

Official use only Respondent No -	Hampshire Minerals and Waste Plan Publication Stage Representation Form
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If you would like more information on the Hampshire Minerals and Waste Plan, or this process please contact the Planning Policy Team at:	
County Planning Policy Team, Economy, Transport, and Environment Department, Hampshire County Council, The Castle, Winchester, SO23 8UD.	Email: planning.policy@hants.gov.uk
	Telephone: 01962 845515

This form should be returned by **19 December 2011** to the address above, or via email to planning.policy@hants.gov.uk. Additional copies of the form can be obtained on the County Council's website: <http://consult.hants.gov.uk> Photocopies of blank forms can also be made.

Late representations will not be accepted.

Advice on how to make representations is provided in the guidance notes which accompany this form.

This form comprises of 3 main parts

- Part A - Personal details
- Part B - Your representation(s) – Please fill in a separate sheet for each representation you wish to make, however only fill in Part A once and send all representations in together.
- Part C - An equalities form (which will be dealt with separately from Parts A-B)

Data protection: Respondent details and representations will be forwarded to the Secretary of State for consideration when the Hampshire Minerals and Waste Plan is submitted for the public examination. All documents will be held at Hampshire County Council Offices and representations can be viewed by appointment or may be published online. They will be handled in accordance with the Data Protection Act 1998 and kept for three years after the Hampshire Minerals and Waste Plan is adopted.

HMWP 2011 Part A – Respondent Details

Part A: 1.1 Personal Details	
<i>If an agent is appointed, please complete only the title, name or organisation, and respondents capacity boxes but complete full contact details in agents details</i>	
Title	
First Name	
Last Name	
Job Title (where relevant)	
Organisation (where relevant)	

Address Line 1	
Line 2	
Line 3	
Line 4	
Post Code	
Telephone Number	
Email Address	
Respondents capacity (please tick)	Resident <input type="checkbox"/> Local Business <input type="checkbox"/> Minerals or Waste Industry <input type="checkbox"/> Parish Council <input type="checkbox"/> District Council <input type="checkbox"/> County Councillor <input type="checkbox"/> Other (please specify)

Part A: 1.2 Agents' Details if Applicable	
<i>Only complete if an agent has been appointed.</i>	
Title	
First Name	
Last Name	
Job Title (where relevant)	
Organisation (where relevant)	
Address Line 1	
Line 2	
Line 3	
Line 4	
Post Code	
Telephone Number	
Email Address	

Please tick the appropriate box if you wish to be notified of the following:

- Hampshire Minerals and Waste Plan has been submitted for independent examination
- Publication of the inspectors report
- Adoption of the Hampshire Minerals and Waste Plan

Signature:		Date:	
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HMWP 2011 Part B - Representation
Please use separate sheets for each representation

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Data Protection: Respondent details and representations will be forwarded to the Secretary of State for consideration when the Hampshire Minerals and Waste Plan is submitted for the soundness examination. All documents will be held at Hampshire County Council Offices and representations can be viewed by appointment or may be published online. They will be handled in accordance with the Data Protection Act 1998 and kept for three years after the Hampshire Minerals and Waste Plan is adopted.

2. To which part of the Hampshire Minerals and Waste Plan does this representation relate?

Policy No.

Paragraph No.

Proposals Map

3. Do you consider the Hampshire Minerals and Waste Plan is: *(tick as appropriate)*

3.1 Legally compliant?

Yes

No

3.2 Sound?

Yes

No

*If you have ticked **No** to 3.2, please continue to Q4. In all other circumstances please go to Q5*

4. Do you consider the DPD is **unsound** because it is **not**: *(tick as appropriate)*

4.1 Justified

4.2 Effective

4.3 Consistent with National Policy

5. Please give details of why you consider the Hampshire Minerals and Waste Plan is not legally compliant or is unsound. Please be as precise as possible.

