



Report to Cabinet Member for Strategic Planning

Decision to be taken on or after Monday 2 July 2007

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

Cabinet Member Report No.SP01.07]

Title: Buckinghamshire Minerals and Waste Local Development Framework (MWLDF): Minerals & Waste Core Strategy Development Plan Document – Issues and Options Consultation

Date: 15 June 2007

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Electoral Divisions Affected: All

Relevant Overview and Scrutiny Committee: Community & Environment

Summary

Following the County Council's adoption in April 2006 of the Buckinghamshire Minerals and Waste Local Plan (BM&WLP), the Council has now begun work upon the successor Minerals & Waste Local Development Framework (MWLDF) as required by the "new" planning system that commenced in 2004.

The MWLDF comprises a "suite" of Local Development Documents (for example, the Statement of Community Involvement) and Development Plan Documents (for example, the Minerals Development Plan Document). The programme (and stages) for the preparation of the various Documents has been agreed in advance with the Government Office for the South East (GOSE) in the Minerals & Waste Local Development Scheme (MWLDS).

Under the Planning and Compulsory Purchase Act 2004, the Council must prepare the new Buckinghamshire Minerals and Waste Core Strategy Development Plan Document – hereafter for convenience called "the Core Strategy Development Plan Document" (Core Strategy DPD). Its purpose will be to set out the County Council's vision, objectives and overall spatial development strategy for minerals and waste matters.

The Council has already undertaken an early (non-statutory) consultation with stakeholders by questionnaire, held between October 30 and 8 December 2006. This sought the views of stakeholders on the protection of the environment and amenity, the appropriate buffer distances for minerals and waste sites and developer contributions to support waste management facilities. Also, stakeholders were asked which "saved policies" in the adopted Minerals and Waste Local Plan needed to be updated for inclusion in the Core Strategy and whether there should be a countywide search for aggregates.

Following consideration of the responses made, the council has prepared an "Issues and Options" report for consultation as required by regulations (Regulation 25 of the Town and Country Planning [Local Development][England] Regulations 2004). This is the first formal stage of pre-submission consultation on the content of the Core Strategy DPD, and Government advice is that it should be "open-minded" in nature. The new planning system is predicated on all options being fully considered and to constrain, or appear to constrain, options at this stage could have implications for the "soundness" of the emerging Core Strategy DPD. The period programmed for the consultation is between 16 July and 31 August 2007.

The Issues and Options Report should therefore now proceed to public consultation, as programmed, as a necessary formal stage prior to the preparation of the *Preferred Options* and Submission/Public Examination and adoption of the Core Strategy DPD.

The purpose of this report is therefore to seek the necessary Decision to undertake the Issues and Options consultation.

Recommendation

That the Minerals and Waste Core Strategy Development Plan Issues and Options Report should proceed to public consultation from Monday, 16 July 2007 to Friday, 31 August 2007.

A. Narrative setting out the reasons for the decision

The relevant planning regulations provide for the progressing of a Development Plan Document to adoption (and therefore to taking legal effect). The requirements of the various procedural stages (including consultation) are mandatory, and should be undertaken according to the agreed MWLDS.

The Cabinet member for Strategic Planning will consider all responses to the consultation before the Council prepares its *Preferred Options* and consults on this (Regulation 26) in November 2007.

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 Development Plan Document. The relevant regulations require a prescribed period of formal consultation on the Issues and Options Report.

C. Resource implications

The cost of the consultation is expected to be some £8,000. This figure embraces the production, printing and distribution costs of the report 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 report is required in accordance with the regulations (including the necessary Public Notices etc). Failure to comply with the regulations will render the Core Strategy DPD subject to legal challenge.

E. Other implications/issues

The Core Strategy DPD which is the overarching policy document for the minerals and waste local development framework, must be consistent with national and regional minerals and waste policy.

The advertising of the forthcoming consultation and the process itself is intended to foster community inclusion. The distributed materials will offer alternative formats and languages on request.

F. Feedback from consultation and Local Member views

Members have previously considered the MWLDS. In addition, feedback from the preferred Options consultation on the Statement of Community Involvement (a related element in the MWLDF) was reported to Cabinet in April 2007, when it agreed to submit the SCI to Government.

G. Communication issues

The forthcoming consultation on the Core Strategy Issues and Options will take the following form:

- Consultees (some 1200 in number, having an interest in minerals and/or waste development, the Buckinghamshire and adjacent local authorities, and our Parish/Town Councils/Meetings) will receive a copy of the consultation report and a response form;
- 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 copy of the consultation report;
- The consultation report 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 placed on the Council's website in due course.

H. The Core Strategy DPD is being progressed according to an agreed plan preparation programme (the MWLDS), with the key stages consistent with the requirements of the relevant planning regulations.

I. Review

The responses received from consultees will be used to prepare the *Preferred Options* report. This will also be subject to consultation and consequent review.

The Core Strategy DPD will then be submitted to the Secretary of State and will be subject to Public Examination. The Independent Inspector will make a report to the Council and this will contain his/her recommendations for any changes to the DPD. These will now be mandatory upon the Council.

Background Papers

Buckinghamshire Minerals and Waste Local Development Scheme 2007 – 2010.

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 Friday 29 June 2007. 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.

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

(Officers should sign below once the report has been finalised for printing and return to Democratic Services, Room 124, Old County Offices)

Professional advice supporting the decision was provided by the following Officers

Name	Signed	Date
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