

# **Oxfordshire County Council**

## **Submission of Oxfordshire Minerals and Waste Core Strategy October 2012**

**Planning and Compulsory Purchase Act 2004  
(as amended) Section 33A  
(Localism Act 2011 Section 110)**

## **Statement on Compliance with the Duty to Cooperate**

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## Introduction

- 1.1 Section 110 of the Localism Act 2011 (the Localism Act) introduced a requirement – the Duty to Cooperate – that local authorities preparing development plan documents cooperate with other local planning authorities, county councils and prescribed bodies in ‘maximising the effectiveness’ with which the document is prepared, so far as relating to a ‘strategic matter’.
- 1.2 ‘Strategic matters’ are defined as including sustainable development or use of land having a significant impact on at least two planning areas; and within two-tier areas they include ‘county matters’, i.e. minerals and waste developments. The National Planning Policy Framework (NPPF) (paragraphs 156 & 178) includes waste management and provision of minerals as strategic priorities to which the duty to cooperate applies where they cross administrative boundaries. The NPPF (paragraph 180) also states that, “in two tier areas, county and district councils should cooperate with each other on relevant issues”.
- 1.3 The Oxfordshire Minerals and Waste Plan (the Plan) will impact on the five district councils which are each preparing a local plan for their planning area. The Plan is also likely to impact on adjoining minerals and waste planning authorities and possibly on some other more distant authorities. It also has implications or potential implications for some of the prescribed bodies, as listed in Regulation 4 of the Town and Country Planning (local Planning) (England) Regulations 2012.
- 1.4 It is therefore clear that the duty to cooperate applies to Oxfordshire County Council in the preparation of the Minerals and Waste Plan, including specifically the Minerals and Waste Core Strategy (the Core Strategy). This statement has been prepared to show how work undertaken by the County Council in the preparation of the Core Strategy meets the new duty to cooperate requirement.

## The Duty to Cooperate

- 2.1 Section 110 of the Localism Act requires that, in preparing development plan documents, planning authorities “engage constructively, actively and on an on-going basis” with other local planning authorities, county councils and prescribed bodies and “have regard to the activities” of certain other prescribed bodies “so far as they are relevant” to plan making. The NPPF (paragraph 179) states that “planning authorities should work collaboratively with other bodies to ensure that strategic priorities across local boundaries are properly coordinated and clearly reflected in individual local plans”.
- 2.2 Planning authorities are therefore expected to work together as necessary in the preparation of plans. The County Council has sought to ensure that issues of common interest to the planning of adjoining and other authority areas are identified and an appropriate approach agreed with those authorities where possible. Agreement may not always be possible, but the impact of a plan on other planning areas should at least be understood and taken into account.
- 2.3 Regulation 4 of the Town and Country Planning (Local Planning) (England) Regulations 2012 sets out the prescribed bodies, in addition to other local planning authorities and county councils, with whom cooperation should take place in the preparation of plans. These bodies are listed in Table 1.

**Table 1: Prescribed Bodies**

Environment Agency
English Heritage
Natural England
Mayor of London
Civil Aviation Authority
Homes and Communities Agency
Primary Care Trust
Office of Rail Regulation
Transport for London
Integrated Transport Authority
Highway Authority – including the Highways Agency
Marine Management Organisation
Local Enterprise Partnership*
Local Nature Partnership*

\* Bodies that the planning authority must have regard to the activities of so far as they are relevant to plan preparation. Local Nature Partnerships were added to Regulation 4 by Amendment Regulations that came into force on 12 November 2012, after the Core Strategy was submitted.

- 2.4 The NPPF also states that planning authorities should work collaboratively with private sector bodies and utility and infrastructure providers.
- 2.5 The NPPF (paragraph 178) further states that “the Government expects joint working on areas of common interest to be diligently undertaken for the

mutual benefit of neighbouring authorities”. It goes on to state (paragraph 179) that “joint working should enable local planning authorities to work together to meet development requirements which cannot wholly be met within their own areas”: and that authorities “should consider producing joint planning policies on strategic matters”. The County Council considers that the relationship of Oxfordshire with adjoining authority areas and the cross-boundary minerals and waste issues that apply are not of a nature and extent whereby joint working with neighbouring authorities that extends to preparing joint policies is either necessary or appropriate. In the dialogue with adjoining minerals and waste planning authorities that has taken place in the preparation of the Core Strategy there has been no suggestion that joint working of this type would be appropriate.

- 2.6 The NPPF (paragraph 181) makes clear that “cooperation should be a continuous process of engagement from initial thinking through to implementation” of a plan. It suggests a memorandum of understanding could be a way of demonstrating effective cooperation on planning for issues with cross-boundary impacts. The County Council does not currently have any such memorandum for minerals and waste planning with any other body but this is a matter that is being actively considered by the waste planning authorities of South East England through the South East Waste Planning Advisory Group (para 3.19).
- 2.7 Within Oxfordshire the County Council has kept the five district councils and the town and parish councils informed of progress on the preparation of the Core Strategy, has engaged with them through stakeholder group and other meetings and has responded to specific issues (paras 3.40 – 3.48). Where specific issues have required engagement and discussion with other minerals and waste planning authorities, this has been undertaken through the established inter-authority forums on minerals and waste planning, through other individual and joint meetings and through correspondence and informal consultation (paras 3.1 – 3.39). The County Council has engaged with and sought views and advice from those of the prescribed bodies that are relevant to the Core Strategy throughout its preparation of the plan, in addition to formal consultation on documents (section 4).
- 2.8 The County Council’s Statement on Consultation and Representations prepared under Regulation 22 (1) (c) (Reg. 22 Statement) provides more detail on the consultation that has taken place in the preparation of the Core Strategy and should be read in conjunction with this statement, which focuses on activities of particular relevance to the duty to cooperate.
- 2.9 Because the duty to cooperate is a relatively new requirement, little was said in the Core Strategy Proposed Submission Document about the duty and about the work that has been undertaken in the preparation of the Core Strategy which fulfils the duty. Several representations on the Proposed Submission Document either allege that the County Council has not met its duty to cooperate or question whether the duty has adequately been met. These representations are set out in Appendix 1 with the Council’s comment on each.

