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Gloucestershire Waste  
Core Strategy (WCS)

Legal  
Compliance  
Self-Assessment

September 2011

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## 1. Introduction

- 1.1 This document has been prepared in support of the Gloucestershire Waste Core Strategy (WCS) which was formally submitted to the Secretary of State for Communities and Local Government on 5<sup>th</sup> September 2011 in accordance with Regulation 30 of the Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008.
- 1.2 Having been formally submitted to the Secretary of State, the WCS will now be considered by an independent Planning Inspector at a public examination. This is likely to take place in November or December 2011 depending on whether a pre-examination meeting is needed.
- 1.3 The role of the Planning Inspector will be to consider two main issues:
  - Whether the WCS is 'sound'; and
  - Whether the WCS is 'legally compliant'
- 1.4 To be considered '**sound**' the WCS must be judged to be:
  - **Justified** (i.e. founded on a robust and credible evidence base and the most appropriate strategy when considered against reasonable alternatives)
  - **Effective** (i.e. deliverable, flexible and able to be monitored); and
  - **Consistent** (i.e. consistent with national policy)
- 1.5 The Planning Inspector will determine through the examination process, whether the WCS is sound. To assist the Inspector in reaching a decision, the Council has completed a 'soundness' self-assessment which has been submitted as part of the package of WCS documents and is available separately.
- 1.6 To be considered '**legally compliant**' the WCS must have been prepared having regard to due process. In other words it has been prepared in accordance with the Council's development scheme, statement of community involvement and national planning regulations, has been subjected to a sustainability appraisal (SA) has regard to national policy and the sustainable community strategy and conforms with regional policy.
- 1.7 The Planning Inspector will determine whether these requirements have been met through the examination process. This 'legal compliance' self-assessment has been prepared by the Council to assist the Inspector and has been submitted as part of the overall package of WCS submission documents.

1.8 Table 1 overleaf demonstrates how each procedural/legal requirement has been met through the preparation of the Gloucestershire WCS. The table is divided into five sections reflecting each stage of the plan preparation process in sequence:

- Inception (early plan preparation including evidence gathering and developing the Sustainability Appraisal (SA) framework)
- Plan Preparation – Front Loading (i.e. early discussions and stakeholder engagement about the issues to address)
- Plan Preparation – Formulation (i.e. development of the preferred options and strategy)
- Publication (the stage at which the Council publishes what it considers to be a 'sound' plan)
- Submission (when the Council formally submits its strategy to the Secretary of State)

**Table 1 - Gloucestershire WCS Legal Compliance Self-Assessment (Sept 2011)**

## **STAGE 1: INCEPTION**

The inception stage is effectively when the Council undertakes all necessary preparatory work for the development of its core strategy including who and how to consult, the collation of relevant baseline information and the development of the Sustainability Appraisal (SA) framework.

In terms of legal compliance, the main issues for this stage relate to:

- Pre-planning for community engagement
- Planning the sustainability appraisal (including consultation with statutory consultation bodies); and
- Ensuring that the plan rests on a credible evidence base.

The table below sets out how these requirements have been met. The main activities undertaken include the preparation of the Council's Minerals and Waste Development Scheme (Project Plan) the Statement of Community Involvement (SCI) the collation of relevant baseline information and the preparation of the Sustainability Appraisal (SA) Scoping Report.

Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
1. Is the development plan document identified in the adopted local development scheme and have you recorded the timetable for its production?	The Act section 15(2); section 19(1)	PPS12 paragraphs 4.50; 4.53-4.58	Milestones are set out in PPS12 (box after paragraph 4.55).	i. The adopted local development scheme at the time of: <ul style="list-style-type: none"> <li>• commencement of the development plan document</li> <li>• the published development plan document</li> <li>• the submitted development plan document</li> </ul>	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. A copy has been provided and can also be viewed online at <a href="http://www.gloucestershire.gov.uk/mwds">www.gloucestershire.gov.uk/mwds</a>  Copies of the Council's Annual Monitoring Reports

Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
				ii. The relevant annual monitoring report (if changes need to be explained)	(AMR) for 2006 – 2010 have also been provided and can be viewed online at <a href="http://www.gloucestershire.gov.uk/amr">www.gloucestershire.gov.uk/amr</a>
2. Have you considered how community engagement will be programmed into the preparation of the development plan document?	1. The Act section19(3) 2. Regulation 25	PPS12 paragraphs 4.19-4.29	Unless the statement of community involvement has been amended, you may need to set out any changes to community engagement as a result of changes in legislation.	i. The statement of community involvement ii. The project plan for the development plan document	<p>Yes. The Council's Statement of Community Involvement (SCI) was adopted in December 2005 after several rounds of consultation and an independent examination.</p> <p>The SCI explains the type and level of consultation to be undertaken by the Council in preparing its development plan documents including the Waste Core Strategy (WCS).</p> <p>A copy of the adopted SCI has been provided and is also available online at <a href="http://www.gloucestershire.gov.uk/wcs/submission">www.gloucestershire.gov.uk/wcs/submission</a></p> <p>The Waste Core Strategy has been prepared and consulted upon in accordance with the provisions set out in the adopted SCI. This has included engagement with key delivery stakeholders including the waste industry, highways agency etc.</p>
3. Have you considered the appropriate bodies you should consult?	Regulation 25	1. PPS12 paragraphs 4.25 - 4.26 2. Plan Making Manual – Consultee list	Regulation 2 defines the general and specific consultation bodies	i. The statement of community involvement ii. Reports and decisions setting out the approach to be taken to specific and general consultation bodies	<p>Yes. The Council's adopted Statement of Community Involvement (SCI) identifies the 'specific' and 'general' consultation bodies to be consulted on matters relating to the Gloucestershire MWDF. A copy of the adopted SCI has been provided and is also available online at <a href="http://www.gloucestershire.gov.uk/wcs/submission">www.gloucestershire.gov.uk/wcs/submission</a></p> <p>The specific and general consultees are also listed</p>

Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
				iii. Consultation statement	<p>in the Council's Regulation 30(d) statement of consultation. A copy of this statement has been provided and is also available online at <a href="http://www.gloucestershire.gov.uk/wcs/submission">www.gloucestershire.gov.uk/wcs/submission</a></p> <p>In addition, over 1200 'other' consultees held on the Council's in-house database have been involved throughout the preparation of the WCS. These are too numerous to mention individually but can be made available on request.</p>
4. Is baseline information being collected and evidence being gathered to keep the matters which affect the development of the area under review?	The Act, section13	PPS12 paragraphs 4.36 – 4.47		<p>i. Documents dealing with collection of baseline information</p> <p>ii. Relevant technical studies</p> <p>iii. The annual monitoring report</p>	<p>Yes. A variety of baseline information has been collected in the preparation of the Waste Core Strategy.</p> <p>This includes a number of technical evidence papers, copies of which have been provided and are also available to view online at <a href="http://www.gloucestershire.gov.uk/wcs/evidence">www.gloucestershire.gov.uk/wcs/evidence</a></p> <p>These evidence papers are intended to be 'living drafts' updated as and when necessary. The waste data paper for example was updated for publication in December 2010. A general 'refresh' of the evidence base has been undertaken prior to submission to ensure it remains valid and up to date.</p> <p>In addition, a range of further baseline information has been collected through the Sustainability Appraisal (SA) process. This is set out in the Council's SA Framework a copy of which has been provided and is also available to view online at <a href="http://www.gloucestershire.gov.uk/sustainabilityappraisal">www.gloucestershire.gov.uk/sustainabilityappraisal</a></p>

Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
					The Council's AMR provides further baseline information. A copy of the AMR has been provided and can also be viewed online at <a href="http://www.gloucestershire.gov.uk/amr">www.gloucestershire.gov.uk/amr</a>
5. Is baseline information being collected and evidence being gathered to set the framework for the sustainability appraisal?	The Act section19(5)	1. PPS12 paragraphs 4.50; 4.39-4.43 2. Strategic Environmental Assessment Guide, chapter five		i. Sustainability report scoping document ii. Sustainability appraisal report	Yes. 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 and updated in 2006, 2008 and 2009.  Copies of the SA context, scoping and final report have been provided and are also available online at <a href="http://www.gloucestershire.gov.uk/sustainabilityappraisal">www.gloucestershire.gov.uk/sustainabilityappraisal</a>
6. Have you consulted the statutory environment consultation bodies for five weeks on the scope and level of detail of the environmental information to be included in the sustainability appraisal report?	Regulations 9 and 13 of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633.	PPS12 paragraph 4.40 SEA Guide Ch 3	The Strategic Environmental Assessment consultation bodies are also amongst the 'specific consultation bodies' which are defined in Regulation 2 )	Copies of the consultation letters sent to the bodies	Yes. The SA Context and Scoping Report were subject to a 6-week consultation with the relevant statutory agencies.  Copies of all SA documents including response reports setting out the representations received have been provided and are available at <a href="http://www.gloucestershire.gov.uk/sustainabilityappraisal">www.gloucestershire.gov.uk/sustainabilityappraisal</a>

## STAGE 2: PLAN PREPARATION (FRONT LOADING STAGE)

In accordance with the 2004 regulations (as amended) early in the development of the Waste Core Strategy the Council invited specific, general and other consultees to make representations about the content of the strategy. This took the form of an 'Issues and Options' consultation held in March 2006, although stakeholder events were held before and after this date. The documentation from this stage has been provided and is also available to view online at [www.gloucestershire.gov.uk/wcs/issuesandoptions](http://www.gloucestershire.gov.uk/wcs/issuesandoptions)

Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
1. Have you notified the specific consultation bodies that have an interest in the subject of the development plan document and invited them to make representations about its contents?	Regulation 25(1) and (2)(a)	PPS12 paragraphs 4.24 – 4.29	Specific consultation bodies are defined in Regulation 2  If any bodies are omitted, you should give a clear justification for doing so, including reference to the SCI.	i. Consultation statement ii. Copies of documents consulting these bodies iii. Record of discussions iv. Copies of representations made v. A brief statement setting out the reasons why any bodies have been omitted from consultation	Yes. Specific consultees were invited to comment at the Issues and Options stage in 2006 through a number of channels including meetings held with relevant District Councils and the Government Office.  A list of the specific consultees that were notified and invited to comment is included in the Regulation 30(d) statement of consultation, a copy of which has been provided and can also be viewed online at <a href="http://www.gloucestershire.gov.uk/wcs/submission">www.gloucestershire.gov.uk/wcs/submission</a>  Response reports setting out the representations made and the Council's response to these have been provided and are available online at <a href="http://www.gloucestershire.gov.uk/wcs/issuesandoptions">www.gloucestershire.gov.uk/wcs/issuesandoptions</a>
2. Have you notified the general consultation bodies that you consider have an interest in the subject of the development plan document and invited them to make	Regulation 25(1) and (2)(b)	PPS12 paragraphs 4.24 – 4.29	General consultation bodies are defined in Regulation 2.  You should be able to give a clear justification for your selection of the bodies, including reference to the statement of	i. Consultation statement ii. Copies of documents consulting these bodies iii. Record of discussions iv. Copies of representations made v. A brief statement setting out the	Yes. A number of 'general' consultees were invited to comment at the Issues and Options stage in 2006.  A list of the general consultees that were notified and invited to comment is included in the Regulation 30(d) statement of consultation, a copy of which has been provided and can also be viewed online at <a href="http://www.gloucestershire.gov.uk/wcs/submission">www.gloucestershire.gov.uk/wcs/submission</a>  Response reports setting out the representations made and the Council's response to these have been



Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
representations about its contents?			community involvement.	reasons why any bodies were or were not included	provided and are available online at <a href="http://www.gloucestershire.gov.uk/wcs/issuesandoptions">www.gloucestershire.gov.uk/wcs/issuesandoptions</a>
3. Are you inviting representations from people resident or carrying out business in your area about the content of the development plan document?	Regulation 25(3)	PPS12 paragraphs 4.24 – 4.29		<ul style="list-style-type: none"> <li>i. Consultation statement</li> <li>ii. Copies of documents consulting these persons</li> <li>iii. Record of discussions</li> <li>iv. Copies of representations made</li> </ul>	<p>Yes. In addition to the specific and general consultees referred to above, a number of 'other' consultees were notified and invited to comment at the Issues and Options stage in 2006 including a number of local residents and businesses. These were drawn from an extensive in-house database of over 1,200.</p> <p>Because there are so many, these consultees are not listed individually in the consultation statement however their details can be made available on request.</p> <p>Response reports setting out the representations made and the Council's response to these have been provided and are available online at <a href="http://www.gloucestershire.gov.uk/wcs/issuesandoptions">www.gloucestershire.gov.uk/wcs/issuesandoptions</a></p>
4. Are you engaging with stakeholders responsible for delivery of the strategy?	Regulation 25	PPS12 paragraphs 4.4; 4.27 – 4.29; 4.45	PPS12 paragraph 4.29 gives examples of relevant delivery agencies	<ul style="list-style-type: none"> <li>i. Consultation statement</li> <li>ii. Copies of documents consulting these people</li> <li>iii. Record of discussions</li> </ul>	<p>Yes. A number of the consultees listed in the Regulation 30(d) consultation statement are responsible for the delivery of various elements of the WCS including the Highways Agency, Waste Disposal Authority (WDA) and waste industry.</p> <p>A copy of the consultation statement has been provided and is available to view online at <a href="http://www.gloucestershire.gov.uk/submission">www.gloucestershire.gov.uk/submission</a></p> <p>Response reports setting out the representations made and the Council's response to these have been</p>

Activity	Legal Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
					<p>provided and are available online at <a href="http://www.gloucestershire.gov.uk/wcs/issuesandoptions">www.gloucestershire.gov.uk/wcs/issuesandoptions</a></p> <p>Building on these early discussions, the submission WCS includes a detailed implementation framework setting out how each core policy will be delivered, by whom and when.</p> <p>A copy of the submission WCS has been provided and can be viewed online at <a href="http://www.gloucestershire.gov.uk/wcs/submission">www.gloucestershire.gov.uk/wcs/submission</a></p>
5. Are you taking into account representations made?	Regulation 25(5)	PPS12 paragraphs 4.19-4.29; 4.37	Evidence from participation is part of the justification	<ul style="list-style-type: none"> <li>i. Consultation statement</li> <li>ii. Any reports on the selection of alternatives and options for the development plan document</li> </ul>	<p>Yes. In accordance with Regulation 27 a consultation statement has been produced summarising the main issues raised during the plan preparation stage and outlining how these have been taken into account in preparing the publication WCS.</p> <p>A copy of the consultation statement has been provided and is also available to view online at <a href="http://www.gloucestershire.gov.uk/wcs/submission">www.gloucestershire.gov.uk/wcs/submission</a></p> <p>Prior to this a response report of the issues and options consultation was made available in March 2007 setting out the main issues raised and how the Council proposed to take each option forward.</p> <p>A copy of the response report has been provided and can also be viewed online at <a href="http://www.gloucestershire.gov.uk/issuesandoptions">www.gloucestershire.gov.uk/issuesandoptions</a></p>

<p>6. Does the consultation contribute to the development and sustainability appraisal of alternatives?</p>	<ol style="list-style-type: none"> <li>1. The Act section 19(5)</li> <li>2. Regulations 12 and 13 of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633.</li> </ol>	<ol style="list-style-type: none"> <li>1. PPS12 paragraphs 4.39-4.43</li> <li>2. SEA Guide, chapter three</li> </ol>		<ol style="list-style-type: none"> <li>i. Consultation statement</li> <li>ii. Any reports on the selection of alternatives and options for the development plan document</li> <li>iii. Sustainability appraisal report</li> </ol>	<p>Yes. The Issues and Options consultation (2006) set out a number of different options and each was duly appraised through a process of sustainability appraisal (SA).</p> <p>Copies of all SA documents have been provided and are available online at <a href="http://www.gloucestershire.gov.uk/sustainabilityappraisal">www.gloucestershire.gov.uk/sustainabilityappraisal</a></p> <p>The Issues and Options response report set out the reasons for taking certain options forward.</p> <p>A copy of the report has been provided and can be viewed online at <a href="http://www.gloucestershire.gov.uk/wcs/issuesandoptions">www.gloucestershire.gov.uk/wcs/issuesandoptions</a></p>
<p>7. Is the participation:</p> <ul style="list-style-type: none"> <li>• following the principles set out in your statement of community involvement</li> <li>• integrating involvement with the sustainable community strategy</li> <li>• proportionate to the scale of issues involved in the development plan document?</li> </ul>	<ol style="list-style-type: none"> <li>1. The Act s.19(3)</li> <li>2. Regulation 25</li> </ol>	<p>PPS12 paragraphs 4.19 – 4.26; 4.42</p>		<ol style="list-style-type: none"> <li>i. Consultation Statement</li> <li>ii. The statement of community involvement</li> <li>iii. The relevant sustainable community strategies</li> </ol>	<p>Yes. The Issues and Options consultation (2006) was carried out in accordance with the provisions of the adopted Statement of Community Involvement (SCI), a copy of which has been provided and is available to view online at <a href="http://www.gloucestershire.gov.uk/wcs">www.gloucestershire.gov.uk/wcs</a></p> <p>Various members of the Local Strategic Partnership (LSP) have been involved throughout the preparation of the WCS and copies of the relevant SCS have been provided. Section 3.0 and Appendix 2 of the WCS clearly set out the links between the WCS and the Gloucestershire SCS.</p> <p>The scale and type of participation at the issues and options stage and throughout the Regulation 25 plan preparation stage was extensive and considered appropriate having regard to the scope and geographical coverage of the WCS.</p>

<p>8. Are you keeping a record of:</p> <ul style="list-style-type: none"> <li>• The individuals or bodies invited to make representations</li> <li>• How this was done</li> <li>• The main issues raised?</li> </ul>	Regulation 24	PPS12 paragraphs 4.24 – 4.29	<p>You will need to submit a statement of representations under Regulation 30(1)(d): see Submission stage below.</p> <p>Regulation 49 deals with the availability of documents and the time of their removal</p>	<ul style="list-style-type: none"> <li>i. Consultation statement</li> <li>ii. Reports by the council on the consultation</li> <li>iii. Copies of representations and relevant correspondence</li> <li>iv. Technical reports on the engagement process</li> </ul>	<p>Yes. The Regulation 30(d) consultation statement sets out who was consulted during the plan preparation stage, how they were consulted, the main issues raised and how these have been taken into account in the publication WCS. A copy of the consultation statement has been provided and is available online at <a href="http://www.gloucestershire.gov.uk/wcs/submission">www.gloucestershire.gov.uk/wcs/submission</a></p> <p>With specific regard to the early development of the WCS, the issues and options response report summarises the main issues raised during consultation at this stage and the Council's response to these issues.</p> <p>A copy of the report has been provided and is available online at <a href="http://www.gloucestershire.gov.uk/wcs/issuesandoptions">www.gloucestershire.gov.uk/wcs/issuesandoptions</a></p>
<p>9. Are you developing a framework for monitoring the effects of the development plan document?</p>	<ul style="list-style-type: none"> <li>1. The Act section 35</li> <li>2. Regulation 48</li> </ul> <p>Reg 17 of The Environmental Assessment of Plans and Programmes Regulations 2004 No1363</p>	<ul style="list-style-type: none"> <li>1. PPS12 paragraphs 4.39 – 4.43 and 4.47</li> <li>2. SEA Guide, Chapter five</li> <li>3. Office of the Deputy Prime Minister monitoring guide</li> </ul>		<ul style="list-style-type: none"> <li>i. Sustainability appraisal report</li> <li>ii. The annual monitoring report</li> <li>iii. Reports or documents setting out the appraisal and monitoring framework</li> </ul>	<p>Yes. The submission WCS includes a detailed monitoring framework, based on the established 'objectives, policies, targets and indicators' approach to monitoring and building on the sustainability issues identified in the Sustainability Appraisal (SA).</p> <p>Copies of the WCS, the SA report and AMR have been provided. They are also available to view online at <a href="http://www.gloucestershire.gov.uk/wcs/submission">www.gloucestershire.gov.uk/wcs/submission</a></p>

10. Have you arranged to send copies of documents used in consultation to the Government Office and Planning Inspectorate?	Not statutory, but will assist in identifying issues leading towards a sound development plan document	Plan Making Manual - New Regulation 25		Copies of correspondence with the Government Office and Planning Inspectorate	<p>Yes. The Government Office for the South West (GOSW) and the Planning Inspectorate both received copies of all relevant documents throughout the Regulation 25 plan preparation stage of the WCS.</p> <p>Both bodies were also notified at publication however at submission only the Planning Inspectorate were notified due to the closure of the Government Office for the South West.</p>
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### STAGE 3: PLAN PREPARATION (FORMULATION STAGE)

This stage represented the main opportunity for stakeholders to participate in the development of the Waste Core Strategy. The table below sets out how the various legal, procedural and content requirements have been met. The main activities at this time were a 'Preferred Options' consultation in January 2008 and a 'Site Options' consultation in October 2009. Relevant information from these stages is available to view online at [www.gloucestershire.gov.uk/wcs/preferredoptions](http://www.gloucestershire.gov.uk/wcs/preferredoptions) and [www.gloucestershire.gov.uk/wcs/siteoptions](http://www.gloucestershire.gov.uk/wcs/siteoptions) The response report from the site options stage can be viewed at [www.gloucestershire.gov.uk/wcs/publication](http://www.gloucestershire.gov.uk/wcs/publication)

Activity	Statutory Requirement	Guidance reference	Additional Notes	Possible evidence	Evidence provided
1. Are you preparing reasonable alternatives for evaluation during the preparation of the development plan document?	Regulation 12 of The Environmental Assessment of Plans and Programmes Regulations 2004 No. 1633	<ol style="list-style-type: none"> <li>1. PPS12 paragraph 4.38</li> <li>2. SEA Guide, Chapter five</li> </ol>	The sustainability appraisal report and supporting documents relevant to the preparation of the development plan document are part of the proposed submission documents (see Regulation 24)	Documents supporting decisions on alternatives and any preferred strategy	<p>Yes. Building on the initial issues and options consultation in 2006, the preferred options consultation in 2008 identified a number of alternative options including several based around the proposed spatial strategy for the location of strategic waste facilities.</p> <p>These options were duly tested through the Sustainability Appraisal (SA) process. Copies of the Preferred Options and SA report have been provided and are available at <a href="http://www.gloucestershire.gov.uk/wcs/submission">www.gloucestershire.gov.uk/wcs/submission</a></p> <p>The site options consultation in 2009 identified a number of alternative site options for waste recovery. This was subject to further testing through Sustainability Appraisal (SA). Copies of the Site Options and SA report have been provided and are available at <a href="http://www.gloucestershire.gov.uk/wcs/submission">www.gloucestershire.gov.uk/wcs/submission</a></p> <p>The response reports produced at each stage explain why certain options have been taken forward, whilst others have been dropped. This is also summarised in the Regulation 30(d) consultation statement. Copies of the response reports and the Regulation 30(d)</p>

Activity	Statutory Requirement	Guidance reference	Additional Notes	Possible evidence	Evidence provided
					consultation statement have been provided and are also available to view online at <a href="http://www.gloucestershire.gov.uk/wcs/submission">www.gloucestershire.gov.uk/wcs/submission</a>
<p>2. Have you assessed alternatives against:</p> <ul style="list-style-type: none"> <li>consistency with national policy</li> <li>general conformity with the regional spatial strategy?</li> </ul>	The Act section19(2), section 24	PPS12 4.30 – 33	General conformity with the regional spatial strategy is tested formally later but you need to consider it during preparation of the development plan document	<ul style="list-style-type: none"> <li>i. Supporting documents</li> <li>ii. Correspondence with Government Offices and regional planning body (or Mayor of London)</li> </ul>	<p>Yes. Due regard has been had to national and regional policy throughout the preparation of the WCS.</p> <p>The preferred options consultation (2008) provided the national and regional policy context for the options being proposed.</p> <p>Copies of the correspondence received from the regional planning body at preferred options and site options are appended to this assessment.</p> <p>It should be noted however that at the formal publication stage, whilst a written request was made to the South West Regional Planning Body 'South West Councils', a reply was received confirming that South West Councils would no longer be responding to conformity requests (copy of email appended).</p>

