

# TOPIC PAPER

Issue 1 – Legal  
requirements, evidence  
base & relationship to  
plans and strategies

15<sup>th</sup> November 2011



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## 1. Introduction

### 1.1 The Inspector's Guidance Notes (CD13.5) states:

*'Before outlining the arrangements for the Examination, the Inspector will ask the Council some procedural questions as he will need to be assured that the Council can confirm:*

*(i) that the submitted document has been prepared in accordance with the statutory procedures under Section 20 (5) (a) of the 2004 Act;*

*(ii) that the submitted document has been prepared in compliance with the 2004 Regulations (as amended), specifically regarding the publication of prescribed documents, their availability at the Council's principal offices and website, the placing of local advertisements and notification of the DPD bodies;*

*(iii) that the Council is not aware of any fundamental procedural shortcomings concerning the submitted documents;*

*(iv) whether and how this Pre Hearing Meeting has been advertised.'*

### 1.2 In paragraph 4.2 of the Inspector's Guidance Notes requires that:

*"The Council is asked to prepare a short document addressing these procedural questions (which are expanded upon in Issue 1 of the Issues and Questions paper) and to place it on the Examination web site not later than **15 November 2011**. This need be little more than a series of signposts to the relevant parts of the Soundness and Legal Compliance Self Assessments already submitted (CD1.12 and CD1.13 respectively). Also included in this document should be the way the Council has dealt with the 'Planning For Growth' Ministerial Statement and the revision to the waste hierarchy, both of which have been issued since the Regulation 27 document was published in December 2010 but before the Focussed Changes were published in June 2011. The revised waste hierarchy is included as Annex C to the revision of PPS10 issued on 30 March 2011. However, the waste hierarchy that appears in the December 2010 version of the DPD does not wholly reflect that now in PPS10 and there is currently no proposal to alter the DPD in this respect. The Council will also be aware of the DEFRA "Guidance on applying the Waste Hierarchy" published in June 2011 and its statutory status and will wish to consider how it responds to these matters."*

2. The submitted document has been prepared in accordance with Section 20 (5) (a) of the 2004 Act and is in compliance with the 2004 regulations (as amended).

2.1 As part of the submission package of the Waste Core Strategy (WCS) to the Secretary of State the Council included a Soundness Self Assessment (CD1.12) and a Legal Compliance Self Assessment (CD1.13). These documents, in particular the Legal Compliance Self-Assessment, detail how the WCS has met the regulations of the Planning and Compulsory Purchase Act 2004 throughout its production. Specific responses to the Inspector's questions for Issue 1 can be found under section 3 of this topic paper. The questions are identified in italic text and the Council's response in normal text.

### 3. Issue 1 - Legal requirements, evidence base & relationship to plans and strategies

3.1 *'Whether the submitted documents meet all of the legal requirements of the Planning and Compulsory Purchase Act 2004 and associated Regulations (as amended in 2008), are informed by robust, up-to-date and proportionate evidence and are consistent with national policy and the plans and strategies of the Gloucestershire councils.'*

1.1 *What is the evidence to confirm that all the above legal requirements have been met? In particular what is the evidence to demonstrate that the requirements for the following matters are met:*

(i) *Has the DPD been prepared in accordance with the Minerals and Waste Development Scheme (MWDS); does its listing and description match the submission document; have the timescales set out in the MWDS been met?*

Yes. The first Gloucestershire Minerals and Waste Development Scheme (MWDS) was approved in April 2005 and identified the Gloucestershire Waste Core Strategy (WCS) as one of a number of proposed development plan documents (DPDs). The original MWDS timetable has been revised for a number of reasons. The current MWDS was approved in August 2011 (CD11.1). A copy has been provided and can also be viewed online at [www.gloucestershire.gov.uk/mwds](http://www.gloucestershire.gov.uk/mwds). The description of the WCS is contained in the MWDF profile (page 11) and matches the submission document. The County Council has complied with the milestone dates and timescales outlined in the MWDS, including Submission of the WCS in September 2011. Further details may be found to show the timeframe in CD11.1 (pages 12 – 13).

*(ii) Has regard been paid to the sustainable community strategies of the Council and the district councils and those of neighbouring local planning authorities and other relevant strategies?*

Yes. Due regard has been had to the Gloucestershire Sustainable Community Strategy (CD11.27) in preparing the WCS. Section 3.0 and Appendix 2 explain the linkages. The WCS also has regard to District-level SCS within Gloucestershire by helping to deliver a number of their aims and objectives (CD11.28 – 11.33).