## Cooperation with local authorities

### Minerals and Waste Planning

- 3.1 Oxfordshire is part of the former South East region. But it also adjoins authorities in the former South West, West Midlands and East Midlands regions. Minerals and waste planning authorities adjoining Oxfordshire and all of the authorities within the South East region have been invited to make comment at each consultation stage in the process of preparing the Core Strategy.

**Table 2: Minerals and Waste Planning Authorities consulted**

<b>Authority</b>	<b>Former Region</b>
<b>South East Authorities</b>	
Bracknell Forest Council	South East
Brighton and Hove Borough Council	South East
Buckinghamshire County Council	South East
East Sussex County Council	South East
Hampshire County Council	South East
Isle of Wight Council	South East
Kent County Council	South East
Medway Council	South East
Milton Keynes Council	South East
Portsmouth City Council	South East
Reading Borough Council	South East
Windsor & Maidenhead Royal Borough	South East
Slough Borough Council	South East
Southampton City Council	South East
Surrey County Council	South East
West Berkshire Council	South East
West Sussex County Council	South East
Wokingham Borough Council	South East
<b>Other Adjoining Authorities</b>	
Gloucestershire County Council	South West
Northamptonshire County Council	East Midlands
Swindon Borough Council	South West
Warwickshire County Council	West Midlands
Wiltshire Council	South West
<b>Other Authorities</b>	
Cumbria County Council	North West
Dorset County Council	South West
Leicestershire County Council	East Midlands
Somerset County Council	South West
South Gloucestershire Council	South West

- 3.2 Engagement with authorities on specific issues has also taken place, including a meeting to which adjoining minerals and waste planning authorities were invited in November 2009 to discuss cross-boundary movements of materials. This is referred to in more detail in the Reg. 22 Statement, paragraphs 4.36 – 4.37.

## **Minerals**

### **South East England Aggregates Working Party (SEEAWP)**

- 3.3 SEEAWP is a technical group on planning for aggregates supply that reports to the Department for Communities and Local Government (DCLG) and comprises officer representatives from the mineral planning authorities in the South East, representatives of the minerals industry (Minerals Products Association and the British Aggregates Association) and government representatives from DCLG. It also includes representatives from the Port of London Authority, The Crown Estate, the East of England Aggregates Working Party and the Greater London Authority. Oxfordshire is a member of SEEAWP and a regular attendee at meetings, which are usually held twice a year.
- 3.4 In addition to providing advice to government, SEEAWP previously had an important role in advising the South East England Regional Assembly in relation to the South East Plan. Following the abolition of the Regional Assembly and the introduction of the NPPF, the role of SEEAWP has changed. It now has a stronger role in providing advice to mineral planning authorities on their local aggregate assessments.
- 3.5 SEEAWP undertakes an annual monitoring survey of aggregate sales and reserves across the South East and other studies that individual authorities could not undertake on their own. It has contributed in the work that has been undertaken on national and regional requirements for the supply of aggregates and also to the sub-regional apportionment of land-won aggregate supply in the South East in the South East Plan and the proposed modifications to it. (The proposed modifications to the apportionment in South East Plan policy M3 were not finalised by the Coalition Government, which intends to revoke the regional strategies and move to aggregate supply figures being more locally derived, as provide for in the NPPF and the subsequent DCLG Guidance on the Managed Aggregate Supply System, October 2012.
- 3.6 The NPPF expects that advice from SEEAWP be sought in the preparation of the Local Aggregate Assessment. The report by Atkins for the County Council on Local Assessment of Aggregate Supply Requirements for Oxfordshire was reported to and discussed at the SEEAWP meeting on 16 February 2011. The approach to provision for aggregates supply being taken in the Core Strategy was discussed at the SEEAWP meeting on 28 March 2012. A draft Local Aggregate Assessment for Oxfordshire was considered at the SEEAWP meeting on 24 October 2012. SEEAWP's response was given by letter dated

21 November 2012. SEEAWP considers the Oxfordshire Local Aggregate Assessment to be incomplete. The Council's intention to make provision at a level above the ten year sales average has been welcomed but more evidence has been called for to support a level of supply that is lower than intended by the South East Plan. This response will be taken into account in the final version of the Council's Local Aggregate Assessment.

- 3.7 The consultation undertaken in September 2011 on the draft Minerals Planning Strategy (Reg. 22 Statement paragraphs 5.2 – 5.8) resulted in objections from two minerals planning authorities (Surrey and Gloucestershire County Councils) relating to the Local Assessment of Aggregates Supply Requirements (Atkins Report). In January/February 2012, the County Council wrote to other mineral planning authorities in the South East and adjoining mineral planning authorities, to explain why the Council was proposing the levels of aggregates provision in Core Strategy policy M2 and inviting any further comments. Responses were received from Surrey (para 3.9) and Gloucestershire (para 3.12) County Councils and three other authorities (paras 3.14).

### **Surrey County Council**

- 3.8 In its response to the draft Minerals Planning Strategy (September 2011), Surrey CC advised that it was concerned that the proposed level of supply for aggregates was below the sub-regional apportionment level in the South East Plan and even further below the level in the figures recommended by SEEAWP for the review of the sub-regional apportionment. Movement of aggregates between Oxfordshire and Surrey is not significant.
- 3.9 In January/February 2012, the County Council wrote to adjoining mineral planning authorities and other mineral planning authorities in the South East, to explain why the Council was proposing the levels of aggregates provision in Core Strategy policy M2 and inviting any further comments. Surrey County Council reiterated its objection to the proposed level of provision on the grounds that basing the figure on past sales is backward looking; and that the figure should provide an increasing contribution to the wider regional supply of aggregates. The County Council did not seek to engage further with Surrey CC on this specific matter at that time beyond the regular engagement through SEEAWP, in view of what appeared to be a fundamental disagreement and pending expected government guidance on the managed aggregate supply system and planning for aggregate supply.
- 3.10 Although no mention has been made of the Duty to Cooperate, Surrey CC has objected to the provision for supply for aggregates through its representation on the Proposed Submission Document. This objection will be addressed in a revision of the Council's Background Paper on Provision for Aggregates Supply and the County Council will engage further with Surrey CC if it is considered that this would be beneficial.