<p>3. Are you having regard to:</p> <ul style="list-style-type: none"> <li>• adjoining regional spatial strategies, the spatial development strategy for London, or Welsh Spatial Plan (as appropriate)</li> <li>• the National Planning Framework for Scotland?</li> </ul>	<p>1. The Act section19(2)</p> <p>2. Regulation 15(1)(g)</p>			<p>i. Supporting documents</p> <p>ii. Correspondence with the relevant bodies</p>	<p>Yes. Regional Planning Bodies for the South East and West Midlands were consulted as part of the Regulation 25 public participation stage.</p> <p>No significant issues were raised by either.</p>
<p>4. Are you having regard to:</p> <ul style="list-style-type: none"> <li>• the sustainable community strategy of the authority or other authorities whose area comprises part of the area of the council</li> <li>• any other local development documents adopted by the council?</li> </ul>	<p>The Act section19(2)</p>	<p>PPS12 paragraphs 1.6; 4.22 - 4. 23; 4.34 - 4. 35</p>		<p>i. Supporting documents</p> <p>ii. The Sustainable community strategies</p> <p>iii. Relevant local development documents</p> <p>iv. Correspondence with the local strategic partners</p>	<p>Yes. Due regard has been had to the Gloucestershire Sustainable Community Strategy in preparing the WCS. Section 3.0 and Appendix 2 explain the linkages.</p> <p>The WCS also has regard to District-level SCS within Gloucestershire helping to deliver a number of their aims and objectives.</p> <p>There are two other adopted Local Development Documents (LDDs) including the Council's Statement of Community Involvement (SCI) adopted in 2005 and the Waste Minimisation Supplementary Planning Document (SPD) adopted in 2006.</p> <p>Copies have been provided and are available to view online at <a href="http://www.gloucestershire.gov.uk/submission">www.gloucestershire.gov.uk/submission</a></p>



					<p>Regard has been had to both of these documents. As explained above, consultation on the WCS has been carried out in line with the SCI. The Waste Minimisation SPD is supported by Core Policy WCS1 – Waste Reduction contained in the submission WCS.</p> <p>The other adopted LDD is the Waste Minimisation Supplementary Planning Document (SPD) which is supported by Core Policy WCS1 – Waste Reduction.</p>
<p>5. Do you have regard to other matters and strategies relating to:</p> <ul style="list-style-type: none"> <li>resources</li> <li>the regional development agencies' regional economic strategy</li> <li>the local transport plan and transport facilities and services</li> <li>waste strategies</li> <li>hazardous substances and accidents?</li> </ul>	<ol style="list-style-type: none"> <li>The Act section19(2)</li> <li>Regulation 15</li> </ol>		<p>As well as the matters and strategies listed in the Act and Regulations there are likely to be other matters identified in planning policy statements, regional and local strategies that you will need to have regard to in preparing the development plan document.</p>	<ol style="list-style-type: none"> <li>Supporting documents</li> <li>Correspondence with the relevant bodies and the Government Office</li> </ol>	<p>Yes. Due regard has been had to a number of other matters and strategies in the preparation of the WCS including the regional waste strategy, the Gloucestershire Local Transport Plan, the Gloucestershire Joint Municipal Waste Management Strategy (JMWMS) and the DEFRA Hazardous Waste Strategy (2010).</p> <p>Appendix 2 of the WCS sets out the main influences on the WCS and how they have been taken into account in the submission WCS. Further commentary is provided in Section 3.0 of the WCS.</p>

<p>6. Are you having regard to the need to include policies on mitigating and adapting to climate change?</p>		<p>Annex to PPS1 on climate change</p>	<p>This is expected to be an amendment to section 19(2) of the Act.</p>	<p>Supporting documents</p>	<p>Yes. Climate change (mitigation and adaptation) was flagged up by respondents as a key issue during the preparation of the WCS. Government policy also requires this to be an integral element of development plans.</p> <p>To reflect this, the WCS duly includes climate change as an integral component within the spatial vision, strategic objectives and key drivers.</p> <p>Whilst there is no specific core policy on climate change, the issue is addressed in detail within the supporting text and is also addressed indirectly through a number of the core policies such as those dealing with flood risk, sustainable transport and nature conservation.</p> <p>Notably, a separate evidence paper on climate change has been prepared in support of the WCS. A copy of the evidence paper has been provided and can also be viewed online at <a href="http://www.gloucestershire.gov.uk/wcs/evidence">www.gloucestershire.gov.uk/wcs/evidence</a></p>
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7. Have you undertaken the necessary sustainability appraisal of alternatives, including consultation on the sustainability appraisal report?	<ol style="list-style-type: none"> <li>1. The Act section 19(5)</li> <li>2. Regulation 12 and 13 of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633</li> </ol>	<ol style="list-style-type: none"> <li>1. PPS12 paragraphs 4.38 – 4.43</li> <li>2. SEA Guide, Chapter five</li> </ol>	Regulation 13 of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633 sets out the consultation procedures	<ol style="list-style-type: none"> <li>i. Reports on the sustainability of alternatives</li> <li>ii. Record of work undertaken on sustainability appraisal</li> <li>iii. Supporting documents</li> </ol>	<p>Yes. The Preferred Options and Site Options papers and the alternative options laid out therein have been subject to Sustainability Appraisal (SA) with SA reports produced at each stage.</p> <p>Copies of the SA reports have been provided. They are also available to view online at <a href="http://www.gloucestershire.gov.uk/wcs/submission">www.gloucestershire.gov.uk/wcs/submission</a></p>
8. Are you setting out clear reasons for any preferences between alternatives?	Regulation 13(1)	PPS12 paragraphs 4.36 – 4.38	This will include Information from the sustainability appraisal.	<ol style="list-style-type: none"> <li>i. Any reports setting out alternatives and choices considered</li> <li>ii. Supporting documents</li> </ol>	<p>Yes. The response reports produced at preferred options and site options clearly set out the reason why certain options have been taken forward and others assessed and rejected.</p> <p>Copies of the response reports have been provided and are also available to view online at <a href="http://www.gloucestershire.gov.uk/wcs/submission">www.gloucestershire.gov.uk/wcs/submission</a></p>
9. Have you taken into account any representations made on the content of the development plan document and the sustainability appraisal? 10. Are you keeping a record?	<ol style="list-style-type: none"> <li>1. Regulations 24, 25(5) and 30(1)(d)(iv)</li> <li>2. Regulation 13(4) of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633</li> </ol>	PPS12 paragraphs 4.19 – 4.29	Records on the sustainability appraisal should also include recording any assessment made under the Habitats Directive	<ol style="list-style-type: none"> <li>i. Correspondence from those making representations</li> <li>ii. Any reports on issues raised</li> <li>iii. Consultation statement</li> <li>iv. sustainability appraisal report</li> </ol>	<p>Yes. Officer response reports were produced at issues and options, preferred options and site options summarising the main issues raised including those in relation to the SA reports. Copies of these response reports have been made available and are also available online at <a href="http://www.gloucestershire.gov.uk/wcs/submission">www.gloucestershire.gov.uk/wcs/submission</a></p> <p>The Regulation 30(d) consultation statement provides an overview of the main issues raised during the plan preparation stage and how these have been taken into account in the publication WCS. A copy of the consultation statement has been provided and is also available to view online at <a href="http://www.gloucestershire.gov.uk/wcs/submission">www.gloucestershire.gov.uk/wcs/submission</a></p>

<p>11. Where sites are to be identified or areas for the application of policy in the development plan document, are you preparing sufficient illustrative material to:</p> <ul style="list-style-type: none"> <li>• enable you to amend the currently adopted proposals map</li> <li>• inform the community about the location of proposals?</li> </ul>	<p>Regulations 9 and 14</p>	<p>PPS12 paragraphs 4.6 - 4.7; 8.1-8.3</p>	<ol style="list-style-type: none"> <li>1. Regulation 2 defines the terms 'submission' and 'adopted' proposals map.</li> <li>2. A map showing changes to the adopted proposals map is part of the proposed submission documents defined in Regulation 24.</li> </ol>	<ol style="list-style-type: none"> <li>i. The adopted proposals map</li> <li>ii. Any reports on proposals to amend the proposals map</li> <li>iii. Illustrative material that shows how the proposals map will be amended or replaced</li> </ol>	<p>Yes. The WCS includes four strategic site allocations suitable for residual waste recovery.</p> <p>These are illustrated on inset maps appended to the WCS, as well as on a separate proposals map.</p> <p>A hard copy and electronic copy have been provided.</p> <p>The proposals map is also available online at: <a href="http://www.gloucestershire.gov.uk/wcs/proposalsmap">www.gloucestershire.gov.uk/wcs/proposalsmap</a></p>
<p>12. Are the participation arrangements compliant with the statement of community involvement?</p>	<ol style="list-style-type: none"> <li>1. The Act, section 19(3)</li> <li>2. Regulation 25</li> </ol>	<p>PPS12 paragraphs 4.19-4.29</p>	<p>You should make sure the arrangements remain in line with legislative changes affecting community engagement.</p>	<ol style="list-style-type: none"> <li>i. The statement of community involvement</li> <li>ii. Consultation statement</li> </ol>	<p>Yes. Public participation throughout the Regulation 25 stage has been consistent with the provisions of the adopted SCI (2005). A copy of the SCI has been provided and is also available to view online at <a href="http://www.gloucestershire.gov.uk/wcs/submission">www.gloucestershire.gov.uk/wcs/submission</a></p>
<p>13. Have you remained in close contact with the Government Office and discussed any emerging issues that might affect the soundness of the development plan document?</p>		<p>Plan Making Manual - New Regulation 25</p>		<ol style="list-style-type: none"> <li>i. Copies of correspondence with the Government Office</li> <li>ii. Copies of the relevant documents</li> </ol>	<p>Yes. The Government Office for the South West (GOSW) has been engaged throughout the preparation of the Waste Core Strategy including issues and options, preferred options and site options. Their views were not sought at publication or focused changes due to the closure of the regional tier of government offices.</p>

## STAGE 4: PUBLICATION

Publication is the stage at which a local authority publishes what it considers to be a 'sound' plan having regard to the various issues raised during the earlier plan preparation stages (see above). Publication of the Gloucestershire Waste Core Strategy (WCS) took place over an 8-week period between 13<sup>th</sup> December 2010 and 7<sup>th</sup> February 2011 in accordance with Regulation 27 of the Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008. The table below sets out how the various requirements for publication stage were met.

It should be noted that having regard to the representations received at publication the Council decided to publish a revised WCS incorporating a number of 'focused changes'. Further representations on the focused changes were invited from 27<sup>th</sup> June - 8<sup>th</sup> August 2011.