The position of the District Council progress with Core Strategies and DPDs and also with neighbouring WPAs was first considered through Joint Technical Evidence paper WCS – MCS 2 – ‘Links with Districts and Neighbouring Authorities’ (CD10.132). Progress with regards to the District DPDs is outlined in the ‘Evidence paper Position Statement’ December 2010 (CD5.5) and cross-boundary waste issues in WCS –A Data Update November 2010 (CD10.4).

Due regard has been had to a number of other matters and strategies in the preparation of the WCS including the Gloucestershire Local Transport Plan (CD11.11) and the Gloucestershire Joint Municipal Waste Management Strategy (JMWMS) (CD11.12).

*(iii) Does the DPD comply with the Statement of Community Involvement (SCI) and has the Council carried out all consultation consistent with the SCI and the relevant Regulations?*

Yes. The Council's Statement of Community Involvement (SCI) (CD1.9) was adopted in December 2005 and sets out how the County Council will engage with stakeholders in the preparation of the Minerals and Waste Development Framework (MWDF).

The Regulation 30(d) Statement of Consultation (CD1.10) outlines fully how the consultation stages of the plan preparation have been met. These mirror the County Council's SCI approach to engaging with stakeholders. The WCS has been prepared in line with the provisions of the SCI.

In addition the Regulation 30(d) Statement of Consultation (CD1.10) outlines fully how the consultation stages of plan preparation have been met.

Section 3 (vii) and (viii) outlines the consultation and notification stages at formal publication stages.

*(iv) Has the DPD been subject to a Sustainability Appraisal and has the Council provided a final report of the findings of the Appraisal?*

A variety of baseline information has been collected and used to inform the preparation of the Sustainability Appraisal (SA) context and scoping reports published in August 2005

(CD8.1 – CD8.5) and updated in 2006 (CD 8.6 – 8.7, CD2.6 -2.7), 2008 (CD3.3 – 3.4) and 2009 (CD8.8 -8.9, CD4.6 – 4.11). A final Sustainability Appraisal (SA) report of the WCS was prepared at publication and subsequently updated to take account of the proposed focused changes (CD1.5- 1.7).

*(v) Were any requirements for Appropriate Assessment under the Habitats Regulations met before publication of the DPD?*

A number of Appropriate Assessment (AA) reports under the Habitat Regulations Assessment have been produced throughout the Waste Core Strategy process with screening reports being produced at issues and options (CD2.5), AA at preferred options (CD3.5) and a detailed screening report at site options (CD4.5). A full HRA report was produced at publication to establish that the WCS would not have an adverse effect on European Sites (CD5.1).

*(vi) How has the Council sought to confirm general conformity of the DPD with the Regional Strategy?*

During the plan preparation stage the views from the Regional Planning Body were sought and the responses received are included in CD1.13. At publication, a letter dated 10th December 2010 was sent to the South West Regional Planning Body (South West Councils) requesting confirmation of conformity with the South West Regional Spatial Strategy.

A response was received but this stated that the South West Councils would no longer be responding to conformity requests. The reason given was that following the Governments announcement to abolish the regional functions and the withdraw of funding for regional planning functions the South West Councils would not be responding to Local Development Documents.

A copy of the email is appended to the Legal Compliance Self-Assessment (CD1.13).

*(vii) Does the DPD comply with all of the 2004 Regulations, as amended in 2008?*

Yes the 2004 regulations as amended in 2008 have been met. This outlined throughout the legal compliance self-assessment (CD1.13) and through this statement. Other documents such as the Regulation 30(d) Statement of Consultation (CD1.10) and Regulation 30(e) Statement of Representations and Key Issues (CD1.11) provide more detail upon how certain regulatory matters have been met.

*(viii) Specifically does it comply with the requirement regarding the publication of prescribed documents, their availability at the Council's principal offices and on an appropriate website, the placing of local advertisements and notification of the DPD bodies?*

All proposed submission documents were made available for inspection online and also at the County Council's Main Office, District Council Offices and all Gloucestershire Libraries. A statement of the representations procedure (including where to send representations and within what period) was made available online, at all relevant locations and sent to specific, general and other consultees. Also available was a statement of the fact that the documents were available and the places and times at which they could be inspected. This information was also made available in the legal notice. The WCS was formally published on 13<sup>th</sup> December 2010 and representations were invited over a period lasting until the 7<sup>th</sup> February 2011.