## **Gloucestershire County Council**

- 3.11 In response to the draft Minerals Planning Strategy consultation in September 2011, Gloucestershire CC expressed similar concerns to those of Surrey CC were expressed on the provision to be made for the supply of sand and gravel. Gloucestershire has a common boundary with Oxfordshire and is concerned that if the level of provision proved to be inadequate it would result in increased flows of mineral into Oxfordshire, from an area that was already struggling to meet its own sub-regional apportionment.
- 3.12 In January/February 2012, the County Council wrote to adjoining mineral planning authorities and other mineral planning authorities in the South East, to explain why the Council was proposing the levels of aggregates provision in Core Strategy policy M2 and inviting any further comments. Gloucestershire County Council responded that reduction in the level of provision could have implications for adjacent authorities: lack of coordination and piecemeal planning; sand and gravel resources in Gloucestershire close to the Oxfordshire border are sensitive to exportation, potentially leading to unsustainable movements of aggregates by road. The County Council did not seek to engage further with Gloucestershire CC on this matter at that time, pending expected government guidance on the managed aggregate supply system and planning for aggregate supply. Gloucestershire CC has repeated its objection to the provision for aggregate supply in its representation on the Proposed Submission Document; this representation also raises the issue of the duty to cooperate (see Appendix 1).
- 3.13 An officer-level meeting was held with Gloucestershire CC on 2 October 2012 at which the aggregates supply issue was discussed. A note of the meeting was produced, and it was agreed to continue discussion on the matter. Gloucestershire CC's objection will be addressed in a revision of the Council's Background Paper on Provision for Aggregates Supply and the County Council will engage further with that authority if it is considered that this would be beneficial.

## **Other adjoining and South East mineral planning authorities**

- 3.14 In January/February 2012, the County Council wrote to adjoining mineral planning authorities and other mineral planning authorities in the South East, to explain why the Council was proposing the levels of aggregates provision in Core Strategy policy M2 and inviting any further comments. In addition to Surrey and Gloucestershire County Councils, responses were received from,
- Buckinghamshire County Council – consider the approach to the proposed level of provision is unsound;
  - Wiltshire Council – cautious support for the approach;
  - Warwickshire County Council – concerned the approach could lead to pressure on Warwickshire to increase provision.

## **Exporting mineral planning authorities**

- 3.15 The County Council's engagement with other mineral planning authorities in January/February 2012 included those more distant authorities which were known to be, or had been, significant exporters of crushed rock aggregates to Oxfordshire by Rail. They were asked to confirm whether the past flows of aggregates from their areas to Oxfordshire could be maintained over the period to 2030. All three authorities contacted responded:
- Leicestershire County Council – confirmed that the flow of aggregates from Leicestershire to Oxfordshire should be able to continue to 2030;
  - Somerset County Council – confirmed that the landbank in Somerset for supply of aggregates by rail to Oxfordshire is more than sufficient to continue supply to 2030;
  - South Gloucestershire Council – production capacity is not expected to decrease over the next 15-20 years.

## **Waste**

### **South East Waste Planning Advisory Group (SEWPAG)**

- 3.16 SEWPAG is a voluntary, subscription-based technical group comprising officer representatives from the waste planning authorities in the South East and representatives from the Environment Agency, the waste industry and the environmental sector. It has evolved from the South East Regional Technical Advisory Body (SERTAB), which was set up in accordance with the guidance in PPS10. SERTAB was mainly concerned with advising the South East England Regional Assembly on regional and sub-regional waste issues in relation to the South East Plan. Following the abolition of the Regional Assembly and the introduction of the NPPF, SEWPAG has a stronger role in providing advice to waste planning authorities. Oxfordshire is a member of SEWPAG and regularly attends meetings, which usually take place quarterly.
- 3.17 SEWPAG has an important role in establishing and agreeing data on waste arisings and forecasts, existing waste management capacity and additional capacity requirements. It provides an opportunity for member authorities to share information, discuss cross-boundary and other common issues, review emerging waste plans within the South East and consider the impact of emerging waste management policies and decisions in adjoining areas – in particular London.
- 3.18 The Core Strategy Proposed Submission Document was discussed at the SEWPAG meetings on 29 March and 5 July 2012. The development of the Core Strategy and possible approaches to the management of waste from outside Oxfordshire had also been discussed at previous meetings. The approach taken in the emerging Core Strategy to waste imports, including the treatment of residual non-hazardous waste, (policy W2) was generally supported – although Surrey CC has maintained a particular concern (para 3.36). SEWPAG has also provided a further opportunity to discuss with the

Unitary Authorities in Berkshire the potential need for waste from that area to be disposed at landfills in Oxfordshire (paras 3.25 – 3.27).

- 3.19 SEWPAG has recently discussed the development of a memorandum of understanding (MoU) between member authorities with a view to agreeing, amongst other things, a common approach to sub-regional self-sufficiency and circumstances where other arrangements may be required to manage waste from a wider area. A further draft of the MoU is to be discussed in January 2013.
- 3.20 In addition to the general discussion that takes place on the preparation of waste plans, liaison has taken place with particular authorities on specific issues and this will continue.

**Table 3: Recent engagement with South East Waste Planning Authorities**

Authority	Date	Issue
East Sussex CC	January 2012	Landfill capacity
Hampshire CC	January 2012	Landfill capacity
Hampshire CC	November 2012	Hazardous waste

**Local Government Association Nuclear Legacy Advisory Forum (NuLeAF)**

- 3.21 NuLeAF comprises a voluntary, subscription-based grouping of waste planning authorities with a common interest in the future management of radioactive waste arising from a secretariat which organises meetings and keeps member authorities informed of issues relating to the management of radioactive waste. The NuLeAF Steering Group meets quarterly and there is a Radioactive Waste Planning Group (RWPG) which also meets quarterly. In addition, ad hoc meetings are arranged to bring together representatives from waste planning authorities, the nuclear industry, Nuclear Decommissioning Authority, Environment Agency and other regulators.
- 3.22 Oxfordshire has two nuclear research establishments (Culham and Harwell) that generate radioactive waste. The County Council is a full member of NuLeAF and officers regularly attend meetings of RWPG and occasionally attend Steering Committee meetings. RWPG meetings provide regular opportunity to discuss the preparation of waste plans and policies for nuclear waste. Membership of NuLeAF has enabled discussion with authorities that may have interests in the management of nuclear waste arising at Culham and Harwell – in particular Northamptonshire, Dorset and Cumbria County Councils (paras 3.28 – 3.29 and 3.37 – 3.39).
- 3.23 NuLeAF was notified of the draft Waste Planning Strategy in September 2011 and publication of the Core Strategy Proposed Submission Document. The County Council had dialogue with the Executive Director of NuLeAF on the

approach to low level radioactive waste (LLW) and interim level radioactive waste (ILW) in the Proposed Submission Document (policy W9).