Activity	Statutory Requirement	Guidance Reference	Additional notes	Possible evidence	Evidence provided
1. Have you prepared the sustainability appraisal report?	1. The Act section 19(5) 2. Regulation 12 of The Environmental Assessment of Plans and Programmes Regulations 2004 No 1633	1. PPS12 paragraphs 4.38 – 4.43 2. SEA Guide Chapter five		Sustainability appraisal report	Yes. A final Sustainability Appraisal (SA) report of the WCS was prepared at publication and subsequently updated to take account of the proposed focused changes. Copies of the SA report and updated SA report have been provided and can also be viewed online at <a href="http://www.gloucestershire.gov.uk/wcs/publication">www.gloucestershire.gov.uk/wcs/publication</a>
2. Have you made clear where and within what period representations must be made?	Regulation 28(2) and (3)		The period must be at not less than 6 weeks from when you give notice under Regulation 27(e) (see below)	i. Report or record of decisions ii. The statement of community interest	Yes. The publication period for the WCS ran for 8-weeks from 13 <sup>th</sup> December 2010 until 7 <sup>th</sup> February 2011. 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. This information was also made available in the published legal notice. This process was repeated for the focused changes. Copies of the legal notices for publication and focused changes have been provided and can also be viewed online at <a href="http://www.gloucestershire.gov.uk/wcs/publication">www.gloucestershire.gov.uk/wcs/publication</a>

Activity	Statutory Requirement	Guidance Reference	Additional notes	Possible evidence	Evidence provided
<p>3. Have you made copies of the following available for inspection:</p> <ul style="list-style-type: none"> <li>the proposed submission documents?</li> <li>the statement of the representations procedure?</li> </ul>	Regulation 27(a)		Regulation 24 gives definitions	<ul style="list-style-type: none"> <li>i. Copies of the relevant statements</li> <li>ii. Report on where and when made available</li> <li>iii. Record of where and when made available</li> </ul>	<p>Yes. 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.</p> <p>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. This information was also made available in the legal notice.</p> <p>The same process was repeated at focused changes.</p> <p>Copies of the legal notices for publication and focused changes have been provided and can also be viewed online at <a href="http://www.gloucestershire.gov.uk/wcs/publication">www.gloucestershire.gov.uk/wcs/publication</a></p>
<p>4. Have you published on your website the following:</p> <ul style="list-style-type: none"> <li>the proposed submission documents?</li> <li>the statement of the representations procedure?</li> <li>statement and details of where and when documents can be inspected?</li> </ul>	Regulation 27(b)		Regulations 2 and 24 give definitions	Record of publication	<p>Yes. All proposed submission documents were made available for inspection online.</p> <p>Also made available online was a statement of the representations procedure and a statement of the fact that the documents were available and the places and times at which they could be inspected.</p> <p>See <a href="http://www.gloucestershire.gov.uk/wcs/publication">www.gloucestershire.gov.uk/wcs/publication</a></p>

Activity	Statutory Requirement	Guidance Reference	Additional notes	Possible evidence	Evidence provided
<p>5. Have you sent to each of the specific consultation bodies invited to make representations under Regulation 25(1):</p> <ul style="list-style-type: none"> <li>• A copy of each of the proposed submission documents</li> <li>• The statement of the representations procedure?</li> </ul>	Regulation 27(c)		Regulations 2 and 24 give definitions	<ul style="list-style-type: none"> <li>i. Copies of correspondence</li> <li>ii. Record of sending</li> </ul>	<p>Yes. A letter and CD containing all proposed submission documents was sent to each specific consultee. The letter incorporated the statement of the representations procedure.</p> <p>This process was repeated at focused changes.</p> <p>A copy of the letter has been appended to this assessment.</p>
<p>6. Have you sent to each of the general consultation bodies invited to make representations under Regulation 25(1):</p> <ul style="list-style-type: none"> <li>• the statement of the representations procedure?</li> <li>• where and when the documents can be inspected?</li> </ul>	Regulation 27(d)		Regulations 2 and 24 give definitions	<ul style="list-style-type: none"> <li>i. Copies of correspondence</li> <li>ii. Record of sending</li> </ul>	<p>Yes. 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.</p> <p>This process was repeated at focused changes.</p> <p>A copy of the letter has been appended to this assessment.</p>

<p>7. Have you given notice by local advertisement setting out:</p> <ul style="list-style-type: none"> <li>the statement of the representations procedure</li> <li>where and when the documents can be inspected?</li> </ul>	Regulation 27(e)		Regulation 24 gives definitions	<p>i. Copy of advertisement</p> <p>ii. Where and when placed</p>	<p>Yes. At publication, a legal notice was published in various local newspapers 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.</p> <p>Copies of the legal notices have been provided and are also available to view online at <a href="http://www.gloucestershire.gov.uk/wcs/publication">www.gloucestershire.gov.uk/wcs/publication</a></p>
<p>8. Have you requested the opinion of the regional planning body (or the Mayor in London) on the general conformity of the development plan document with the regional spatial strategy (or spatial development strategy)?</p>	<p>1. The Act section 24</p> <p>2. Regulation 29</p>	PPS12 paragraph 4.21	The period is six weeks from when you make copies available for inspection under Regulation 27(a)	Copies of correspondence	<p>Yes. A letter dated 10<sup>th</sup> December was sent to the South West Regional Planning Body (South West Councils) requesting confirmation of conformity with the South West Regional Spatial Strategy.</p> <p>A response was received but this stated that South West Councils would no longer be responding to conformity requests.</p> <p>A copy of this email has been appended to this assessment.</p>



## STAGE 5: SUBMISSION

The Gloucestershire Waste Core Strategy was formally submitted on 5<sup>th</sup> September 2011. The submission documents include:

- Gloucestershire Waste Core Strategy (December 2010)
- Revised Gloucestershire Waste Core Strategy (June 2011)
- Schedule of Focused Changes (June 2011)
- Sustainability Appraisal (SA) Report (December 2010)
- Sustainability Appraisal (SA) Report Update (June 2011)
- Proposals Map
- Statement of Community Involvement (SCI)
- Regulation 30(d) Statement of Consultation
- Regulation 30(e) Statement of Representations and Key Issues
- Copies of all representations; and
- Other relevant supporting documents (e.g. Habitat Regulations Assessment (HRA) Report, Technical Evidence Papers, Equality Impact Assessment etc.)

The table below sets out how the various requirements for submission have been met. Those relating to issues of 'legal compliance' are identified by **shading** in the left-hand 'Question' column.

Question	Statutory Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
1. Are you ready to submit the DPD?	1. The Act section 20(2)(b)		If you are not ready to submit, you may need to do more work on the development plan document or consider withdrawing and republishing a revised version.	i. Report on issues resulting from Regulation 28 representations	Yes. In response to publication a total of 216 representations were received from 48 individuals and organisations. It is the Council's opinion that none of these representations raised issues of significant concern relating to soundness or legal compliance.
2. Are there any major issues revealed by the representations on publication?	2. The Act section 20(1)			ii. Resolution to carry out more work on part of the development plan document or to withdraw plan	Notwithstanding this, the Council decided to publish a revised version of the WCS incorporating a number of 'focused changes'.
3. Are all the relevant documents in place?	3. Regulation 30(1)		Regulation 30(1) sets	iii. The development plan	In response to the focused changes a further 216 representations were received from 57 individuals and

Question	Statutory Requirement	Guidance Reference	Additional Notes	Possible evidence	Evidence provided
			out the documents which must be submitted in addition to the development plan document.	document iv. The documents prescribed at Regulation 30(1)	organisations (including late representations).  In accordance with Regulation 30 (e) the Council has produced a statement setting out how many representations were made at publication and what the main issues raised were.  A copy of the statement has been provided and is also available to view online at <a href="http://www.gloucestershire.gov.uk/wcs/submission">www.gloucestershire.gov.uk/wcs/submission</a>
4. Has the development plan document been prepared in accordance with the local development scheme? 5. Does the development plan document's listing and description in the local development scheme match the document? 6. Have the timescales set out in the local development scheme been met?	The Act, section 19(1)	PPS12 paragraph 4.50; 4.53 – 4.55	The Act section 15(2) and Regulation 8 note the matters specified in the local development scheme The box on local development schemes in PPS12 after paragraph 4.55 sets out milestones	i. The local development scheme ii. Explanation of any changes from the milestones set out in the local development scheme iii. Relevant annual monitoring reports iv. Correspondence with the Government Office on the local development scheme	Yes. The Council's current development scheme was approved in August 2011.  The WCS has been prepared in accordance with the development scheme and matches the listing and description set out in that scheme. It has also been prepared in accordance with the timescales set out in the development scheme.  A copy of the development scheme has been provided and is also available to view online at <a href="http://www.gloucestershire.gov.uk/mwds">www.gloucestershire.gov.uk/mwds</a>

7. Has the development plan document had regard to any sustainable community strategy for its area (like a county and district)?	The Act section 19(2)	PPS12 paragraph 4.34 – 4.35; 4.50		<ul style="list-style-type: none"> <li>i. The sustainable community strategy(ies)</li> <li>ii. Reference to sections of the development plan document showing how regard has been had to them</li> </ul>	<p>Yes. The WCS identifies the Gloucestershire Sustainable Strategy as a key driver in Section 3.0 and Appendix 2 sets out how the WCS will help deliver the objectives of the SCS including those relating to climate change, environmental protection, sustainable management of waste, the protection of local heritage and promotion of sustainable transport.</p> <p>Copies of the relevant sustainable community strategies have been provided.</p>
<p>8. Is the development plan document in compliance with the statement of community involvement (where one exists)?</p> <p>9. Has the council carried out consultation as described in the statement of community involvement?</p>	<ul style="list-style-type: none"> <li>1. The Act s19(3)</li> <li>2. Regulation 32(1)(c)</li> </ul>	PPS12 paragraph 4.50; box after paragraph 4.26	Before the statement of community involvement is formally amended to take into account the changes in the regulations, you may need to set out how the community engagement that you carried out met the regulations (as amended).	<ul style="list-style-type: none"> <li>i. The statement of community involvement</li> <li>ii. The Regulation 32(1)(c) statement</li> </ul>	<p>Yes. The Council's Statement of Community Involvement (SCI) 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).</p> <p>The WCS has been prepared in line with the provisions of the SCI.</p> <p>A copy of the adopted SCI has been provided and can also be viewed online at <a href="http://www.gloucestershire.gov.uk/wcs">www.gloucestershire.gov.uk/wcs</a></p>
10. Has the development plan document been subject to sustainability appraisal?	<ul style="list-style-type: none"> <li>1. The Act section 19(5)</li> <li>2. Regulation 32(1)(a)</li> </ul>	<ul style="list-style-type: none"> <li>1. PPS12 paragraph 4.39 – 4.43; 4.50</li> <li>2. SEA Practical Guide,</li> </ul>		Sustainability appraisal report	Yes. The WCS has been subjected to a continuous process of Sustainability Appraisal (SA) incorporating the requirements of the Strategic Environmental Assessment (SEA) Directive. The publication WCS was accompanied by a final SA report which was subsequently updated at focused changes.

