

Part 1 – Respondent Details

1(a) Personal details									
Title	Councillor								
	Lynda								
Last Name	Atkins								
Job Title (where relevant)	County Councillor								
Organisation (where relevant)	Oxfordshire County Council								
1(b) Agent details <i>Only complete if an agent has been appointed</i>									
Title									
First Name									
Last Name									
Job Title (where relevant)									
Organisation (where relevant)									
1(c) Contact address details <i>If an agent has been appointed please give their contact details</i>									
Address Line 1	39								
Line 2	Station Road								
Line 3	Wallingford								
Line 4									
Postcode	OX10 0JX								
Telephone No.	01491 839120								
Email address	Lynda.atkins@oxfordshire.gov.uk								
Are you writing as	<table border="0"> <tr> <td><input type="checkbox"/> A resident</td> <td><input type="checkbox"/> A parish council</td> </tr> <tr> <td><input type="checkbox"/> A local business</td> <td><input type="checkbox"/> A district council</td> </tr> <tr> <td><input type="checkbox"/> Minerals industry</td> <td><input type="checkbox"/> A county council</td> </tr> <tr> <td><input type="checkbox"/> Waste industry</td> <td>A member of Oxfordshire County Council</td> </tr> </table>	<input type="checkbox"/> A resident	<input type="checkbox"/> A parish council	<input type="checkbox"/> A local business	<input type="checkbox"/> A district council	<input type="checkbox"/> Minerals industry	<input type="checkbox"/> A county council	<input type="checkbox"/> Waste industry	A member of Oxfordshire County Council
<input type="checkbox"/> A resident	<input type="checkbox"/> A parish council								
<input type="checkbox"/> A local business	<input type="checkbox"/> A district council								
<input type="checkbox"/> Minerals industry	<input type="checkbox"/> A county council								
<input type="checkbox"/> Waste industry	A member of Oxfordshire County Council								

Please tick the appropriate boxes if you wish to be notified of any of the following:	
That the Oxfordshire Minerals & Waste Core Strategy has been submitted for independent examination	
Publication of the Inspector’s report and recommendations	
Adoption of the Oxfordshire Minerals and Waste Core Strategy	

Please sign and date the form:			
Signature:	Lynda Atkins (electronically)	Date:	24th September 2015

Part 2 – Representation

Please complete this part (Part 2) of the form separately for each separate representation you wish to make.

You can find an explanation of the terms used below in the accompanying guidance on making representations.

2(a) State which part of the Oxfordshire Minerals and Waste Local Plan Core Strategy you are making a representation about

Part or policy no. or paragraph

Part 1 – Core Strategy

2(b) Do you consider the Oxfordshire Minerals and Waste Local Plan Core Strategy is: (tick as appropriate)

- (i) Legally compliant? Yes No
- (ii) Sound? Yes No

If you have answered **No** to question 2(b)(ii), please continue to question 2(c). In all other cases, please go to question 2(d).

2(c) Do you consider the Oxfordshire Minerals and Waste Core Strategy is **unsound because it is not**: (tick as appropriate)

- (i) Positively prepared
- (ii) Justified
- (iii) Effective
- (iv) Consistent with national policy

On the following pages, please set out why you think the Minerals and Waste Local Plan Core Strategy is legally non-compliant and/or unsound and any changes you are suggesting should be made to it that would make it legally compliant or sound.

Please note your representation should include as succinctly as possible all the information and evidence necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on your representation at this stage. After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

2(d) Please give details of why you consider the Oxfordshire Minerals and Waste Local Plan Core Strategy is not legally compliant or is unsound. Please be as precise as possible.

If you agree that the Oxfordshire Minerals and Waste Local Plan Core Strategy is legally compliant and/or sound and wish to support this, please also use this box to set out your comments.

The Local Aggregates Assessment (LAA) 2014 is a key document in the preparation of the Core Strategy. OCC's Statement of Community Involvement (SCI) says that:

'4.2 The production of local development documents will involve the following stages:

A. Evidence Gathering – to form the evidence base for the plan – this could include assessment of need for minerals; ...

4.3 We will consult communities on the development of plan documents at the earliest possible stage to allow meaningful engagement in the process. If difficulties and conflicts are addressed at an early stage, both time and money can be saved in the final stages of plan production.