### **Adjoining Waste Planning Areas**

- 3.24 A meeting on 27 November 2009 to discuss cross-boundary movements of waste (para 3.2) provided opportunity for a useful exchange of information (Reg. 22 Statement, paragraphs 4.36 – 4.37). Subsequently the Environment Agency has released a Waste Interrogator tool which allows waste movements to be monitored on an annual basis and further meetings of that type have not been necessary. However, engagement has taken place with individual authorities to discuss particular issues.

### **Berkshire Unitary Authorities**

- 3.25 In making representations on the Berkshire Minerals and Waste Core Strategy (since withdrawn) in 2008, Oxfordshire County Council expressed concern at the provision for the management of residual waste. Movement of waste from Berkshire into Oxfordshire for disposal in landfill has increased in recent years, and discussion with the former Joint Strategic Planning Unit had suggested that these movements may continue for some time.
- 3.26 The Berkshire unitary authorities were notified of the County Council's estimates of imported waste in the Waste Needs Assessment 2011; and of the draft Waste Planning Strategy (September 2011), which set out a policy on waste imports. In response to the consultation, Reading Borough Council advised it had no comment to make; and West Berkshire Council advised that amounts of waste imported to Oxfordshire should decline over the plan period (as envisaged in the draft policy).
- 3.27 A review of the rate at which waste might be imported to Oxfordshire took place in February 2012, and adjoining authorities were notified and invited to comment on this. There was no significant variation from the previous estimates but concerns were received from the Re3 authorities (Wokingham Borough, Reading Borough and Bracknell Forest Councils), the Royal Borough of Maidenhead and Windsor and West Berkshire Councils. Meetings were arranged with the various authorities to discuss these concerns. Of these authorities, only Wokingham Borough Council made representation on the Proposed Submission Document's approach to waste imports (policy W2).

### **Northamptonshire County Council**

- 3.28 In response to the draft Waste Planning Strategy (September 2011), Northamptonshire County Council expressed concern that the approach being taken to the management of hazardous waste was too insular. Similar concerns were also expressed about the approach to the management of low level radioactive waste.

- 3.29 Discussion on the management of low level radioactive waste took place at meetings of NuLeAF, and the draft policy and supporting text were modified in the Proposed Submission Document. In the preparation of the Proposed Submission Document, there was liaison with Northamptonshire County Council on the detailed wording of the relevant policies (W8 and W9). Although Northamptonshire County Council has pointed out a need to clarify the scope of policy W8, no objection is now being raised to the approach being taken to the management of these waste streams. The County Council has recently made comment on an application for a Development Consent Order to extend a hazardous waste landfill facility in Northamptonshire that is currently taking in low level radioactive waste from Oxfordshire.

### **Gloucestershire County Council**

- 3.30 No response was made by Gloucestershire County Council to the Draft Waste Planning Strategy (September 2011). However, representation was made that the Proposed Submission Document is inflexible in its approach to the management of hazardous waste: in particular, that it appears to rely on the availability of existing waste management facilities in other areas whose future cannot be guaranteed. It was also suggested that there may have been insufficient attention paid to the new Duty to Cooperate.
- 3.31 A officer-level meeting was held with Gloucestershire County Council on 2 October 2012 to discuss their concern about hazardous waste, to explain how the County Council envisages that the policy on hazardous waste (policy W8) will apply and also to explain some of the work that had been undertaken with other authorities (see also Appendix 1). The County Council has also written to operators of non-hazardous landfills in Oxfordshire to check whether the Council's assumptions behind policy W8 on the possible future management of hazardous waste, in particular its disposal, are realistic.
- 3.32 A note of the meeting with Gloucestershire County Council has been agreed, but it is not yet clear whether their objection to policy W8 (hazardous waste) is being maintained. Responses were received from two operators of non-hazardous landfills and these suggest that the approach taken in policy W8 is not unreasonable.

### **Other Waste Planning Areas**

#### **London**

- 3.33 Oxfordshire receives waste from London for disposal in landfill, and provision is made in the South East Plan for disposal of some of London's waste in Oxfordshire. The London Waste Planning Partnerships and the Mayor of London were therefore consulted on the Waste Needs Assessment (May 2011) and the draft Waste Planning Strategy (September 2011). Prior to

publication of the Proposed Submission Document they were also invited to comment on a paper that was prepared to inform a revision to the Waste Needs Assessment and which reviewed the amount of waste that might be exported from London for disposal in Oxfordshire landfill and the approach that might be taken on this.

**Table 4: London Waste Planning Partnerships**

North London Waste Plan
West London Waste Plan
East London Waste Plan
South London Waste Plan
City of London

- 3.34 The West London Waste Planning Partnership commented that the approach being taken was consistent with its emerging waste planning policies. The South London Planning Partnership also advised that the aim to reduce the amount of waste exported from London is acceptable, and that it hopes to be self-sufficient in managing its own waste by 2021. No other comments were received. No representations were received from any of the London Waste Planning Partnerships or the Mayor of London on the Proposed Submission Document.
- 3.35 The County Council has made comment on an informal consultation on the emerging West London Waste Plan and a formal consultation is now awaited. There is no record of any significant waste movement to Oxfordshire from North or East London, but the County Council has monitored progress on the emerging North London Waste Plan and supported representations made by SEWPAG on the level of engagement with waste planning authorities outside London.