11. Has the council provided a final report of the findings of the appraisal?		chapter five			Copies of the SA reports have been provided and can also be viewed online at <a href="http://www.gloucestershire.gov.uk/sustainabilityappraisal">www.gloucestershire.gov.uk/sustainabilityappraisal</a>
12. Is the development plan document to be submitted consistent with national policy?	The Act section 20(2) and Schedule 8	PPS12 paragraphs 4.30 – 33; 4.50	You need to be sure changes made up to the time of submission are compliant with the requirements	<ul style="list-style-type: none"> <li>i. Correspondence with Government Offices</li> <li>ii. Representations from Government Offices</li> </ul>	<p>Yes. The WCS is entirely consistent with national policy including in particular PPS1, PPS1 supplement, PPG2, PPS5, PPS7, PPS9, PPS10, PPS12, PPG13, PPS22, PPS23, PPG24 and PPS25.</p> <p>It is also consistent with the National Waste Strategy for England. References and footnotes are provided throughout the submission WCS as appropriate. Representations have been received from the Government Office for the South West up until site options. No further response was received after this stage due to the closure of the government office.</p>
13. Does the development plan document contain any policies or proposals that are not in general conformity with the regional spatial strategy?  14. If yes, is there local justification? 15. Has the council got confirmation from the regional planning body about the general	<ul style="list-style-type: none"> <li>1. The Act s 24(1)(a); 24(2) and 24(4)</li> <li>2. Regulation 29</li> </ul>	PPS12 paragraphs 4.30 – 33; 4.50	In London the requirement is for general conformity with the spatial development strategy (The London Plan)	<ul style="list-style-type: none"> <li>i. Correspondence with or representations from the regional planning body, or Mayor of London</li> <li>ii. Confirmation of conformity from the regional planning body, or Mayor</li> </ul>	<p>No. The policies, proposals and overall spatial strategy set out in the WCS are entirely consistent with the draft Regional Spatial Strategy for the South West. Written confirmation from the Regional Planning Body was received at issues and options, preferred options and site options.</p> <p>At publication, a letter dated 10<sup>th</sup> December was sent to the South West Regional Planning Body (South West Councils) requesting confirmation of conformity with the South West Regional Spatial Strategy.</p> <p>A response was received but this stated that South West Councils would no longer be responding to conformity requests.</p> <p>A copy of the email is appended to this assessment.</p>

conformity of the plan with the regional spatial strategy?					
<p>16. Does the development plan document comply with the 2004 regulations (as amended)?</p> <p>17. Specifically, has the council published the prescribed documents, and made them available at their principal offices and their website?</p> <p>18. Has the council placed local advertisements?</p> <p>19. Has the council notified the development plan document bodies?</p> <p>20. Does the development plan document contain a list of superseded saved policies?</p>	<p>1. The Act section 20(2), 20(3) and 20(5)(b)</p> <p>2. Regulations 13(1), 13(2), 13(5) and 30(1)</p>	PPS12 paragraphs 4.36; 4.50	Requirements relating to publication of the prescribed documents are listed later in this table.	<p>i. The documents prescribed at Regulation 30(1)</p> <p>ii. Relevant annual monitoring reports</p> <p>iii. Records of the actions undertaken (see below)</p>	<p>Yes. The 2004 Regulations (as amended) have been fully complied with throughout including the Regulation 25 public participation stage, the Regulation 27 publication stage and the Regulation 30 submission stage.</p> <p>Copies of the legal notices published at publication, focused changes and submission have been provided and are available online at <a href="http://www.gloucestershire.gov.uk/wcs/submission">www.gloucestershire.gov.uk/wcs/submission</a></p> <p>All specific consultees and relevant general and other consultees have been notified in accordance with the regulations.</p> <p>Appendix 1 of the submission WCS is a schedule setting out which saved Waste Local Plan policies will be replaced by the WCS core policies and which will remain in force. A copy of the WCS has been provided and is also available online at <a href="http://www.gloucestershire.gov.uk/wcs/submission">www.gloucestershire.gov.uk/wcs/submission</a></p>

<p>21. Are there any policies applying to sites or areas by reference to an Ordnance Survey map or to amend an adopted proposals map?</p> <p>If yes, have you prepared a submission proposals map?</p>	<p>Regulations 13(4) 14 and 30(1)(b)</p>	<p>PPS12 paragraphs 4.6 -4.7; 8.1-8.3</p>		<p>i. Submission proposals map</p> <p>ii. Brief statement if a submission proposals map is not required</p>	<p>Yes. The submission WCS includes four strategic site allocations.</p> <p>These have been identified in broad terms on the Key Diagram and more specifically on the submission Proposals Map.</p> <p>A copy of the proposals map has been provided and is also available to view online at <a href="http://www.gloucestershire.gov.uk/wcs/submission">www.gloucestershire.gov.uk/wcs/submission</a></p>
<p>22. If the development plan document is not a core strategy, is it in conformity with the core strategy?</p>	<p>Regulation 13(6)</p>			<p>i. The core strategy</p> <p>ii. Documents or reports demonstrating conformity</p>	<p>N/a</p>
<p>23. Have you prepared a statement setting out:</p> <ul style="list-style-type: none"> <li>• Which bodies and persons were invited to make representations under Regulation 25</li> <li>• How they were invited</li> <li>• A summary of the main issues</li> </ul>	<p>The Act section20(3)</p> <p>Regulation 30(1)(d)</p>		<p>This will bring forward material from the Consultation statement (see Stage 2 above)</p>	<p>i. Consultation statement</p> <p>ii. The Statement as required in Regulation 30(1)(d)</p>	<p>Yes. The Regulation 30(d) statement of consultation was made available at publication in accordance with Regulation 27.</p> <p>A copy of this statement has been provided and is also available to view online at <a href="http://www.gloucestershire.gov.uk/wcs">www.gloucestershire.gov.uk/wcs</a></p>

<p>raised</p> <ul style="list-style-type: none"> <li>How the representations have been taken into account?</li> </ul>					
<p>24. Have you prepared a statement giving:</p> <ul style="list-style-type: none"> <li>the number of representations made under Regulation 28(2)</li> <li>a summary of the main issues raised</li> </ul> <p>OR</p> <ul style="list-style-type: none"> <li>that no representations were made?</li> </ul>	<p>The Act section20(3) Regulation 30(1)(e)</p>			<p>The Statement as required in Regulation 30(1)(e)</p>	<p>Yes. In accordance with Regulation 30(e) a statement has been prepared setting out the number of representations received in accordance with Regulation 28 and the main issues raised.</p> <p>A copy of the Regulation 30(e) statement of representations and key issues has been provided and is also available to view online at <a href="http://www.gloucestershire.gov.uk/wcs/submission">www.gloucestershire.gov.uk/wcs/submission</a></p>
<p>25. Have you collected together all the representations made under Regulation 28?</p>	<p>The Act section20(3) Regulation 30(1)(f)</p>			<p>Copies of the representations</p>	<p>Yes. Copies of all representations received at publication and focused changes have been provided in both hard copy and electronic format as part of the submission package.</p> <p>Copies of the representations can also be viewed online at <a href="http://www.gloucestershire.gov.uk/wcs/submission">www.gloucestershire.gov.uk/wcs/submission</a></p>

26. Have you assembled the relevant supporting documents?	<ol style="list-style-type: none"> <li>1. The Act section20(3)</li> <li>2. Regulation 30(1)(g)</li> </ol>			All necessary evidence and records of decisions relevant to the development plan document	<p>Yes. The submission WCS is supported by a comprehensive evidence base of supporting documents including technical evidence papers, SA reports, response reports, Strategic Flood Risk Assessment (SFRA) and other documents considered relevant to the preparation of the WCS including the Gloucestershire Joint Municipal Waste Management Strategy (JMWMS).</p> <p>Copies of the relevant supporting documents have been provided and can also be viewed online at <a href="http://www.gloucestershire.gov.uk/wcs/submission">www.gloucestershire.gov.uk/wcs/submission</a></p>
27. Has your council approved the development plan document for submission?	The Act section20		The full council has to approve the development plan document for submission (requirements are set out in Local Authorities Functions Regulations)	Report and resolution of the council	Yes. A copy of the Council Report and Resolution are appended to this self-assessment.
28. Have you sent the Secretary of State (the Planning Inspectorate) a paper copy of the following: <ul style="list-style-type: none"> <li>• the development plan document?</li> <li>• the submission</li> </ul>	<ol style="list-style-type: none"> <li>1. The Act s20(1) and 20(3)</li> <li>2. Regulations 30(1) and 30(2)(a)</li> </ol>		Regulation 49 deals with the availability of documents and the time of their removal.	Record of sending	<p>Yes. With the exception of the relevant supporting documents, paper copies of all submission documents have been provided as part of the package of submission documents in accordance with Regulation 30.</p> <p>Due to their volume, the relevant supporting documents have been provided in electronic format on CD and are available in paper format on request.</p>



<p>proposals map (unless there are no site allocation policies)?</p> <ul style="list-style-type: none"> <li>the documents prescribed in Regulation 30(1)?</li> </ul>					
<p>29. Have you sent the Secretary of State (the Planning Inspectorate) an electronic copy of the:</p> <ul style="list-style-type: none"> <li>development plan document?</li> <li>submission proposals map (unless there are no site allocation policies)?</li> <li>documents prescribed in Regulation 30(1)?</li> </ul>	<ol style="list-style-type: none"> <li>The Act s20(1) and 20(3)</li> <li>Regulations 30(1) and 30(2)(b)</li> </ol>		<p>Electronic copies of some of the representations and supporting documents may not be practicable.</p> <p>Regulation 49 deals with the availability of documents and the time of their removal.</p>	<ol style="list-style-type: none"> <li>Record of sending</li> <li>Reasons why documents cannot be sent electronically</li> </ol>	<p>Yes. Electronic copies of all submission documents have been provided in CD format in accordance with Regulation 30.</p>
<p>30. Have you made the following available at the same places where the proposed submission documents were to be seen:</p> <ul style="list-style-type: none"> <li>The development</li> </ul>	Regulation 30(3)(a)		<p>You should do this as soon as reasonably practicable after submitting to the Secretary of State</p>	Record of where and when made available	<p>Yes. Copies of all submission documents have been made available at the same locations that the proposed submission documents were made available (i.e. the County Council's Main Office, all District Councils and all Gloucestershire Libraries).</p> <p>A statement of the fact that the documents are available for inspection and the places and times they can be inspected has been made available and</p>

plan document? <ul style="list-style-type: none"> <li>• The documents prescribed in Regulation 30(1)?</li> </ul>					distributed at submission in accordance with the regulations.
31. On your website, have you published the: <ul style="list-style-type: none"> <li>• development plan document</li> <li>• submission proposals map</li> <li>• sustainability appraisal report</li> <li>• Regulation 30(1)(d) statement</li> <li>• Regulation 30(1)(e) statement</li> <li>• supporting documents (where practicable)</li> <li>• representations made under Regulation 28 (where practicable)</li> <li>• statement as to where and when the development plan document</li> </ul>	Regulation 30(3)(b)		You should do this as soon as reasonably practicable after submitting to the Secretary of State	Record of publication	Yes. Copies of all submission documents have been made available online as well as a statement of the fact that the documents are available for inspection and the places and times they can be inspected.  See <a href="http://www.gloucestershire.gov.uk/wcs/submission">www.gloucestershire.gov.uk/wcs/submission</a>

and the documents are available?					
<p>32. For each specific consultation body invited to make representations under Regulation 25(1), have you sent the:</p> <ul style="list-style-type: none"> <li>• development plan document</li> <li>• submission proposals map</li> <li>• sustainability appraisal report</li> <li>• adopted statement of community involvement</li> <li>• Regulation 30(1)(d) statement</li> <li>• Regulation 30(1)(e) statement</li> <li>• supporting documents you consider relevant to each body</li> <li>• statement as to where and when</li> </ul>	Regulation 30(3)(c)		You should do this as soon as reasonably practicable after submitting to the Secretary of State	<ul style="list-style-type: none"> <li>i. Copies of correspondence</li> <li>ii. Record of sending</li> </ul>	<p>Yes. Copies of all submission documents have been provided in CD format to specific consultees.</p> <p>The statement of the fact that the documents are available for inspection and the places and times they can be inspected has been incorporated into the letter.</p> <p>A copy of the letter sent to the specific consultees is appended to this self-assessment.</p>

the development plan document and the documents are available?					
<p>33. For each general consultation body invited to make representations under Regulation 25(1), have you sent:</p> <ol style="list-style-type: none"> <li>1. notification that the documents prescribed in Regulation 30(1) are available for inspection</li> <li>2. where and when they can be inspected?</li> </ol>	Regulation 30(3)(d)		You should do this as soon as reasonably practicable after submitting to the Secretary of State	<ol style="list-style-type: none"> <li>i. Copies of correspondence</li> <li>ii. Record of sending</li> </ol>	<p>Yes. A letter was sent to the relevant general consultation bodies incorporating a statement of the fact that the submission documents are available for inspection and the places and times at which they can be inspected.</p> <p>A copy of the letter is appended to this self-assessment.</p>
<p>34. Have you given notice by local advertisement setting out:</p> <ul style="list-style-type: none"> <li>• the title of the development plan document?</li> <li>• the subject and area covered by the development plan document?</li> <li>• notification that the documents</li> </ul>	Regulation 30(3)(e)		You should do this as soon as reasonably practicable after submitting to the Secretary of State	<ol style="list-style-type: none"> <li>i. Copy of advertisement</li> <li>ii. Where and when placed</li> </ol>	<p>Yes. Legal notice of submission was given in accordance with Regulation 30. A copy of the submission notice has been provided and is also available to view online at <a href="http://www.gloucestershire.gov.uk/wcs/submission">www.gloucestershire.gov.uk/wcs/submission</a></p>