Following the consideration of the representations made at the publication stage the view of the Council was that the potential changes could be made which fell within the category of 'Focused Changes' affecting limited parts of the plan. These changes were made following advice contained in the Planning Advisory Service Plan Making Manual which sets out the mechanisms that could be adopted to make changes to the Plan. This process involves the publication of an addendum, consultation upon it and the submission of both the addendum and the consultation responses to it along with the submission documents. The same regulatory and notification processes were repeated at focused changes as undertaken at the publication stage. Representations were invited over the period 27<sup>th</sup> June – 8<sup>th</sup> August 2011.

Copies of the legal notices for publication and focused changes have been provided and can also be viewed online at [www.gloucestershire.gov.uk/wcs/publication](http://www.gloucestershire.gov.uk/wcs/publication).

A letter and CD containing all proposed submission documents was sent to each specific consultee. The letter incorporated the statement of the representations procedure. A letter was sent to a number of general consultees and incorporated the statement of the representations procedure and the fact that the proposed submission documents were available to view and places and times at which they could be viewed. This process was repeated at focused changes.

At publication, a legal notice was published in local newspapers that circulate in the Gloucestershire Districts on 13<sup>th</sup>, 15<sup>th</sup> and 16<sup>th</sup> December 2010. At focused changes, a legal notice was published in the same local newspapers on 27<sup>th</sup>, 29<sup>th</sup> and 30<sup>th</sup> June 2011.

These details are outlined in CD1.11 and CD1.13.

*(ix) How is the Regulation 13(5) requirement to list saved Development Plan policies that will be superseded met?*

Appendix 1 of the submission WCS includes a schedule setting out which saved Waste Local Plan policies will be replaced by the WCS core policies and which will remain in force.

#### 4. Summary of procedural matters

4.1 The Council consider that there are not any procedural shortcomings in relation to the submitted Waste Core Strategy. This is clarified by the details above and also the submitted Legal Compliance Self- Assessment (CD1.13).

4.2 In relation to the procedural issues raised in the Inspector's initial letter, the Council has always been very conscious that the WCS submitted should be what we consider to be a sound plan. In terms of the submitted documents for examination these are the DPD which is submitted for examination is CD1.1. The 'Schedule of Focused Changes' (CD1.3) provides the addendum which the Council consulted upon following responses received through the Regulation 28 process in line with the Planning Advisory Service Plan Making Manual. This matter is discussed through the exchange of correspondence between the Inspector and the Council (CD13.1 and 13.2) and is clarified in the Inspector's Guidance Notes (CD13.5).

#### 5. Advertising the Pre Hearing Meeting

5.1 The Council's examination webpage which provides details of both the Pre Hearing Meeting and the Examination Hearings. This includes the dates, time, place and agenda/timetables and which all can be found online at [www.gloucestershire.gov.uk/wcs/examination](http://www.gloucestershire.gov.uk/wcs/examination).

5.2 Under the regulations a legal notice has to be produced at least 6 weeks before the start of the examination hearings. While not a regulatory requirement the Council took the decision to include the details of both the Pre Hearing Meeting and the Examination in the legal notice. In accordance with Regulation 34 of the Town and County Planning (Local Development (England) Regulations 2004 (as amended 2008) this was given by local advertisement in the Gloucestershire newspapers and a copy was sent to all of those who submitted representations to publication and focused changes. It was also published on the Council's webpage (CD13.9). A copy of this letter is attached under Appendix 1 of this statement.



## 6. Consistency with the Planning for Growth Ministerial Statement

6.1 The Government's 'Growth Review' was launched by the Chancellor and Business Secretary In November 2010 and has been taken forward in the form of:

- HM Treasury 'Plan for Growth' (March 2011)
- Budget 2011 (March 2011)
- Written ministerial statement from the Greg Clark the Minister for Decentralisation and Cities (23<sup>rd</sup> March 2011)
- Letter to all Chief Planning Officers (31<sup>st</sup> March 2011).