**Surrey County Council**

- 3.36 Surrey County Council made comment that the draft Waste Planning Strategy (September 2011) was too insular in its approach to hazardous waste (policy W8), and not sufficiently flexible in its approach to the treatment of residual waste from other areas (policy W2). Such waste movements that occur between the two counties are extremely small, and discussion of these concerns has taken place through informal consultation on a revision to the relevant policies and supporting text. The County Council considers that the Core Strategy is not prejudicial to the management of waste produced in Surrey but, although it has not been possible to reach agreement on the detailed approach, amendments to the relevant policies have been made. Surrey County Council has not made comment on the Duty to Cooperate.

## **Dorset County Council**

- 3.37 Discussion with the operator (RSRL Ltd) of the former United Kingdom Atomic Energy Authority establishment at Harwell indicated that there would be a need for additional facilities for the future management of intermediate level radioactive waste and that there may be a need to consider the accommodation of additional intermediate level radioactive waste from other sites at Harwell – in particular waste from its sister site at Winfrith (Dorset). This helped in the development of a specific policy on radioactive waste (policy W9) and there was discussion with Dorset County Council on the approach to be taken in the policy. Dorset County Council initially expressed concern at the approach taken in the draft Waste Planning Strategy (September 2011), but the policy has subsequently been amended and Dorset County Council now supports the approach taken in the Proposed Submission Document.

## **Cumbria County Council**

- 3.38 Some low level radioactive waste from Harwell is taken to the Low Level Waste Repository (LLWR) near Drigg in Cumbria and this is likely to continue. Cumbria County Council was therefore consulted on the draft Waste Planning Strategy in September 2011. No concern has been raised to the continued movement to the LLWR of waste that needs to go to that specialist facility; but Cumbria County Council has raised concern over the County Council's approach to the management of low level radioactive waste that does not need to go to LLWR (policies W8 and W9).
- 3.39 In light of these concerns the draft policies were revisited and additional supporting text produced to explain in more detail the reasoning behind the approach being taken. Cumbria County Council was consulted informally on this revised approach and further discussion took place. However, it has not been possible to reach agreement on the intended approach and Cumbria Council has maintained its objection in representations on the Proposed Submission Document, including a concern about the Duty to Cooperate (see also Appendix 1).

## **District Councils**

- 3.40 Preparation of the Core Strategy has involved collaboration with the five district councils in Oxfordshire:
- Cherwell;
  - Oxford City;
  - South Oxfordshire;
  - Vale of White Horse;
  - West Oxfordshire.
- 3.41 All five district councils participated, through officer representatives, in the Minerals and Waste Stakeholder Forum which met between 2005 and 2007

(Reg. 22 Statement paragraph 4.5). Member and officer representatives of the district councils attended the stakeholder workshops on minerals strategy options in February and July 2010 (Reg. 22 Statement paragraphs 4.40 & 4.46); and officer representatives attended the consultation meetings on the draft Minerals and Waste Planning Strategies held in September 2011 (Reg. 22 Statement paragraphs 5.4 & 5.11).

- 3.42 Officer-level meetings have taken place with individual district councils from time to time during the preparation of the Core Strategy to discuss specific issues. In particular, there have been meetings with South Oxfordshire and West Oxfordshire District Councils on locations for sand and gravel working; with Cherwell District Council on a location for a strategic waste treatment facility (an energy from waste plant is currently being built at Ardley); and with Oxford City Council on possible locations within the city for waste management facilities.
- 3.43 The district councils have been included in formal consultation on draft strategy documents and also in more focussed informal consultation exercises. Although it has not been possible to reach agreement on all issues (notably the locations for sand and gravel working) there has been active dialogue to ensure an understanding of all relevant issues. In their comments on the Proposed Submission Document, Cherwell District Council welcomed the cooperation that has taken place but West Oxfordshire District Council expressed concern (see Appendix 1).
- 3.44 The Oxfordshire Spatial Planning and Infrastructure Partnership (SPIP) is a member-level forum for liaison on spatial planning, economic development, housing, transport, and infrastructure issues across Oxfordshire. SPIP has prepared the Oxfordshire Local Investment Plan, which sets out a shared vision and priorities for delivering housing growth, economic development, regeneration, and infrastructure; and integrates the plans of Cherwell, Oxford, South Oxfordshire, Vale of White Horse and West Oxfordshire District Councils, Oxfordshire County Council, the Highways Agency, Network Rail, the Environment Agency and the Oxfordshire Primary Care Trust to deliver housing and economic growth and associated strategic infrastructure to 2030. Minutes of SPIP meetings and other documents are published on the Oxfordshire partnership website. SPIP has not to date become involved in minerals or waste planning issues within the county, but aggregates supply and waste management were identified as strategic issues for Oxfordshire at a SPIP workshop on Duty to Cooperate held on 29 October 2012.
- 3.45 There is also an Oxfordshire Planning Policy Officers group, comprising officers from the County and District Councils, which meets quarterly to discuss matters of common interest, including the progress that each authority is making in plan making and inter-authority issues. The County Council is a regular attendee at these meetings, which are informal discussions and are not minuted. Whilst the meetings mainly discuss issues relating to district local plans, the County Council does raise minerals and waste issues from time to time, when appropriate. Consideration is currently being given to how this



group might more closely relate to and input to the wider agenda set by the Oxfordshire Spatial Planning and Infrastructure Partnership.

- 3.46 District councils in adjoining areas have been included in all of the formal consultations in the preparation of the Core Strategy. This did not lead to the identification of any issues that required more specific engagement.

### **Town and Parish Councils**

- 3.47 At each formal stage of the consultation process, all town and parish councils in Oxfordshire were invited to comment on the emerging Core Strategy. Greatest interest has been shown by towns and parishes in areas where there have been options for development, particularly mineral working, and membership of the Minerals and Waste Forum was broadened to include representatives from those areas. Potentially affected town and parish councils were involved in the stakeholder workshops on minerals spatial strategy options held in February/March and July 2010 (Reg. 22 Statement paragraphs 4.40 & 4.46) and the consultation meetings on the draft Minerals and Waste Planning Strategies held in September 2011 (Reg. 22 Statement paragraphs 5.4 & 5.11). Officers have also been available to discuss issues and attend meetings with individual town and parish councils, to address queries and receive further feedback.
- 3.48 Parish councils adjoining Oxfordshire were identified and invited to make representations at each stage of the consultation process. No issues have been identified requiring more specific engagement.