<p>prescribed in Regulation 30(1) are available for inspection</p> <ul style="list-style-type: none"> <li>• where and when they can be inspected?</li> </ul>					
<p>35. Have you given notice to persons who have requested to be notified that submission has taken place?</p>	<p>Regulation 30(3)(f)</p>		<p>You should do this as soon as reasonably practicable after submitting to the Secretary of State</p>	<ul style="list-style-type: none"> <li>i. Copies of correspondence</li> <li>ii. Record of sending</li> </ul>	<p>Yes. In accordance with Regulation 27 at publication and focused changes a statement of the representations procedure was made available inviting respondents to request notification of submission of the WCS. A copy of the letter sent to those who requested notification of submission is appended to this self-assessment.</p>
<p>36. If an examination is being held, at least six weeks before its opening has the Programme Officer:</p> <ul style="list-style-type: none"> <li>• published the time and place of the examination and the name of the person appointed to carry out the examination on your website</li> <li>• notified those who have made representations on the published development plan document</li> </ul>	<ul style="list-style-type: none"> <li>1. The Act section 20</li> <li>2. Regulation 34</li> </ul>			<ul style="list-style-type: none"> <li>i. Record of publication of information</li> <li>ii. Record of sending</li> <li>iii. Copies of correspondence</li> <li>iv. Copy of advertisement</li> </ul>	<p>Yes. A Programme Officer has been appointed and will make all necessary arrangements from the point of submission onwards. This will include publishing details of the examination and Planning Inspector on the Council's website, notifying those who submitted representations at publication and focused changes and by giving notice through local advertisement.</p> <p>All details will be made available at <a href="http://www.gloucestershire.gov.uk/wcs/submission">www.gloucestershire.gov.uk/wcs/submission</a></p>

<div>which have not been withdrawn of these details</div> <div><ul style="list-style-type: none"><li>• advertised these details?</li></ul></div>					
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Kevin Phillips  
Team Leader  
Minerals and Waste Planning Policy Team  
Gloucestershire County Council  
Shire Hall  
Westgate Street  
Gloucester  
GL1 2TG

20 March 2008

Dear Kevin

**Gloucestershire Minerals and Waste Local Development Framework Core Strategy – Preferred Option Document**

Thank you for consulting the South West Regional Assembly as the Regional Planning Body (RPB) on the above document.

The RPB assesses consultations on Local Development Documents on whether they are in 'general conformity' with the Regional Spatial Strategy (RSS). The current RSS is RPG10. You will also be aware that the new RSS is being produced. The Examination in Public (EIP) of the draft RSS closed on 6th July and the RSS Panel Report was published in January this year. As well as RPG10, the evidence base behind the emerging RSS can also be considered as a material consideration and will carry greater weight the closer to publication the RSS gets.

**Introduction**

The Regional Planning Body finds that the Gloucestershire Minerals Core Strategy and the Gloucestershire Waste Core Strategy are both in general conformity with the Regional Spatial Strategy. The evidence base behind the options presented is sound. We also believe that the Waste Core Strategy policies comply with the sub-regional apportionments in the RSS, bearing in mind that the latter present a broad direction of travel.

However, we would like to draw your attention to a number of issues we believe should be addressed during the work on the submission drafts.

Firstly, the Core Strategy documents are not easy to read. There are numerous references made to the evidence papers, and we believe that there is more scope for setting out the key findings of the work behind the Core Strategies. This would provide more clarity for the reader.

Q17 A  
Secondly, the Core Strategies should be more consistent in setting out which of the options presented are being preferred. The documents would hence benefit from setting out clearly which option is the preferred one and which options will not be pursued and why.

With regard to the Waste Core Strategy we believe it would be entirely appropriate to identify strategic sites for waste management facilities, in order to meet the capacity requirements as identified in the document and to move forward in diverting waste from landfill. We have outlined our position in more detail further below.

### **Gloucestershire Waste Core Strategy Preferred Options**

#### **Vision and objectives**

Q18 A  
We agree with the preferred spatial vision and the strategic objectives presented under para. 48-56.

#### **Waste reduction, Recycling, Composting and Recovery**

Q19 D  
With regard to the minimisation of waste we agree with the preferred option WPO3b as it provides long term flexibility. Option WPO3c contains a useful additional policy measure that would usefully require developers to consider and plan for the life cycle waste management needs of any substantial development. We would welcome an approach that also required developers to account and provide for the ongoing waste management needs of developments during their use phase ensuring sufficient space and access for increased recycling and waste recovery operations at all new developments. We also welcome reference to draft RSS Policy W4.

#### **Recycling and recovery**

Q20 A  
You will be aware of draft RSS para. 7.4.6 stating that Waste Development Frameworks should include allocated sites or preferred areas for new waste management facilities, sufficient to accommodate the indicative capacity allocations. Further, government waste policy in PPS10 seeks to ensure WPAs provide site specific allocations. From a regional perspective we therefore support options that provide for a site specific allocation in the County for at least waste recovery and disposal facilities that aim to meet the indicative annual capacities set out in Annex C of the draft RSS.

The WPA's research summarised in its evidence base represents an up to date and authoritative assessment of current needs that supersedes research completed for the draft RSS. We find that the suggested capacity requirements in the evidence base and preferred options paper to be in general conformity with the ambitions of the draft RSS. The County should move forward rapidly with the allocation of site/s required to meet the identified shortfall, this may include the allocation of strategic sites in the Core Strategy, in particular where these are required to ensure the County meets its statutory obligations for municipal waste diversion from landfill. The consultation document on

↓



Q17A PPS12 also points into this direction leaving greater flexibility for planning authorities to allocate strategic sites in the Core Strategy, especially where these sites are central to the achievement of the Strategy (para. C4 of the consultation document, see also para. 4.6 and 4.7 of the draft PPS12).

We would agree with the difficulty in identifying sites for small scale, community led facilities for waste recycling/recovery and accept a criteria led approach may be appropriate for facilities of this scale.

### **Locational Strategy**

Q17F With regard to the options presented in Chapter 6 (Locations), we welcome that the search criteria in draft RSS policy W2 were taken into account. You will know however that the Policy follows a sequential approach, looking at locations within or on the edge of the SSCTs and other named settlements in the first instance. The 16km radius as a means of identifying locations in proximity to the SSCTs should be seen as indicative. The RSS Panel Report recommends removing this criterion from the Policy and incorporating it into the supporting text. We agree therefore that the focus should be on the urban areas where the majority of the waste arises, which is shown in Figure 9. We note in this case that the Central Severn Vale is constrained by Green Belts and Flood Risk Areas, covering Areas C2 and C3. However, we would like to ask whether a focus solely on Area C4 as outlined under option WPO7d would provide sufficient flexibility for the development of waste facilities. Option WPO7c appears to be more flexible as it avoids the concentration of facilities in a particular area, but still focuses development on areas served by the primary transport network.

We broadly agree with the Locational Strategy, however, with regard to our comments further above this chapter would benefit from the identification of strategic sites.

### **Hazardous Waste**

Q18A The Regional Planning Body welcomes the inclusion of a policy on hazardous waste based on the policy in dRSS. We feel that policy option WPO8a best reflects the role and responsibilities of the WPA as set out in PPS10.

### **Waste Infrastructure/Sewage Treatment**

Q19A We support the policy option WPO9a and recognise some further more detailed considerations will be required in the development plan document.

### **Safe Guarding**

Q10B Considering the importance and need for new waste management facilities in the County to recycle and recover waste there will be a need to protect both existing and proposed sites from potential sterilisation. As such we suggest that option WPO10b be adopted.

### **Cumulative Impacts**

Q11 B { Policy WPO11b is considered to provide the most clarity on the assessment of any cumulative impacts since it identifies specific issues to be considered and assessed.

### **Land Use Designations**

Q12 A { The RPB considers a policy on land use designation to be useful and supports the approach set out in Policy WPO12a and WPO13a.

The need for new waste management facilities is pressing and consequently will likely impact on green belts.

and also in Q13 A

## **Gloucestershire Minerals Core Strategy Preferred Options**

### **Provision and Supply**

The draft RSS sets out Regional Apportionments for Aggregates Demand 2001-2016 (Policy RE11). In the case of Gloucestershire, these are 39.09 Mt of crushed rock and 18.18 Mt of sand and gravel. We welcome that the apportionments were included in the section on regional policy (para. 122), and that the Core Strategy addresses the shortfall of crushed rock and sand and gravel, as identified in the RSS (para. 7.3.27). For the total crushed rock provision there are three options presented in the Core Strategy. Regarding the shortfall of crushed rock identified in the Forest of Dean area we welcome Option WPO3b in principle as it is a potential way of dealing with this shortfall, namely through identifying additional capacities in less constrained resource areas of neighbouring counties. This approach is identified as a possible option under para. 7.3.27 of the draft RSS. Options WPO3a and c look at opportunities to meet the provision in the Gloucestershire area.

Here we also welcome that beside options to meet the requirements of sand and gravel in Gloucestershire only, Option WPO4c was developed looking beyond Gloucestershire's boundaries.

In our view it would be reasonable to test as to whether the identified shortfall of crushed rock and sand and gravel can firstly be met in Gloucestershire. Should there be a remaining shortfall, we would welcome if this issue was being addressed through joint working between the authorities. We understand that the South West Regional Aggregate Working Party (SWRAWP) will be the appropriate group to lead on this.

### **Reuse and Recycling**

We welcome that the issue of reusing and recycling is being addressed in the Core Strategy, and we further welcome the reference to regional policy under para. 166 and 167. We also agree in this case that the Waste Core Strategy is best placed to set out policies addressing this matter, including meeting Policy RE12 and W2 requirements.

### **Environmental protection, aftercare and reclamation**

We welcome that the Core Strategy refers to draft RSS Policy ENV1 on protecting and enhancing the Region's environment. RSS supporting text para. 7.3.24 specifically refers to the reclamation, restoration and aftercare of mineral workings, which should give regard to Biodiversity Action Plans and Geodiversity Action Plans (where produced), and the landscape character of locally affected areas.

We agree with Option MPO10, as it seeks to update the current constraints hierarchy in the adopted Minerals Local Plan. We also support Option MPO12a because of its more specific reference as to how land should be utilised in the future. We note that due regard is given to the Gloucestershire Biodiversity Action Plan.

## **Resource Management**

We support the preferred option (here: MPO13) as it complies with Policy RE10 in the draft RSS requiring Mineral Planning Authorities to identify (and collaborate with Local Authorities) in safeguarding mineral resources of economic importance from sterilisation by other forms of development.

## **Transport**

With regard to transport we welcome that more sustainable modes of transport will be supported in regard to minerals transportation. When looking at road transportation, you make reference to the Regional Freight Map. Whilst we support the approach taken by the MPA to give priority to mineral movements that utilise 'fit for purpose' haulage routes you will be aware of the Panel Report into the draft RSS, recommending that a review of the Regionally Significant Route Network should be carried out by the RPB, as the Panel found that the Freight Map is wrong (para. 5.76 of the Panel Report). The Panel further recommended using Map 5.1 in the meantime.

We also support that the preferred option proposes safeguarding transport infrastructure for delivery and bulk transport of minerals. This is in line with Policy RE10 in the draft RSS.

I hope that you found the above comments useful and I look forward to seeing the documents at the next consultation stage. Should you have any questions, please do not hesitate to contact me.

Yours sincerely

**Henning Totz**  
**Policy Assistant**  
**South West Regional Assembly**  
Direct Tel: 01823 425275  
E-mail: [henning.totz@southwest-ra.gov.uk](mailto:henning.totz@southwest-ra.gov.uk)

Completed off line Response Q1 + Q17  
26/11/09 (1st part - letter)  
Ack sent 27/11/09.

