



Joint Merseyside and Halton Waste Development Plan Document (DPD)

Proposed Submission Document

Form for Representations Nov 2011 - Jan 2012

The questions below relate to the Proposed Submission Waste DPD. They should be read in the context of that Document.

If you have internet access, go to <http://merseysideeas-consult.limehouse.co.uk> where you can also respond to the questions quickly and efficiently on-line.

Instructions:

There are seven questions on the following pages. The final question refers to the Sustainability Appraisal and Habitats Regulation Assessment rather than to the DPD Proposed Submission Document itself. Please use the shaded spaces to answer the questions.

Before you start, you may wish to read the Guidance on page 4 which explains the basis on which you may make representations at this stage in the process.

If you are providing a hard-copy response and you require additional space, please continue on separate sheets, making clear which questions are you continuing on the additional sheets. A reply-paid envelope is provided to return the questionnaire by 5:00pm January 20th 2012 to: Waste DPD Representations, Merseyside EAS, Merton House, Stanley Road, Bootle, L20 3DL. Responses must be received in writing by the deadline in order to be considered valid. You will need to complete a separate Representation Form for each part of the Plan you wish to make representations about (see Question 1).

Your Details:

It is very important that you complete the personal details below. Without these details we are unable to consider your representations. We may also wish to contact you to clarify your representation.

Name	
Address	
Organisation (if applicable)	
Email address (optional)	
Contact telephone (optional)	

DATA PROTECTION STATEMENT

The personal information provided on this form (address and other contact details) will be processed in accordance with the requirements of the Data Protection Act 1998. It will be treated as confidential and used only to progress the Waste DPD to adoption. However, respondents' names and comments will be made publicly available and cannot be treated as confidential.

Question 1 : Section of Plan.

To which part of the Plan does this representation relate? If your representation relates to a specific policy, please provide the Policy Number; if to a site, please provide the Site Number or if to the general text in the Document, please provide the Paragraph Number. You will need to complete a separate Representation Form for each part of the Plan you wish to make representations about.

Policy Number	
Site Number	
Paragraph Number	

Question 2 : Nature of your representation

Do you consider the Waste DPD to be legally compliant and sound? Please tick the relevant box.

	Yes	No
Sound		
Legally Compliant		

Question 3 : Soundness

If you consider the Waste DPD to be unsound, please state the reason below by ticking the relevant box(es).

Soundness test	Tick as appropriate
Not Justified	
Not Effective	
Not consistent with National Policy	

Question 4 : Reasoning

If you answered “Yes” to Question 2, please use the box below to set out your reasons for supporting the Waste DPD. If you answered “No” to either part of Question 2, please explain why you consider the Waste DPD is not legally compliant and/or is not sound.

Question 5 : Improving the Waste DPD

If you consider the Waste DPD is not legally compliant or is not sound, please set out below what change(s) you consider would be necessary to make it legally compliant or sound. Please refer to any soundness test you may have identified in Question 3. You will also need to say why your proposed change(s) will make the Waste DPD legally compliant or sound. It would be helpful if you could put forward your suggested revised wording for any policy or text.

*Please note your representation should cover all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as you will not be able to add information later. Please be as short and precise as possible. **After this stage, further submissions will only be allowed at the request of the Inspector**, based on the matters and issues he/she identifies for examination.*

Question 6 : Participation in Examination Hearing

If your representation is seeking a change, do you consider it necessary to appear in person at the examination hearing (or can it be considered by in writing)? Please tick the relevant box.

	Yes	No
I wish to appear in person at the examination hearing		

If you answered “Yes” to Question 6, please outline why you consider this to be necessary

Question 7 : Do you have any comments on the Sustainability Appraisal or Habitats Regulations Assessment?

Please enter you observations in the box below.

Guidance on grounds for making a representation

The Waste Development Plan Document has been published to enable you to make representations prior to submission to the Secretary of State for public examination. Any written representations you submit will be examined by an independent Planning Inspector alongside the final version of the Waste DPD. The Planning and Compulsory Purchase Act 2004 (as amended) (the 2004 Act) states that the purpose of the examination is to consider whether the Waste DPD complies with legal requirements and is 'sound'. Your representations can therefore only be directed towards these two issues. A further explanation of what each of these issues mean is set out in the boxes below to help you decide on how to respond.

Legal Compliance

The Inspector will first test to ensure that the DPD meets the legal requirements under s20(5)(a) before moving on to test for soundness. The following questions set out the key considerations in determining legal compliance.

- Has the DPD been prepared in accordance with the Local Development Scheme (LDS)? Does the DPD's listing and description in the LDS match the document? Have the timescales set out in the LDS been met (section 19(1) of the 2004 Act)?
- Has the DPD had regard to any Sustainable Community Strategy for its area (i.e. county and district) (section 19(2) of the 2004 Act)?
- Is the DPD in compliance with the Statement of Community Involvement (SCI) (where one exists)? Has the LPA carried out consultation consistent with the SCI (section 19(3) 2004 Act)?
- Has the DPD been subject to sustainability appraisal? Has the LPA provided a final report of the findings of the appraisal (section 19(5) of the 2004 Act)?
- Does the DPD contain any policies or proposals which are not in general conformity with the Regional Spatial Strategy (RSS), and if so, is there local justification (section 24(1)(a) of the 2004 Act)?
- Does the DPD comply with the 2004 regulations (as amended)? Specifically, has the LPA published the prescribed documents, and made them available at their principal offices and their website? Has the LPA placed local advertisements? Has the LPA notified the DPD bodies? Does the DPD contain a list of superseded saved policies?
- If the DPD is not a core strategy, is it in conformity with the core strategy?

Soundness

To be "sound" the DPD should be JUSTIFIED, EFFECTIVE and consistent with NATIONAL POLICY.

"Justified" means that the document must be:

- founded on a robust and credible evidence base
- the most appropriate strategy when considered against the reasonable alternatives

"Effective" means that the document must be:

- deliverable
- flexible
- able to be monitored

Further Information

Further Information on Legal Compliance and Soundness can be found in the following documents:

1. The Statutory Regulations made under the Planning and Compulsory Purchase Act 2004:
The 2004 Regulations at: <http://www.opsi.gov.uk/si/si2004/20042204.htm>
The 2008 amending Regulations at: http://www.opsi.gov.uk/si/si2008/pdf/uksi_20081371_en.pdf
The 2009 amending Regulations at: http://www.opsi.gov.uk/si/si2009/pdf/uksi_20090401_en.pdf
2. Planning Policy Statement 12: Local Spatial Planning at :
<http://www.communities.gov.uk/publications/planningandbuilding/pps12lsp>
3. The Planning Inspectorate : Examining Local Plan Documents : Testing Soundness at :
http://www.planningportal.gov.uk/uploads/pins/ldf_dpd_soundness_guide.pdf

If you do not have internet access, please contact the Waste Team, Merseyside EAS, Merton House, Stanley Rd, Bootle. L20 3DL (0151 934 2804) for other sources of these documents