6.2 The main proposals emerging from the growth review in relation to the planning system can be summarised as follows:

1. Top priority is to be given to sustainable economic growth and jobs.
2. There will be a presumption in favour of development except where this would compromise key sustainable development principles set out in national policy.
3. Local authorities must work together more closely particularly on cross-boundary issues e.g. transport, infrastructure, waste.
4. Local authorities should press ahead with preparing development plans.
5. There is a need to maintain a flexible and responsive supply of land.
6. Local authorities should not impose unnecessary burdens on development.
7. Targets for the re-use of previously developed land will now be determined locally although the greenbelt will continue to be protected.
8. Various proposals to allow changes of use from employment to residential without planning permission.
9. Review of the use classes order and associated permitted development rights.
10. No planning application or major infrastructure application should take longer than one year to reach a decision.

## 6.3 How is the Planning for Growth Agenda Reflected in the Gloucestershire WCS?

### 6.3.1 *Top priority is to be given to sustainable economic growth.*

6.3.1.1 Waste management and economic growth are closely linked. This is recognised in the DEFRA publication 'The Economics of Waste and Waste Policy' (2011) which states that 'Waste is part of the economy – it is a by-product of economic activity, by businesses, government and households. Waste is also an input to economic activity – whether through material or energy recovery. The management of that waste has economic implications – for productivity, government expenditure, and, of course, the environment'.

6.3.1.2 The WCS recognises the link between waste management and economic growth highlighting this as one of the key issue for the strategy to address. The WCS therefore seeks to ensure that sufficient additional waste management capacity is provided to cater for forecast growth (population and economy) within Gloucestershire. This is consistent with Paragraph 1 of PPS10 – Planning for Sustainable Waste Management (CD12.31), which emphasises the importance of breaking the link between economic growth and the environmental impact of waste and Paragraph 4 which states that waste management should be considered alongside other spatial planning concerns including economic growth.

6.3.1.3 It is also pertinent to note that the facilities to meet the provision of additional waste management capacity will in itself generate economic growth, providing essential infrastructure and new jobs.

6.3.1.4 Importantly, the WCS seeks to encourage greater waste reduction and re-use which will have economic advantages such as lower waste management costs for businesses. Again this is consistent with PPS10 which states that local authorities should develop planning strategies that reflect the concerns and interests of communities, the needs of waste collection authorities, waste disposal authorities and business.

### 6.3.2 *There will be a presumption in favour of development except where this would compromise key sustainable development principles set out in national policy.*

6.3.2.1 The overall spatial strategy of the WCS is consistent with national policy insofar as it seeks to locate strategic waste management facilities within the central area of the county, close to the main source of waste arisings and avoiding the AONB and floodplain as far as possible. Para 6.3.6 below considers the issue of green belt protection below.

6.3.2.2 It is anticipated that the WCS will be adopted in 2012 and will provide a positive framework to help guide and determine future waste management proposals.

*6.3.3 Local authorities must work together more closely particularly on cross-boundary issues e.g. transport, infrastructure, waste.*

6.3.3.1 Waste management does not respect local authority boundaries. This point is clearly acknowledged in the WCS which states that for commercial reasons, waste from Gloucestershire may be taken outside of the county to be managed and vice versa.

6.3.3.2 Initial discussions with Gloucestershire local authorities and other adjoining local authorities including Wiltshire and South Gloucestershire took place in 2007 (CD10.132). These meetings allowed for a number of issues to be discussed including waste management and wider development issues. The minutes of these meetings have been made available as part of the WCS technical evidence base.

6.3.3.3 In addition, in preparing Technical Paper WCSA – Waste Data (Update 2010) (CD10.4) the Council sent a survey to all Gloucestershire neighbouring authorities seeking information on current plan preparation, existing waste facilities and importantly, movements of waste into and out of Gloucestershire. This information is provided under section 10 of CD10.4.

6.3.3.4 In the interest of reducing the movement of waste, the overall objective of the WCS is to ensure that enough capacity is made available to meet Gloucestershire's needs. This in turn should help to reduce the amount of waste travelling outside the County to be managed.

*6.3.4 Local authorities should press ahead with preparing development plans.*

6.3.4.1 It is anticipated that the WCS will be adopted in 2012. The strategy will then provide a framework against which to determine future waste management proposals.