Minerals & Waste Planning Policy  
Environment Directorate  
Gloucestershire County Council  
Shire Hall  
Gloucester  
GL1 2TH

28 October 2009

Dear Sir or Madam

### **Strategic Waste Sites in Gloucestershire**

Thank you for giving us the opportunity to comment on the above consultation.

Under the 2004 Planning and Compulsory Purchase Act and accompanying Regulations the South West Strategic Leaders' Board (the executive arm of South West Councils), as the Regional Planning Body (RPB), has the role in assessing the general conformity of Local Development Framework (LDF) documents with the Regional Spatial Strategy (RSS). It has also the duty to respond to strategic planning applications and pre-application proposals and to assess if they would impinge on the delivery of the RSS. It also responds to consultation received from local authorities and developers on such issues (within the parameters set out in the Act and Regulations).

The current RSS is RPG10 but you will also be aware that the new RSS is being produced. The Examination in Public (EIP) of the draft RSS (dRSS) closed on 6 July 2007 and the Panel Report was published in January 2008. The evidence base behind the emerging RSS can be considered as a material consideration and will carry greater weight the closer to publication the RSS gets. The Secretary of State's Proposed Changes to the draft RSS were published on 22 July 2008 and public consultation closed on 24 October 2008.

The draft RSS is the RPB's agreed strategic planning position; however, the Proposed Changes clearly set the planning policy framework for the region. Although the RPB may not agree with some of the modifications made in the Proposed Changes, it is important to note that the Government's Proposed Changes now carry very significant weight as a material consideration, and must be taken into account when assessing LDDs and planning applications.

### **Comments**

We commented on the Waste Core Strategy (WCS) Preferred Options Paper and supported the locational strategy put forward as Option WPO7c. Zone C

Q1

illustrated in para. 3.27 of the consultation document appears to be based on Option WPO7b. We believe that this is still in line with the draft revised RSS.

17 We understand that residual waste treatment capacity is required to divert a maximum of 415,000 tonnes of Municipal Solid Waste and Commercial and Industrial Waste from landfill. We welcome that the Council leads on the delivery of an energy-from-waste facility, with potential for CHP (175,000t/annum)<sup>1</sup>. Completion is currently anticipated for 2015. Whilst delivery of this facility will be crucial to achieve landfill reduction targets, additional facilities are however required (i.e. to treat a maximum of 240,000t/annum).

Planning applications for other strategic waste management facilities could hence be submitted prior to the adoption of the WCS. Identifying strategic sites for waste management facilities is therefore strongly supported. However, developers and/or industry may also plan to deliver additional waste management facilities at the urban extensions to the SSCTs, as per draft revised RSS Policy HMA3. We therefore think that the WCS, in addition to the strategic sites, should provide sufficient flexibility so that facilities can be integrated into proposals for the urban extensions. The urban extensions at the SSCTs will be mainly built on greenfield land, and we appreciate that identifying specific sites is difficult at this stage. Hence we would support a criteria-led approach. Criteria should align with draft revised RSS policies, and particularly with policies RE3 and RE5, and Development Policies G and F.

Three sites for new waste facilities have been identified at or adjacent to the existing landfill site at Wingmoor Farm. The cumulative impacts from existing and possible future development at this location will need to be carefully assessed.

Also, it will be important to closely monitor progress and whether there are issues that prevent the industry from delivering facilities.

I hope you find the above comments useful. Please do not hesitate to contact me should you have any questions.

Yours sincerely

**Henning Totz**  
**Senior Policy Officer**  
**South West Councils**  
**Direct Tel: 01823 425275**  
**E-mail: [henning.totz@swcouncils.gov.uk](mailto:henning.totz@swcouncils.gov.uk)**

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<sup>1</sup> <http://www.defra.gov.uk/environment/waste/localauth/funding/pfi/documents/project-gloucestershire-dec2008.pdf>, and Appendix 4 to the consultation document.

**From:** [Carmen Bryant](#)  
**To:** [Environment - Minerals & Waste Plans](#)  
**Subject:** Waste Core Strategy  
**Date:** 20 December 2010 10:52:35

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Dear Sir/Madam

Reference your letters regarding the Waste Core Strategy, please note that following the Government's announcement to abolish the regional planning functions and withdraw the funding for Strategic Leaders' Boards for this purpose the Secretariat will no longer be responding to any consultations regarding planning applications to Local Development Documents. We would be grateful if you could delete us from your mailing lists.

Thank you for your co-operation.

Carmen Bryant  
Administrative Assistant (Customer Services)  
Tel: 01823 270101  
Fax: 01823 425200

South West Secretariat Supporting:  
SW Leaders | South West Councils | South West Employers | Improvement & Efficiency Partnership

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Please use the unique reference number on any response you make

Your Unique Number

Dear

### **Publication of the Gloucestershire Waste Core Strategy**

I am writing to notify you that Gloucestershire County Council has published the Gloucestershire Waste Core Strategy (WCS) which provides a planning framework for waste management across the county of Gloucestershire in the period 2012 - 2027. It identifies a number of key issues relevant to planning for waste in Gloucestershire and translates these into a vision, objectives and strategy.

Copies of the Waste Core Strategy are available online at [www.gloucestershire.gov.uk/wcs](http://www.gloucestershire.gov.uk/wcs) at the County Council Main Reception, Shire Hall, Westgate Street, GL1 2TG at District Council Offices (see locations and opening hours overleaf) and at all County Libraries. For details of library opening hours visit [www.gloucestershire.gov.uk/libraries](http://www.gloucestershire.gov.uk/libraries) or telephone the library helpline on 0845 2305420.

The period for making representations on the WCS begins on Monday 13th December 2010 and lasts for 8-weeks, closing at 5pm on Monday 7th February 2011. After this time the Council will consider all representations made and then formally submit the WCS to the Secretary of State.

Representations are invited on two main issues; whether the WCS is 'sound' (i.e. justified, effective and consistent with national policy) and whether it is 'legally compliant'. If you would like to comment you should use the standard representation form, copies of which are available online and at the locations listed above. Please use the unique reference number above when making any response.

Representations may be submitted electronically or in hard copy format. Electronic responses should be emailed to: [m-wplans@gloucestershire.gov.uk](mailto:m-wplans@gloucestershire.gov.uk) and hard copies should be posted to the following address:

Minerals and Waste Planning Policy  
Environment Directorate  
Gloucestershire County Council  
Shire Hall, Gloucester, GL1 2TG

Any representation may be accompanied by a request to be notified at a specified address of any of the following; that the Waste Core Strategy has been submitted to the Secretary of State for Independent Examination, that the Inspector's Report into the Waste Core Strategy has been published and that the Waste Core Strategy has been adopted.

If you have any queries please visit the website [www.gloucestershire.gov.uk/wcs](http://www.gloucestershire.gov.uk/wcs) for further details, email: [m-wplans@gloucestershire.gov.uk](mailto:m-wplans@gloucestershire.gov.uk) or alternatively telephone 01452 425667.

Yours faithfully



Nigel Riglar  
Director, Environment



Please use the unique reference number on any response you make
Your Unique Number

Dear

### **Publication of the Gloucestershire Waste Core Strategy**

I am writing to notify you that Gloucestershire County Council has published the Gloucestershire Waste Core Strategy (WCS) which provides a planning framework for waste management across the county of Gloucestershire in the period 2012 - 2027. It identifies a number of key issues relevant to planning for waste in Gloucestershire and translates these into a vision, objectives and strategy. A copy of the WCS and all relevant background information is enclosed with this letter in CD format. A paper copy of the WCS can be made available on request.

The period for making representations on the WCS begins on Monday 13th December 2010 and lasts for 8-weeks, closing at 5pm on Monday 7th February 2011. After this time the Council will consider all representations made and then formally submit the WCS to the Secretary of State.

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Representations may be submitted electronically or in hard copy format. Electronic responses should be emailed to: [m-wplans@gloucestershire.gov.uk](mailto:m-wplans@gloucestershire.gov.uk) and hard copies should be posted to the following address:

Minerals and Waste Planning Policy  
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Shire Hall, Gloucester, GL1 2TG

Any representation may be accompanied by a request to be notified at a specified address of any of the following; that the Waste Core Strategy has been submitted to the Secretary of State for Independent Examination, that the Inspector's Report into the Waste Core Strategy has been published and that the Waste Core Strategy has been adopted.

If you have any queries please visit the website [www.gloucestershire.gov.uk/wcs](http://www.gloucestershire.gov.uk/wcs) for further details, email: [m-wplans@gloucestershire.gov.uk](mailto:m-wplans@gloucestershire.gov.uk) or alternatively telephone 01452 425667.

Yours faithfully



Nigel Riglar  
Director, Environment

## Report Of The Cabinet

### For Discussion And Decision

#### **A. Publication of the Gloucestershire Waste Core Strategy (WCS)**

Cabinet is pleased to present for Council's approval the final draft of the Waste Core Strategy.

This document is the culmination of an ongoing community engagement. The document has been developed to articulate key policies for waste management in Gloucestershire. It aims to ensure that there will be sufficient opportunities for the provision of waste management facilities of the right type, in the right place at the right time, underpinned by strong community engagement.

If Council approves the document for publication today an 8 week publication period will begin next month. If no major concerns are raised the WCS will be formally submitted to the Secretary of State in April 2011, thus allowing for an Independent Examination to be scheduled for later in 2011 and formal adoption by Council early in 2012.

On that basis Cabinet

#### **Recommends**

##### **That Council:-**

- A. Approves the Waste Core Strategy (WCS) attached at Appendix 1;**
- B. Authorises the Director: Environment to publish the WCS in accordance with the provisions set out in paragraphs 4.1-4.3 of the report and the Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008, and any subsequent amendment or replacement to such regulations;**
- C. Authorises the Director: Environment to consider any representations received during the publication stage (referred to in paragraph 4.2 of the report) and having regard to those representations:**
  - C.1 Submits the WCS to the Secretary of State in the form set out in the Appendix 1 or with minor non material changes;**
  - C.2 Considers any proposed material changes to the WCS and:**
    - C.2.1 Where appropriate, undertakes further preparatory work including stakeholder engagement before Submission of the WCS to the Secretary of State;**

**C.2.2 Submits the WCS with appropriate material changes to the Secretary of State, after consultation with the Cabinet Member for Economy & Environment and if necessary a further Council decision.**

**D. Authorises the Director: Environment to appoint Officers and other appropriate experts to appear and give evidence at the Examination in Public on behalf of the County Council**

**B. PFI Contract - New Community Fire Stations (4) and a Community Life Skills Centre.**

Following the adoption of the Integrated Risk Management Plan for the Fire and Rescue Service in 2005, a shortcoming on the 8-minute maximum attendance time for life-threatening incidents became apparent in the Gloucester and Cheltenham urban areas. Modelling indicated that the residential growth in these areas had resulted in the current fire-station locations becoming unlikely to meet this time limit in all areas.

Further modelling indicated that stations located at

- Shepherd Road/junction Cole Avenue (previously GCC Highways Maintenance Depot)
- Cheltenham Road East (a site, which GCC purchased for this purpose)
- Manor Farm/A 4019 (GCC owned farmland) and
- Keynsham Road (site of current fire station)

would allow the time-limits to be achieved both now and in the future.

In 2007 Cabinet and central government approval was obtained for the outline business case for the provision of four new stations and a community life skills centre. The resourcing of this project was agreed as a Private Finance Initiative (PFI) supported by £40m worth of revenue support grant in the form of PFI credits. The Project remains affordable to the Authority based upon the thresholds agreed by Cabinet in May 2007, subject to final confirmation of PFI Credits by the Department of Communities and Local Government, which is due before end of December 2010.

A detailed procurement process has resulted in the identification of a preferred bidder – Blue 3. Negotiations have now reached the stage whereby the Authority can move to Project Agreement (PA) stage which is a decision to be taken by Council as the project is technically outside of the agreed Policy and Budget Framework as detailed in the Council's constitution. The legal requirements of the Agreement mean that the recommendation is more detailed than usual to ensure that all points are covered.