If you wish to support the compliance or soundness of the Hampshire Minerals and Waste Plan please also use this box to set out your comments.

Continue on a separate sheet or expand the box if necessary

6. Please set out what change(s) you consider necessary to make the Hampshire Minerals and Waste Plan legally compliant or sound, having regard to the reason you identified in 4 above where this relates to soundness. You will need to say why this change will make the Hampshire Minerals and Waste Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Continue on a separate sheet or expand the 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 your representation at this stage.

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. If your representation is seeking a change, do you consider it necessary to attend and give evidence at the hearing part of the examination? *(tick as appropriate)*

No, I wish to communicate through written representations

Yes, I wish speak to the inspector at the hearing sessions

(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 hearing part of the examination)

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

Continue on a separate sheet or expand the box if necessary

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HMWP 2011 Part C - About You (The Equality Act 2010)

To monitor the effectiveness of this consultation and help us complete our Equalities Impact Assessment we need to record certain personal details about the people who respond. It is for this reason ONLY that you are asked to provide the information below which will be separated from both the respondent details and the representations; will be treated in the strictest confidence; and will be used only for statistical purposes. We asking for this information in order to ensure that as many people as possible have a say. Information recorded on this form may be used in computerised records. Under the terms of the Data Protection Act 1998 this information will be treated in a secure and confidential manner.

You **do not** have to give us this information if you do not wish to do so. Each question also has an option to select "do not wish to disclose"

Age	<input type="checkbox"/> Under 17 <input type="checkbox"/> 17-24 <input type="checkbox"/> 25-34 <input type="checkbox"/> 35-44 <input type="checkbox"/> 45-54 <input type="checkbox"/> 55-64 <input type="checkbox"/> 65-74 <input type="checkbox"/> 75-84 <input type="checkbox"/> Over 85 <input type="checkbox"/> I do not wish to disclose this
Gender	<input type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/> I do not wish to disclose this

I would describe my ethnic origin as:		
Asian or Asian British <input type="checkbox"/> Bangladeshi <input type="checkbox"/> Indian <input type="checkbox"/> Pakistani <input type="checkbox"/> Any other Asian background Black or Black British <input type="checkbox"/> African <input type="checkbox"/> Caribbean <input type="checkbox"/> Any other Black background	Mixed <input type="checkbox"/> White & Asian <input type="checkbox"/> White & Black African <input type="checkbox"/> White & Black Caribbean <input type="checkbox"/> Any other mixed background White <input type="checkbox"/> British <input type="checkbox"/> Irish <input type="checkbox"/> Any other White background	Other Ethnic Group <input type="checkbox"/> Chinese <input type="checkbox"/> Any other ethnic group <input type="checkbox"/> I do not wish to disclose this

Please select the option which best describes your sexuality	
<input type="checkbox"/> Lesbian <input type="checkbox"/> Gay <input type="checkbox"/> Bisexual	<input type="checkbox"/> Heterosexual <input type="checkbox"/> I do not wish to disclose this

Please indicate your religion or belief		
<input type="checkbox"/> Atheism <input type="checkbox"/> Buddhism <input type="checkbox"/> Christianity <input type="checkbox"/> Islam	<input type="checkbox"/> Jainism <input type="checkbox"/> Sikhism <input type="checkbox"/> Hinduism <input type="checkbox"/> Judaism	<input type="checkbox"/> Other <input type="checkbox"/> I do not wish to disclose this

Do you consider yourself to have a disability*?		
<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> I do not wish to disclose this

** The Equality Act 2010 describes a person as disabled if s/he has a physical or mental impairment (including illness) which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities*

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Guidance notes to accompany the representations form for the Hampshire Minerals and Waste Plan

1. Introduction

The Hampshire Minerals and Waste Plan (the Plan) has been published prior to its submission to the Secretary of State. This is to allow for representations on the Plan to be made, which will be considered by an independent Planning Inspector alongside the submitted Plan at a future Public Examination.