4.6 Where appropriate we will go beyond the requirements of the Regulations. We will seek to involve all individuals, groups, organisations and bodies that we think have an interest in the minerals and waste development documents being prepared or who have expressed an interest in being involved or consulted.'

National regulations require that:

'a local planning authority must notify the relevant bodies or persons of the subject of a local plan which the local planning authority propose to prepare, and invite each of them to make representations about what the local plan ought to contain; the persons or bodies to include such of the general consultation bodies as the local planning authority consider appropriate and residents'.

OCC failed to meet the requirements of both the national regulations and its own SCI when it did not consult community or other local interested parties about the LAA 2014. Set in context, OCC did consult local groups when preparing the LAA 2013 (so it clearly regarded the LAA as a key document and local groups as parties who should be consulted in 2013) and did consult minerals producers, other Mineral Planning Authorities about LAA 2014. It chose not, however, to consult local groups in 2014. At a meeting of the County Council in March 2014 the Council was told that time did not permit the local groups to be consulted. No explanation was offered as to why there was time to consult those with an interest in the highest possible assessment of minerals need, but not those who might wish to reduce targets.

In failing to comply with both national regulations and its own adopted SCI, OCC has failed to produce a plan which is legally compliant.

The failure to consult meant that OCC did not take account of (or chose to ignore) information which would have been presented by consultees and which, if taken properly into account, would have resulted in a much lower requirement for mineral requirement. For example:

- It did not have regard to information compiled by the British Marine Aggregate Producers Association which demonstrates that as GDP has risen since 1980 and construction output has risen too – not to the same degree, but risen none the less – sand and gravel production nationally has fallen. This invalidates the assertion in the LAA that if there is to be economic growth locally, there must be an increased requirement for sand and gravel.
- It did choose to propose a shift in the balance of minerals production from West Oxfordshire to South Oxfordshire without any supporting evidence and, because of the failure to consult, without challenge. Paragraph 4.28 says that:

‘Although there are extensive remaining sand and gravel resources in West Oxfordshire, including within the current working areas of the Lower Windrush Valley and around Cassington, there are concerns about the rate and intensity of mineral working in the area and the consequent cumulative impact on local communities, generation of traffic, including on the A40, and impacts on local rivers and groundwater flows.

Paragraph 4.29 says:

‘There is a broadly equal split in existing and forecast levels of economic growth and development between the northern and southern parts of the county (taking Oxford as a mid-point), and consequently it is expected that there will be a similar broadly equal split in the demand for aggregate within the county’

No evidence is provided for either of these assertions. A plan based on unsupported assertions cannot be sound and is not justified.

Continue on a separate sheet or expand the box if necessary

2(e) Please set out the changes(s) you consider necessary to make the Oxfordshire Minerals and Waste Local Plan Core Strategy legally compliant or sound, having regard to the reason you have identified at 2(c) above where this relates to soundness. You should say why this change will make the Core Strategy legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

If the Core Strategy is to be legally compliant and sound, all parts of it must be based on clear evidence and must be subject to proper consultation. It would, therefore, be necessary to carry out a new, unbiased Local Aggregates Assessment based on all available evidence and to consult widely on that in accordance with the SCI. Once a sound and compliant LAA has been produced, a sound and compliant Core Strategy can be developed based on that LAA.

Continue on a separate sheet or expand the box if necessary.

2(f) Written representations or oral hearing

If your representation is seeking a change to the Oxfordshire Minerals and Waste Local Plan Core Strategy, do you consider it necessary to participate at the oral hearing part of the examination? *(tick box below as appropriate)*

<p>No, I wish to communicate through written representations</p>	
<p>Yes, I wish to participate at the oral hearing part of the examination (go to 2(g))</p>	

***Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated they wish to participate at the hearing part of the examination.*

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

I wish to be able to ensure that the full failure of OCC to consult properly as set out in its SCI is understood, and in particular the fact that this failure was clearly known to OCC and ignored. As I was present at meetings of the internal Cabinet Advisory Group which advised the Cabinet Member and his officers and brought the failure to the attention of the full Council at its meeting in March 2015 I am able to do that.

Continue on a separate sheet or expand the box if necessary

Please complete Part 2 of the form separately for each separate representation you wish to make, and submit all the Parts 2s with one copy of Part 1 and Part 3.