*6.3.5 There is a need to maintain a flexible and responsive supply of land.*

6.3.5.1 The WCS (CD1.1) includes four strategic site allocations under Core Policy WCS4 – other recovery. This should provide sufficient waste recovery capacity to meet future, forecast capacity requirements, thereby providing a good degree of flexibility and

contingency. The WCS also provides a criteria-based policy framework under core policies WCS 2 – WCS 6 against which speculative development proposals for waste infrastructure can come forward in appropriate locations should there be market demand.

*6.3.6 Local authorities should not impose unnecessary burdens on development.*

6.3.6.1 The WCS highlights in policy and through development criteria for Core Policy WCS4 a number of potential contributions/enhancements that may be required from new development through developer contributions such as highway and landscape improvements. However, these are indicative only and more specific requirements will be identified should a detailed proposal come forward.

6.3.6.2 It will be at the planning application stage that a judgement will be made as to what represents a reasonable contribution to make the development acceptable in planning terms and what could potentially constrain development.

*6.3.7 Targets for the re-use of previously developed land will now be determined locally although the greenbelt will continue to be protected.*

6.3.7.1 Whilst various elements of the WCS (e.g. spatial vision, Policy WCS1, Policy WCS4) seek to prioritise the re-use of previously developed land and buildings in favour of greenfield sites, the WCS does not include a target relating to the percentage of new development required to take place on previously developed land. This approach is considered to provide a suitable degree of flexibility. A specific target is not considered necessary given the relatively small percentage of land required for waste management facilities and that the criteria for suitable locations for waste management points this type of development in the direction of previously developed land.

6.3.7.2 It should be noted that in preparing the WCS, the extensive search for suitable strategic waste sites included a large number of previously developed land and buildings. All four of the strategic site allocations identified in the Gloucestershire WCS comprise either previously developed land or land subject to waste management use.

6.3.7.3 The WCS acknowledges the presence of the Gloucester – Cheltenham Green Belt as one of a number of key issues for the strategy to address. The spatial vision and strategic objectives refer to the protection of key landscape/environmental assets and the protection of national and local areas of landscape and nature conservation importance.

6.3.7.4 Core Policy WCS10 sets out the criteria that will be used to determine proposals for waste development within the Green Belt including both new buildings and proposals involving the re-use of existing buildings. This matter will be considered by the Council through a topic paper on Issue 3 of the Inspector's Issues and Questions.

*6.3.8 Various proposals to allow changes of use from employment to residential without planning permission.*

6.3.8.1 This is not directly relevant to the WCS and does not need to be taken into account.

*6.3.9 Review of the use classes order and associated permitted development rights.*

6.3.9.1 This is not directly relevant to the WCS and does not need to be taken into account.

*6.3.10 No planning application or major infrastructure application should take longer than one year to reach a decision.*

6.3.10.1 The WCS will provide a robust and up to date framework against which waste-related development proposals can be considered. This should help to ensure expediency in the decision-making process although it must be acknowledged that some waste related proposals are complex and controversial and by their very nature take a much longer than average period of time to determine.

## **6.4 Conclusion**

6.4.1 The Council does not consider that the Government's 'planning for growth' agenda in any way conflicts with the Gloucestershire WCS or brings into question the degree to which it is 'sound' or 'legally compliant'.

6.4.2 As outlined above, some of the proposals are of little or no direct relevance to the WCS and those that are of more relevance, have already been taken into account through the preparation of the WCS. For this reason it is not considered that any further revisions or stakeholder consultation is needed regarding this issue.

6.4.3 Importantly, none of the individuals or organisations that responded to the publication WCS (December 2010) or the revised publication WCS (June 2010) have suggested that the strategy is inconsistent with or conflicts with the Government's emerging growth agenda in any way.

## 7. Consistency with the changes to the Waste Hierarchy

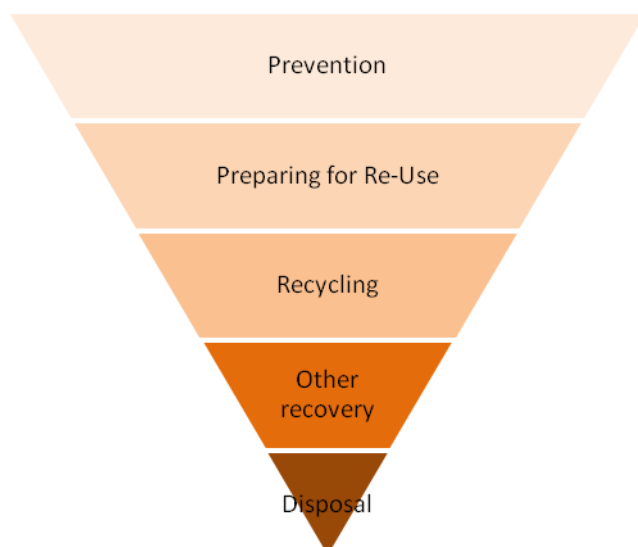
7.1 In March 2011 the Department of Communities and Local Government wrote to all local authority Chief Planning Officers to notify them of an update to Planning Policy Statement 10: Planning for Sustainable Waste Management to ensure that it incorporates the new waste hierarchy set out in the revised Waste Framework Directive (2008/98/EC).