The Planning and Compulsory Purchase Act 2004 states that the purpose of the examination is to consider whether the Plan complies with legal requirements and is 'sound'.

- If you are seeking to make representations on the **way** in which the partner authorities (Hampshire County Council, Southampton and Portsmouth City Councils, New Forest and South Downs National Park Authorities) have prepared the published Plan, your comments or objections should relate to a matter of **legal compliance**.
- If it is the **actual content** on which you wish to comment or object your representation should relate to whether the Plan **is justified, effective or consistent with national policy, i.e. sound**.

The period for making representations runs from **7 November 2011 to 19 December 2011**, after which representations will not be accepted.

The Planning and Compulsory Purchase Act 2004 regulations can be viewed at:
<http://www.legislation.gov.uk/ukpga/2004/5/contents>

The Town and Country Planning (Local Development) (England) Regulations 2004 can be viewed at:
<http://www.legislation.gov.uk/uksi/2004/2204/contents/made>

The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008 can be viewed at:
http://www.legislation.gov.uk/uksi/2008/1371/pdfs/uksi_20081371_en.pdf

The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2009 can be viewed at:
http://www.legislation.gov.uk/uksi/2009/401/pdfs/uksi_20090401_en.pdf

2. Legal Compliance

The Planning Inspector will first check that the Plan meets the legal requirements of The Planning and Compulsory Purchase Act 2004 before moving on to a test for soundness.

- If you are seeking to make representations on the **way** in which the partner planning authorities have prepared the Plan it is likely that your comments or objections will relate to a matter of **legal compliance**.

Amongst, other issues you should consider the following before making a representation on legal compliance:

- Preparation of the Plan should be in accordance with the current Local Development Scheme (LDS). The LDS is effectively a programme of work prepared by the Council, setting out the Local Development Documents it proposes to produce. It will set out the key stages in the production of any Development Plan Document (DPD) that the Council proposes to bring forward for independent examination. If the Plan is not in the current LDS it should not have been published for representations. The latest LDS is available at: <http://www3.hants.gov.uk/mineralsandwaste/development-scheme-3.htm>
- The process of public engagement for the Plan should be in general accordance with the Statement of Community Involvement (SCI). The SCI is a document which sets out the strategy for involving the community in the preparation and revision of Local Development Documents (including DPDs) and the consideration of planning applications. The SCI is available for inspection through the County Council's website: <http://www3.hants.gov.uk/mineralsandwaste/sci-2.htm>
- The Plan should comply with the Town and County Planning (Local Development) (England) Regulations 2004 (as amended) in terms of public participation in the preparation of the document (Regulation 25) and publication of the document (Regulation 27). On publication of the Plan, the partner authorities must publish the documents prescribed in the Regulations and make them available at their principal offices and their website. The partner authorities must also place local advertisements and notify various consultees (as set out in the Regulations) and any persons who have requested to be notified.
- The partner authorities are required to publish a Sustainability Appraisal Report when they publish the Plan. This should identify the process by which the Sustainability Appraisal has been carried out, the baseline information used to inform the process and the outcomes of that process. Sustainability Appraisal is a tool for appraising policies to ensure they reflect social, environmental and economic factors. Representations can also be made on the Sustainability Appraisal Report, which is being published alongside the Plan.
- The Plan should have regard to national planning policy and conform generally to the Regional Spatial Strategy.
- Please note that national policy is changing. The Department for Communities and Local Government has recently consulted on the draft National Planning Policy Framework and the Localism Bill is progressing through parliament. Both these matters will mean that elements of the plan preparation process are subject to potential change. Please see <http://www.communities.gov.uk/corporate/> for details.

3. Soundness

If it is the **actual content** on which you wish to comment or object it is likely that your comments or objections will relate to the **soundness** of the Plan.

To be sound, the Plan should be:

- **Justified**

This means that the Plan should be founded on a robust and credible evidence base involving:

- Evidence of participation of the local community and others having a stake in the area
- Research/fact finding: the choices made in the plan are backed up by facts.