### **Waste Collection and Disposal**

- 3.49 The five district councils are responsible for the collection of Oxfordshire's household waste and the County Council is responsible for its disposal. The authorities work together through the Oxfordshire Waste Partnership (OWP) and adopted the Oxfordshire Joint Municipal Waste Management Strategy in 2006, for the management and disposal waste to 2020. The strategy is currently being reviewed and an updated strategy should be adopted early in 2013.
- 3.50 Officers of the County Council as waste planning authority participated in the preparation of the original waste management strategy and have inputted to the review. They have also attended meetings of OWP to give updates on progress on the emerging Core Strategy. OWP has been consulted at all key stages in the preparation of the Core Strategy, including the focussed consultation that took place in April 2010 on the spatial strategy options for waste (Reg. 22 Statement paragraph 4.66). Discussion with OWP has been influential in the development of the waste estimates for municipal waste and the targets included in policy W3 for recycling and landfill diversion.

## **Prescribed Bodies**

### **Environment Agency**

- 4.1 The Environment Agency has been provided with all consultation documents and also with discussion papers that were produced on the minerals spatial strategy options and the waste spatial strategy options (Reg. 22 Statement paragraphs 4.39 & 4.63). In addition, informal meetings, discussion and correspondence have taken place from time to time throughout the preparation of the Core Strategy on a range of issues, including:
- Provision of waste data;
  - SA/SEA scoping and reports;
  - Habitats Regulation scoping and assessment;
  - Strategic Flood Risk Assessment reports;
  - Sequential testing of minerals strategy option areas;
  - Relevance of Environmental Permitting.
- 4.2 The Agency's comments on the Proposed Submission Document were generally supportive of its content, although it has been noted that further clarification might usefully be provided on the circumstances where waste material might be used to restore sand and gravel workings in the flood plain.

### **English Heritage**

- 4.3 English Heritage has been provided with all consultation documents and also with discussion papers that were produced on the minerals spatial strategy options and the waste spatial strategy options (Reg. 22 Statement paragraphs 4.39 & 4.63). In addition, informal meetings, discussion and correspondence have taken place from time to time throughout the preparation of the Core Strategy. Particular interest has been shown in the potential impact of further sand and gravel working in specific parts of the Thames catchment and discussion has taken place with English Heritage on the potential value of assets in specific areas.
- 4.4 English Heritage did not object to the spatial strategies for minerals and waste in the Proposed Submission Document. In response to comment made on the draft core policy on heritage assets (policy C7) in the September 2011 consultation, the policy was amended to take account of emerging changes in policy in the then draft NPPF. Agreement on the detailed wording of this policy has not yet been reached with English Heritage, as evidenced by their representation on the Proposed Submission Document. This is being considered further through a review of the Council's background paper on Heritage Assets and Archaeology, including further engagement with English Heritage as appropriate.

## **Natural England**

- 4.5 Natural England has been provided with all consultation documents and also with discussion papers that were produced on the minerals spatial strategy options and the waste spatial strategy options (Reg. 22 Statement paragraphs 4.39 & 4.63). In addition, informal meetings, discussion and correspondence have taken place from time to time throughout the preparation of the Core Strategy on a range of issues, including:
- SA/SEA scoping and assessment;
  - Habitats Regulations scoping and assessment.
- 4.6 Natural England supports the spatial strategies for minerals and waste in the Proposed Submission Document, but agreement on the detailed wording of the core policy on biodiversity and geodiversity (policy C5) has not yet been reached, as evidenced by their representation on the Proposed Submission Document. This is being considered further through a review of the Council's background paper on Environmental and Community Protection and Planning for Mineral Working, including further engagement with Natural England as appropriate.

## **Highways Agency**

- 4.7 The Highways Agency has been provided with all consultation documents and also with the discussion papers that were produced on the minerals spatial strategy options and the waste spatial strategy options (Reg. 22 Statement paragraphs 4.39 & 4.63).
- 4.8 The Highways Agency contributed to the discussion on minerals spatial options. Comments included a preference for options that avoided extraction taking place in a few concentrated places. Similar views were expressed in relation to waste spatial strategy options, based on the Agency's desire to avoid a concentration of lorry movements on key interchanges on the strategic road network.
- 4.9 In response to the consultations on the draft Minerals and Waste Planning Strategies (September 2011) the Highways Agency expressed no concerns on the spatial strategies for minerals and waste. Some comment was made on the core policy for transport (policy C9) but this was largely supportive of the approach put forward: only a minor wording change was suggested. No representations were made on the Proposed Submission Document.

## **Others**

- 4.10 The Mayor of London, the Civil Aviation Authority, the Homes and Communities Agency and the Oxfordshire Primary Health Care Trust are included on the County Council's consultation database for the Core Strategy and have been notified of key consultations in its preparation. None of these bodies has made any comment on the emerging Core Strategy and the

County Council has adjudged that there has been no need for any more specific engagement with them (apart from the Mayor of London on waste – see para. 3.28).

- 4.11 Transport for London is not included on the consultation database as there appears no reason for that body to have any interest in the Core Strategy. There is no Integrated Transport Authority within or adjoining Oxfordshire. The Marine Management Organisation (MMO) is not on the consultation database as Oxfordshire is well distanced from the coastline and there has been no significant import of marine sand and gravel into Oxfordshire and the Council is not proposing to place any reliance on such material in providing for aggregates demand in the county. However, the MMO was notified of the Council's draft Local Aggregate Assessment for Oxfordshire through SEEAWP and has commented (letter dated 4 December 2012) that, as Oxfordshire does not have a coast line and is unlikely to be focusing on marine won aggregates, the Local Aggregates Assessment does not have consequences for the MMO's work and they have no comments.
- 4.12 The County Council provides support for the Oxfordshire Local Enterprise Partnership (LEP), which was established in January 2011 and covers the same area as the Core Strategy. The LEP is aware of the preparation of the Core Strategy and of the documents that have been produced at different stages, but its focus does not extend to minerals and waste planning as this is not seen as a barrier to growth. More specific engagement with the LEP has not therefore been considered necessary.
- 4.13 The County Council has discussed the approach to be taken to waste water treatment with Thames Water Utilities (para. 2.3) on a number of occasions, including whether the Core Strategy should include a specific policy on waste water. The Core Strategy includes a section on waste water but the County Council considered that it is appropriately covered under other, more general policies on waste. Thames Water Utilities have made representation that there should be a specific policy on waste water.
- 4.14 The County Council has held discussion with RWE Npower (para 2.3) on the intended closure of Didcot A Power Station, the implications of this for waste arisings and the possible availability of the site for future waste use. These issues are on-going.
- 4.15 The County Council has held discussions with minerals and waste operators (para 2.3), both individually and jointly, including through the Mineral Products Association, throughout preparation of the Core Strategy, as outlined in the Reg. 22 Statement.