7.2 The revised Directive seeks to increase the use of waste as a resource (e.g. for fuel) and to place greater emphasis on the prevention and recycling of waste, while protecting human health and the environment. It includes a revised waste hierarchy which differs from the existing hierarchy in terms of how it defines re-use of materials and in how it distinguishes between recycling and other recovery.

7.3 The changes to PPS10 are to paragraph 1 and Annex C. Paragraph 1 now reads as follows:

'By more sustainable waste management, moving the management of waste up the 'waste hierarchy' of prevention, preparing for reuse, recycling, other recovery, and disposing only as a last resort, the Government aims to break the link between economic growth and the environmental impact of waste'.

Annex C now includes the following diagram:



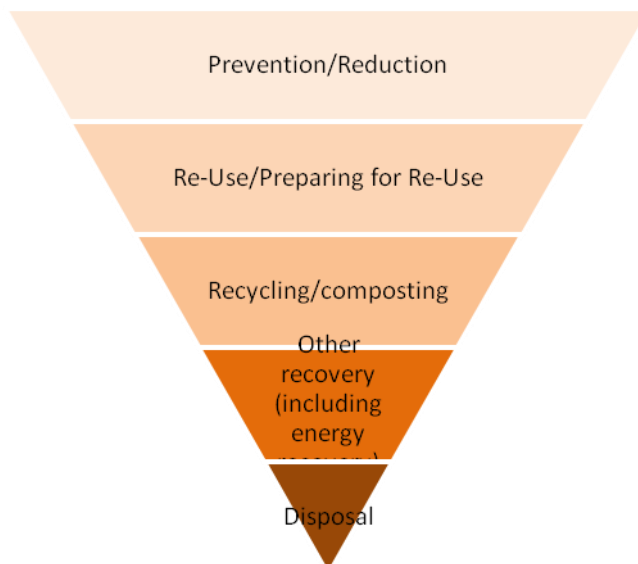
Local authorities are expected to have regard to these changes in preparing their waste plans and in determining planning applications. In addition the DEFRA "Guidance on Applying the Waste

Hierarchy” was published in June 2011. This was a matter of days before the Focused Changes consultation for which arrangements had already been made.

#### **7.4 How the revised waste hierarchy is reflected in the Gloucestershire WCS**

7.4.1 The WCS was published in December 2010 prior to the update to PPS10 being published in March 2011 and the DEFRA Guidance in June 2011. Notwithstanding this, in preparing the WCS, Officers were aware of amendments to the waste hierarchy emerging through the revised waste framework directive and purposefully drafted the WCS to take account of likely future changes.

7.4.2 The publication WCS (CD1.1) included the following diagram:



7.4.3 As can be seen, this is very similar to that contained in the revised waste framework directive and updated version of PPS10. For example the triangle is revised as for the Waste Framework Directive with disposal being the last and smallest segment of the waste hierarchy diagram. The only difference is that reference has been retained to 'reduction', 'reuse' and 'composting'.

7.4.4 It is therefore essentially a 'hybrid' of the two different hierarchies set out in the previous and updated version of PPS10. This is considered to be immaterial to the soundness of the WCS. Further explanation is provided below.

7.4.5 Whilst it is acknowledged that there are differences between waste prevention and waste reduction i.e. stopping waste happening in the first place as opposed to reducing the amount of waste produced, there are also a number of overlaps between the two.