The Plan should also provide the most appropriate strategy when considered against reasonable alternatives. These alternatives should be realistic and the subject of a sustainability appraisal. The Plan should show how the policies and proposals help to ensure that the social, environmental, economic and resource objectives of sustainability will be achieved.

- **Effective**

This means the Plan should be deliverable, i.e. positively prepared and embracing elements such as:

- Sound infrastructure delivery planning.
- Having no regulatory or national planning barriers to delivery.
- Delivery partners who are signed up to it.
- Coherence with the strategies of neighbouring authorities.

The Plan should also be flexible and able to be monitored and it should indicate who is to be responsible for making sure that the policies and proposals happen and when they will happen. The Plan should be flexible to deal with changing circumstances, which may involve minor changes to respond to the outcome of the monitoring process or more significant changes to respond to problems such as lack of funding for major infrastructure proposals. Although it is important that policies are flexible, the Plan should make clear that major changes may require a formal review including public consultation.

Policies and targets contained in the Plan will be monitored in the Partner Authorities' Annual Monitoring Report.

- **Consistent with National Policy**

The Plan should be consistent with national policy. Where there is a departure, the partner authorities must provide clear and convincing reasoning to justify their approach. Conversely, you may feel the partner authorities should include a policy or policies which would depart from national policy to some degree in order to meet a clearly identified and fully justified local need, but they have not done so. In this instance it will be important for you to say in your representations what the local circumstances are that justify a different policy approach to that in national policy and support your assertion with evidence.

If you think the content of the Plan is not sound because it does not include a policy where it should do, you should go through the following steps before making representations:

- Is the issue with which you are concerned already covered specifically by any national planning policy? If so it does not need to be included.
- Is what you are concerned with covered by any other policies in the Plan? If so there is no need to repeat existing policies.
- If the policy is not covered elsewhere, in what way is the Plan unsound without the policy?
- If the Plan is unsound without the policy, what should the policy say?

4. General Advice

If you wish to make a representation seeking a change to the Plan or part of the document, you should make it clear in what way the document is not sound having regard to the legal compliance check and the three 'soundness' tests set out above. You should try to support your representation by evidence showing why the Plan should be changed. It will be helpful if you also say precisely how you think the Plan should be changed. Representations 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 submissions based on the original representation made at publication. After this stage, further submissions will be only at the request of the Planning Inspector, based on the matters and issues he/she identifies for examination.

Where there are groups who share a common view on how they wish to see the Plan changed, it would be very helpful for those groups to send a single representation, rather than a large number of identical representations. If you are working as a group please tell us who you are representing and how the representation has been authorised.

Please be aware that any representation made cannot be treated as confidential. As well as being sent to the Secretary of State, copies of all representations made to the Council may be made available on the Council's website. Therefore, anyone will be able to view all representations made. Paper copies may also be made publicly available at Council offices and other venues as considered appropriate.

5. What happens after you have made your representation?

After 19 December, the partner authorities will summarise the main issues raised and submit that summary to the Secretary of State. If any representations raise matters which would suggest changes to the Plan before the document is submitted the partner authorities will consider the appropriate way to proceed.

The examination into the Plan is expected to be heard around April 2012. If the Inspector considers that substantive issues are raised he/she may request that you attend the hearing. If the document is considered 'sound' by the Inspector it is anticipated that the Inspectors report will be received early Summer 2012.

If you would like more information on the Hampshire Minerals and Waste Plan, or this process please contact the Planning Policy Team at:	
County Planning Policy Team, Economy, Transport, and Environment Department, Hampshire County Council, The Castle, Winchester, SO23 8UD.	Telephone: 01962 845515
	Email: planning.policy@hants.gov.uk

This document, including the Response Form itself, can be made available in large print, on audio media, in Braille or in some other languages. For further information please contact us on the details above.