## Representations on the Core Strategy Proposed Submission Document, May 2012

Rep No.	Respondent	Representation made on Duty to Cooperate
005/1	<b>Gloucestershire County Council</b>	<p>The Council would advise you that you may not have fully complied with the Duty to Co-operate (DTC) as outlined in Section 33A of the Planning &amp; Compulsory Purchase Act, (under Section 110 of the Localism Act) and as advised in paragraphs 156, 178-181 of the National Planning Policy Framework (the Framework). In particular S33A requires that any bodies referred to should co-operate by 'maximising the effectiveness' in the preparation of development plan documents. There appears no consideration of DTC in any of the supporting documents which could be an omission. Given the proximity of sand and gravel resources in the Upper Thames with Gloucestershire, and Oxfordshire (alongside those in Wiltshire and Swindon) and the interrelationship of the aggregate supply patterns between these areas, the Council highlights that you should consider the requirements of DTC very carefully. This may require further discussion between the Mineral Planning Authorities, possibly with Lead Member / Cabinet input, before you are in position to move towards Submission stage.</p> <p>For example in Gloucestershire sand and gravel supply has stayed fairly constant over this 10 year period at an average around 0.85 mtpa with production each year close to this with some minor fluctuations. However it has not been subject to the peaks and declines in Oxfordshire over this period. It is not entirely clear why such dramatic changes in the Oxfordshire supply pattern have occurred. However Table 3.1 of the consultant's report identifies that in 2005, 72% of the Gloucestershire supply went to the South East (including Oxfordshire). This is very likely at that time given the proximity and production of sand and gravel pits east of Fairford that were known to access markets in Oxfordshire via the A417 through Lechlade. However this data suggests a significant share over time of Gloucestershire sand and gravel meeting export supply while as recent as 2009 most consumption of Gloucestershire sand and gravel (71%) was within the South</p>

		<p>West. No explanation for these fluctuations and the interrelationship between Oxfordshire and Gloucestershire is considered through the consultants work or elsewhere in the evidence base. It is noted that the existing land bank for Oxfordshire is well below the 7 year landbank advocated in the NPPF therefore the sufficient release in reserves in Oxfordshire to maintain the landbank has not been forthcoming. The evidence is again unclear to explain why this might be the case.</p> <p>While we have not raised any comments previously on waste matters, the DTC issues may also need to be applied to these issues and policies. In particular it is noted that the Core Strategy does have a specific policy for the management of hazardous waste for proposals to deal with arisings in Oxfordshire. It is also suggested that it is unlikely a proposal for a hazardous landfill will come forward due to the economics and because of the presence of facilities nearby. In this respect the Core Strategy makes specific reference to hazardous landfill at Cheltenham (Wingmoor Farm) and at Swindon (Purton). While the recent decision at Wingmoor Farm would allow that facility to carry on operating to around 2029 it should be noted that this decision is subject to judicial review. Therefore Oxfordshire need to be aware of any such outstanding issues when relying on facilities at neighbouring local authorities. The last sentence of Policy W8 might be potentially inflexible in this regard and in the interests of sustainable development. Oxfordshire should be proactive when dealing with their own arisings.</p> <p>In summary there are a number of matters which the Council suggest that you should consider before proceeding to Submission stage. These are as follows:</p> <ol style="list-style-type: none"><li>1. You have identified a level of provision for sand and gravel based on a 10-year average which is significantly lower than the apportionment figure. The NPPF (paragraph 145) suggests a number of other issues which should be considered such as taking account of published National and Sub National Guidelines on future provision and also contains reference to taking the advice of the aggregates working party. Gloucestershire is one of your neighbouring authorities and a reduction in the sand &amp; gravel provision for Oxfordshire will almost certainly impact upon Gloucestershire for the issues raised above in this response. This matter requires consideration and augmentation before Oxfordshire submit their Core Strategy.</li></ol>
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		<ol style="list-style-type: none"> <li>2. Now that the DTC came into force in November 2011 and the NPPF (The Framework) came into force on 27th March, Oxfordshire have not discussed with Gloucestershire or even explored how the proposal could impact upon production from minerals sites within Gloucestershire, nor have Oxfordshire investigated the possibility of whether there should be a joint aggregate/resource assessment undertaken as outlined within paragraphs 145 and 163 of the NPPF.</li>   <li>3. In summary the wider dialogue for issues regarding both the revision to the locally derived sand and gravel supply for Oxfordshire and the implications of the quantum of resource allocated in the Core Strategy for neighbouring MPAs appears missing at the present. You are therefore urged to address these issues (through further dialogue/augmentation of you legal compliance self-assessment and evidence base) before you proceed to Submission. Clearly you would need to establish which planning authorities are key within the 'Framework' guidance, however the Council fully appreciates that whatever work needs to be undertaken has to proportionate to the scale of the issue.</li>   <li>4. The DTC might apply to other minerals and waste issues which have not been fully considered. One example provided in this response relates to hazardous waste. Oxfordshire are urged to satisfy themselves regarding these issues before they proceed to the Submission stage with this Plan.</li> </ol>
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**Oxfordshire County Council response to representation made by Gloucestershire County Council**

Paragraph 2.33 of the Core Strategy does refer to work that has been undertaken in connection with the Duty to Cooperate, but no detail has yet been provided in supporting documents. This Statement on the Duty to Cooperate now provides information on the work that has been undertaken with local authorities and other bodies.

Gloucestershire CC notes that lack of detail has hitherto made it impossible to assess whether or not the Duty to Cooperate has been met. Oxfordshire County Council believes that the Duty to Cooperate has been met, as evidenced in this statement.