- 7.4.6 Arguably the planning system has more of a role to play in terms of waste reduction than it does in relation to waste prevention for example through the use of waste minimisation statements to reduce the amount of waste generated by new development.
- 7.4.7 In particular, the inclusion of waste 'reduction' alongside waste 'prevention' is considered to be appropriate in light of the Council's approach towards waste minimisation in development projects set out in Core Policy WCS1 – Waste Reduction. In other words waste prevention includes some matters which might be outside of planning control such as using less material in product design or manufacture. Core Policy WCS1 deals with those issues of waste prevention/reduction where they relate to planning control.
- 7.4.8 'Re-use' is included alongside 'preparing for re-use'. Again, although there are differences between the two processes, there are also some overlaps and as such it is considered appropriate to consider them together. The WCS does not include a core policy on re-use or preparing for re-use, rather it is addressed through the supporting text, including outlining where this relates under Core Policy WCS1.
- 7.4.9 In relation to recycling/composting, the WCS considers these two processes together, with a single core policy presented on this issue. This emphasises the fact that, provided it meets certain quality standards, composting can be considered as a form of recycling and is therefore fully consistent with the revised waste framework and updated version of PPS10 and the DEFRA Guidance.
- 7.4.10 If however the Inspector considered it necessary, Officers would be happy to include additional supporting text or a footnote to clarify that only if composting meets certain quality standards can it be classified as recycling.
- 7.4.11 In relation to 'other recovery', the waste hierarchy diagram included in the WCS and taken forward through the spatial strategy makes it clear that 'other recovery' includes 'energy recovery' such as gasification and pyrolysis.
- 7.4.12 This is considered to be entirely consistent with the definition of 'recovery' set out in Article 3 of the Revised Waste Framework Directive.

## **7.5 Conclusion**

- 7.5.1 The structure of the Gloucestershire WCS is essentially based on the waste hierarchy. Whilst the WCS retains the references to 'reduction', 're-use' and 'composting' that have now been dropped from PPS10 and DEFRA Guidance, it is not considered that this affects the soundness of the strategy for the reasons set out above. However the Council would be willing to make minor changes in relation to the wording on the waste hierarchy (Figure 4 and section 4 of CD1.1) if considered appropriate by the Inspector to make the Waste Core Strategy consistent with national policy.



## **APPENDIX 1 – Examination and Pre Hearing Meeting Legal Notice**

### **Planning and Compulsory Purchase Act 2004**

#### **Regulation 34**

#### **The Town and Country Planning (Local Development) (England) Regulations 2004**

#### **The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008**

#### **The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2009**

### **Notice of Examination Hearings and Pre-Hearing Meeting for the Gloucestershire Waste Core Strategy Development Plan Document**

Notice is given in accordance with the above Regulations that the Gloucestershire Waste Core Strategy (WCS) will be considered at an independent examination. The examination will start at 9:30am on 31 January 2012 in the Cabinet Rooms of the County Council's Main Offices at Shire Hall, Westgate Street, Gloucester, GL1 2TG. The hearings are expected to run until 8 February 2012. The examination hearing sessions will be open to the public to attend.

The examination will be led by an independently appointed Planning Inspector, Brian Cook BA (Hons) DipTP MRTPI. The role of the Inspector is to consider the representations that have been submitted in relation to the publication WCS and determine whether the strategy is 'sound' and 'legally compliant'.

The Inspector will hold a Pre – Hearing Meeting on Tuesday 22<sup>nd</sup> November 2011 in the Cabinet Rooms of the County Council's Main Offices at Shire Hall, Westgate Street, Gloucester, GL1 2TG, starting promptly at 2.00pm. This meeting is to help the Inspector and all the interested parties to prepare for the Examination and the Inspector will outline how the Examination will be conducted and the procedures to be followed.

Those who have previously submitted representations on the publication WCS will be contacted by the Programme Officer Yvonne Parker in due course. Yvonne can be contacted on 01282 450522 or 07813 334305 or by emailing [posltd@virginmedia.com](mailto:posltd@virginmedia.com). The Programme Officer will advise and deal with all procedural, administrative and programming matters.

Further details of the examination including a draft hearing programme and a list of Matters and Questions are available online at the County Council's website via the following link: [www.gloucestershire.gov.uk/wcs/examination](http://www.gloucestershire.gov.uk/wcs/examination). The Programme Officer will update the hearing programme from time to time and we would recommend that you monitor the timetable for the hearing sessions in case the hearing sessions run on longer than anticipated.

**Nigel Riglar, Commissioning Director Communities and Infrastructure, Gloucestershire County Council, Shire Hall, Westgate Street, Gloucester, GL1 2TG**