoming consultation and the process itself is intended to foster inclusion. The distributed materials will offer large font or translated versions of the plan/policies upon request.

F. Feedback from consultation and Local Member views

Members have previously considered all responses made to the First Deposit Draft, the Second Deposit Draft, Pre-Inquiry Proposed Changes, and Further Proposed Changes to the draft plan.

The Inquiry Inspector's report is on the Council's website.

The Cabinet Member has considered the key issues arising from the Inquiry Inspector's report.

G. Communication issues

The forthcoming consultation on the Proposed Modifications, as for earlier consultations, will take the following form:

- Participants in the Public Inquiry and key consultees (consultees having an interest in minerals and/or waste development, the Buckinghamshire and adjacent local authorities, and our parish councils) will receive a copy of the Proposed Modifications;

- All respondents to the draft plan will be notified (by letter) of the Proposed Modifications as required by the Planning Regulations;
- Public Notices will be placed in local newspapers circulating within Buckinghamshire inviting the public to inspect copies in libraries and other information deposit points around the county;
- All County Council Members will receive a list of the Proposed Modifications;
- The Proposed Modifications will be placed upon the Council's website.

The responses made to the forthcoming consultation will be reported to the Cabinet Member for Strategic Planning following its completion. This report will be made available on the Council's website in due course.

H. Progress Monitoring

The BM&WLP is being progressed according to an agreed plan preparation programme with the key stages consistent with the requirements of the relevant planning regulations.

I. Review

Some of the policies and proposals forming part of the draft plan have been revised in the preparation of the Proposed Modifications. This follows consideration of the Inspector's recommendations by the Cabinet Member for Strategic Planning.

Background Papers

Buckinghamshire Minerals and Waste Local Plan (Deposit Draft)
 Buckinghamshire Minerals and Waste Local Plan (Second Deposit Draft)
 Buckinghamshire Minerals and Waste Local Plan (Pre-Inquiry Proposed Changes)
 Buckinghamshire Minerals and Waste Local Plan (Further Proposed Changes)
 Buckinghamshire Minerals and Waste Local Plan (Inspector's Report)

Your questions and views

If you have any questions about the matters contained in this paper please get in touch with the Contact Officer whose telephone number is given at the head of the paper.

If you have any views on this paper that you would like the Cabinet Member to consider, or if you wish to object to the proposed decision, please inform the Democratic Services Team by 5.00pm on 26 October 2005 This can be done by telephone (to 01296 383610), Fax (to 01296 382538), or e-mail to cabinet@buckscc.gov.uk

CABINET MEMBER REPORT NO. SP01.05

DECISION TAKEN:

I have taken into account any representations received concerning the contents of this report.

Signed: _____

Date: _____

DECISION NOT TAKEN:

Signed: _____

Date: _____

Reason: _____

For Reference

Professional advice supporting the decision was provided by the following Officers

Name	Signed	Date
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