The Leader of the Council welcomed the amendment as it made this an honest debate. This Council was facing huge financial challenge and whilst some members were condemning the plans, alternative proposals were not forthcoming. The real challenge was that not only are we facing a reduction in grant from government in real terms over the next four years, but also a year on year increase of 4% number of vulnerable elderly people of 80 that will be seeking our help. If we do not make reductions in library services, where else should cuts fall. They would have to fall on areas that represent the vast majority of our expenditure, adult care and vulnerable children.

At this juncture the Chairman advised that there was no time for a vote to be taken on this amendment and invited Cllr Hilton to sum up.

Cllr Hilton summed up by saying that Members did not receive a copy of the Meeting the Challenge Cabinet report until one minute after the Leader had spoken to the press. He did not think sufficient homework had been done in terms of the proposed reductions in some services. He agreed there was a need to slim down the library network, however, these proposals had not been properly thought out.

A recorded vote was requested. The 10 members stood.

The following members voted in favour: Cllrs Andrewartha, Collins, Friend, Hibbert, Hilton, Jones, Lunnon, McHale, McLellan, Morgan, Pallet, Prince, Sheppard, Skinner, Sudbury, Sztymiak, Whelan & L Williams.

Against: Cllrs Awford, Blackburn, Booth, Braindwood, Burgess, Cooksley, Dare, Dee, Fellows, Glastonbury, Hale, Hall, Hawthorne, Hicks, McLain, McMillan, Nash, Noble, Parsons, Quaile, Rice, Robinson, Shurmer, D Smith, V Smith, Theodoulou, Thornton, Tipper, Tracey, Waddington, K Williams, M Williams & Windsor-Clive.

The motion was therefore **LOST**.

## **106. REPORT OF THE CABINET**

**106.1 Waste Core Strategy** - Cllr Fellows presented this report that was the next stage of development of the Waste Core Strategy for Council's approval. If approved today an 8 week consultation period will begin next month. This consultation process will enable the public, partners and any other interested parties to submit representations on firstly, whether the strategy was legally compliant and second if it was sound i.e. justified, effective and consistent with national policy. Should Council agree to place the WCS into public domain, following that period the Council will consider all representations received and if no major concerns are raised the WCS will be formally submitted to the Secretary of State in April 2011, thus allowing for an Independent Examination to be scheduled for later in 2011 and formal adoption by the Council early in 2012.

Cllr Fellows moved the recommendations as contained in the report. This was seconded by Cllr Waddington.

Cllr Fellows explained that he would like to propose an amendment to the WCS which would address the concerns of the Environment Overview & Scrutiny Committee. The Committee raised concerns in relation to the land owned by British Waterways at Sharpness that did not come forward during the consultation period because British Waterways did not want the land to be included in the consultation for a strategic waste site, which was still the case. Cllr Fellows accepted this and proposed the following amendment:

*“Core Policy WCS4 Paragraph line beginning: Non-strategic residual waste, 3<sup>rd</sup> line, delete in total ‘where that proposal would be complimentary to and would not compromise, the delivery of the strategic sites listed above. In addition they”*

This was seconded by Cllr Waddington.

Cllr Quaile endorsed what Cllr Fellows had said as Chairman of the Environment Overview & Scrutiny Committee. This was raised and discussed with cross party support at the Committee.

On being put to the vote the amendment was CARRIED.

It was therefore

## **RESOLVED**

**THAT the following amendment be made to the Waste Core Strategy:**

***“Core Policy WCS4 Paragraph line beginning: Non-strategic residual waste, 3<sup>rd</sup> line, delete in total ‘where that proposal would be complimentary to and would not compromise, the delivery of the strategic sites listed above. In addition they”***

In response to a request from Cllr Jones as to whether it was possible at this stage to propose and amendment, the Monitoring Officer advised that it was possible, however he would want to ensure any amendment was legal prior to a vote being taken.

In response to Cllr Jones raised concerns in relation to those raised by Barbara Farmer in respect to how it could be right that 82% of hazardous waste comes from over 50 miles away especially due to what the hazardous waste was. In Bishops Cleeve there was tanker after tanker daily driving through to dump toxic hazardous waste, for which there was now proof that this escapes. This was treated by mixing with dirty water and dumping it in the ground. For many weeks and months it lies uncovered.

Cllr Waddington made a point of order that issue was not relevant to the Waste Core Strategy.

Cllr Jones proposed the following amendment on page 25, strategic objective 3, first sentence insert the following words after the word waste “employing only technologies that do not produce hazardous waste”

This amendment was seconded by Cllr Sudbury.

At this juncture the Council adjourned for 15 minutes in order for the Monitoring Officer to check the legality of the amendment.

When Council re-convened the Monitoring Officer advised that this amendment was not permissible because this amendment would in effect introduce a new proposal which the Cabinet would not have had the opportunity to consider. Officers advising Cabinet would not have had the opportunity to consider. The policy was still subject to consultation and public inquiry.

Cllr Jones accepted the Monitoring Officers advice and said that this would be raised through the consultation process. He asked for a written response giving the specific reasons why this was turned down and some response to the issues he raised about the impact this would have on Bishops Cleeve and surrounding villages. He also wished it to be acknowledged that his amendment had been rejected, not withdrawn. He considered it to be absurd that the Council could include a site in the plan which does not have permission to deal with hazardous waste.

In response to a members’ request for assurance that any changes to the Strategy would be brought back to Council, Cllr Fellows explained that delegated powers were contained within the report. Only major changes would be brought back to Council.

In response to members’ concerns in relation to the fact that the figures for residual waste should be reduced as the recycling had significantly increased year on year for the past few years Cllr Waddington said that the Strategy had to be based on proper assessment and the figures could not be changed. There would be plenty of opportunity for the figures to be debated during the consultation period.

Cllr Waddington explained that the present waste policy and development of a waste facility was contained in the Waste Local Plan which went through Council five years ago. The Waste Core Strategy was to replace the Waste Local Plan. It would be some time yet before planning guidance was issued for the future of waste in Gloucestershire; however, until that time the current Waste Local Plan was in place.

At this juncture Cllr Fellows proposed that a vote be taken on the recommendation.

On being put to the vote it was

**RESOLVED**

**THAT**

- A. The Waste Core Strategy (WCS), as amended, attached at Appendix 1 be approved;**
- B. The Director: Environment be authorised to publish the WCS in accordance with the provisions set out in paragraphs 4.1-4.3 of the report and the Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008, and any subsequent amendment or replacement to such regulations;**
- C. The Director: Environment be authorised to consider any representations received during the publication stage (referred to in paragraph 4.2 of the report) and having regard to those representations:**
  - C.1 Submits the WCS to the Secretary of State in the form set out in the Appendix 1 or with minor non material changes;**
  - C.2 Considers any proposed material changes to the WCS and:**
    - C.2.1 Where appropriate, undertakes further preparatory work including stakeholder engagement before Submission of the WCS to the Secretary of State;**
    - C.2.2 Submits the WCS with appropriate material changes to the Secretary of State, after consultation with the Cabinet Member for Economy & Environment and if necessary a further Council decision.**
- D. The Director: Environment be authorised to appoint Officers and other appropriate experts to appear and give evidence at the Examination in Public on behalf of the County Council**

**106.2 PFI CONTRACT – New Community Fire Stations (4) and a Community Life Skills Centre** - Cllr Windsor-Clive explained that this recommendation was to allow Officers to arrange for contracts to be placed with providers for the new Community Fire Stations and a Community Life Skills Centre. The whole of this project had the benefit of a cross party programme board and the Fire Service had been very open and Programme Board had supported it all the way through. The cost of this process was £20m+ to this authority. However, if the Authority stay where we are the cost of replacing the 2 existing fire stations and cost of running them would be £17.5m over the 25 years so this project has extra cost of less than £4m over 25 years, but also we will have 4 new fire stations in the right place and we will also have a Community Life Skills Centre. Since Meeting the Challenge began, the project has been reviewed 3 times to ensure it is value for money. We have one of the best highest performing fire services in the country.

This was seconded by Cllr Hawthorne.

Members from all parties spoke in support of this project as it was considered to be the right thing to do for Gloucestershire to ensure we have a better fire service over the next 25 year period. The two current fire stations are outdated and would need to be refurbished at a huge cost. The key to this was the fire stations would be in the right places to response times would be greatly improved. The location would also give better access to the M5 motorway. Members expressed thanks to the Officers and Members for keeping all members and the public informed throughout this project.

**Nigel Riglar**  
Commissioning Director  
Communities & Infrastructure  
Gloucester  
GL1 2TH  
email: m-wplans@gloucestershire.gov.uk

**Phone:** 01452 425667

**Date:** 5<sup>th</sup> September 2011

Dear XXXXX

**Gloucestershire Waste Core Strategy (WCS) – Submission to Secretary of State**

I am writing to inform you that the Gloucestershire Waste Core Strategy (WCS) was formally submitted to the Secretary of State for Communities and Local Government on the 5<sup>th</sup> September 2011 in accordance with Regulation 30 of the Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008.

The submission documents include:

- Gloucestershire Waste Core Strategy (December 2010)
- Revised Gloucestershire Waste Core Strategy (June 2011)
- Schedule of Focused Changes (June 2011)
- Schedule of Minor Editorial Changes (September 2011)
- Sustainability Appraisal (SA) Report (December 2010)
- Sustainability Appraisal (SA) Report Update (June 2011)
- Proposals Map
- Statement of Community Involvement (SCI)
- Regulation 30(d) Statement of Consultation
- Regulation 30(e) Statement of Representations and Key Issues
- Copies of all representations
- Soundness Self-Assessment
- Legal Compliance Self-Assessment; and
- Other relevant supporting documents (e.g. Habitat Regulations Assessment (HRA) Report, Technical Evidence Papers, Equality Impact Assessment etc.)

Copies of the submission documents are provided on the enclosed CD. They are also available for inspection online at [www.gloucestershire.gov.uk/wcs/submission](http://www.gloucestershire.gov.uk/wcs/submission) at the County Council Main Reception, Shire Hall, Westgate Street, GL1 2TG at District Council Offices (locations and opening hours enclosed) and at all County Libraries. For details of library opening hours visit [www.gloucestershire.gov.uk/libraries](http://www.gloucestershire.gov.uk/libraries) or telephone the library helpline on 0845 2305420.

The next stage in the process will be an independent examination to be conducted by the Planning Inspectorate. This will take place at the County Council Offices in Shire Hall and is likely to be held either in November or December 2011 depending on whether a pre-examination meeting is required. This is yet to be confirmed.

**continued >>**





The Council has appointed an independent Programme Officer, Yvonne Parker to facilitate the examination process. Yvonne can be contacted on 01282 450522 or 07813 334305 or by emailing [posltd@virginmedia.com](mailto:posltd@virginmedia.com)

If you have submitted representations on the publication WCS, or focused changes, subject to the approval of the appointed Planning Inspector, you may be invited to take part in the examination. The conduct and proceedings of the examination will be decided by the Planning Inspector. The Programme Officer will be the link between respondents and the Inspector. All respondents will be contacted by Yvonne in due course as to the specific arrangements for the examination.

Further details of the examination process can be found on the Government's 'Planning Portal' webpage available at <http://www.planningportal.gov.uk/planning/planningsystem/localplans>

Depending on the findings of the Planning Inspectorate, it is anticipated that the Gloucestershire Waste Core Strategy will be formally adopted by the Council in spring 2012.

If you have any questions please email [m-wplans@gloucestershire.gov.uk](mailto:m-wplans@gloucestershire.gov.uk) or telephone 01452 425667

Yours sincerely

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Communities & Infrastructure

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**Phone:** 01452 425667

**Date:** 5<sup>th</sup> September 2011

Dear XXXXX

**Gloucestershire Waste Core Strategy (WCS) – Submission to Secretary of State**

You have previously commented on or expressed an interest in the Gloucestershire Waste Core Strategy (WCS).

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