Gloucestershire CC also draws attention to a lack of discussion between the two authorities on the provision to be made for the supply of aggregates. Discussion took place on cross-boundary movements in November 2009. Following its comment on the

draft Minerals Strategy in September 2011, the County Council sent further explanation of its proposed approach to provision for aggregates supply to Gloucestershire CC in January / February 2012 and invited response, to which Gloucestershire CC replied. Most recently a meeting was held on 2nd October 2012 to discuss the representation on the Proposed Submission Document. Gloucestershire CC acknowledged that the provision for sand and gravel was based on 10 year average sales, as advised by NPPF, but that local factors had not been taken into account. The County Council explained why it believed reversal of the historic movement of sand and gravel out of Oxfordshire to be temporary and that this was not considered a significant long-term factor in the assessment. It was agreed that dialogue would continue and that, following discussion by SEEAWP, the Oxfordshire Local Aggregate Assessment should be forwarded to Gloucestershire CC.

013/3	<b>Cumbria County Council</b>	<p>It is not known what involvement there has been with other authorities. Although assumptions have been made about sending waste to Cumbria, there has been only limited engagement with authorities here which has tended to be late rather than early. There is still uncertainty about precisely what will be expected of local planning authorities in connection with this duty.</p> <p>This authority has been in the same position as Oxfordshire in having to retrospectively demonstrate compliance with this new duty. It has pointed to consultations with other authorities and to engagement through the NuLeAF Radioactive Waste Planning Group and Steering Group and other meetings as demonstrating such compliance.</p> <p>However, with reference to the recent Inspector's consideration of the North London Waste Plan, it appears that all authorities will need to give careful consideration to what is going to be expected of them.</p> <p>Assumptions about the continued availability of waste management facilities outside the plan area appear to be common to the North London Waste Plan and the Oxfordshire Core Strategy.</p> <p>With regard to the duty to cooperate it is not yet clear what will be expected from local planning authorities and others. It is, of course, a duty to cooperate, not necessarily to agree.</p>
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### **Oxfordshire County Council response to representation made by Cumbria County Council**

Paragraph 2.33 of the Core Strategy does refer to work that has been undertaken in connection with the Duty to Cooperate, but no detail has yet been provided in supporting documents. This Statement on the Duty to Cooperate now provides information on the work that has been undertaken with local authorities and other bodies.

Cumbria CC acknowledges that there has been engagement between the two authorities on the management of radioactive waste, albeit that Council believes this to have been 'limited' and 'late rather than early'. It also acknowledges that whilst there is a duty to cooperate, it is not necessarily a duty to agree.

Oxfordshire County Council acknowledges that direct discussion on the Core Strategy approach to the management of radioactive waste began in September 2011 following consultation on the draft Waste Planning Strategy. But there had been consideration of related issues and an exchange of views at earlier NuLeAF meetings and it is unfair to describe the subsequent engagement as 'limited'. Cumbria CC's comments on the September 2011 draft Waste Planning Strategy were very relevant to the redrafting of the policy on radioactive waste and Cumbria CC was invited to comment on the revised draft policy and supporting statement in February 2012 prior to finalisation of the policy in the Proposed Submission Document. Although acknowledgement of the February 2012 informal consultation was received, no written response was received, but the matter was discussed between officers at a subsequent NuLeAF meeting.

No other discussion has taken place with Cumbria CC subsequent to its representation on the Proposed Submission Document as the objection appears to be based on a matter of principle that does not fully acknowledge local circumstances.

016/3	<b>Minerals Products Association</b>	As a net importer of aggregates the potential implications of reducing indigenous provision to the extent proposed, the County Council must demonstrate that it has consulted adjoining and 'supplier' Mineral Planning Authority areas over the implications of its proposals and that account is taken of inter-authority supply and the ability to maintain an adequate and steady supply of materials required.
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**Oxfordshire County Council response to representation made by Minerals Products Association**

Paragraph 2.33 of the Core Strategy does refer to work that has been undertaken in connection with the Duty to Cooperate, but no detail has yet been provided in supporting documents. This Statement on the Duty to Cooperate now provides information on the work that has been undertaken with local authorities and other bodies.

The Minerals Products Association was involved in discussion on the preparation of the Atkins Report on Local Assessment of Aggregates Supply Requirements in Oxfordshire.

029/4

**Hanson  
Aggregates**

As a net importer, the Council has a duty to liaise with adjoining authorities to ensure that the principle of maintaining a steady and adequate supply of mineral on a wider basis can be maintained. The Council has not demonstrated that the needs and capabilities of these surrounding areas have been properly assessed, leading to the conclusion that Oxfordshire is inward looking in its approach to apportionment.

**Oxfordshire County Council response to representation made by Hanson Aggregates**

Paragraph 2.33 of the Core Strategy does refer to work that has been undertaken in connection with the Duty to Cooperate, but no detail has yet been provided in supporting documents. This Statement on the Duty to Cooperate now provides information on the work that has been undertaken with local authorities and other bodies.

Hanson Aggregates was involved in discussion on the preparation of the Atkins Report on Local Assessment of Aggregates Supply Requirements in Oxfordshire.

038/2

**Research Sites  
Restoration Ltd**

The NPPF advises that for a plan to be effective it must be based on effective joint working on cross-boundary strategic priorities. It is not apparent that OCC has taken account of the approach to radioactive waste planning in other areas where significant amounts of radioactive waste are generated and therefore does not demonstrate that it properly addresses cross-boundary strategic priorities by omitting the issue from Policy W9. Policy W9 is therefore considered to be unsound on the basis of not being effective.

**Oxfordshire County Council response to representation made by Research Sites Restoration Ltd**

Paragraph 2.33 of the Core Strategy does refer to work that has been undertaken in connection with the Duty to Cooperate, but no detail has yet been provided in supporting documents. This Statement on the Duty to Cooperate now provides information on the work that has been undertaken with local authorities and other bodies.

Several discussions have taken place with RSRL on the approach to radioactive waste, including discussion on draft policy wording and pre-application discussion on a proposed new store for intermediate level radioactive waste at Harwell. The RSRL policy objection concerns the approach taken to the management of intermediate level radioactive waste only. During the discussions that have been held, the County Council has been advised that if waste other than that produced at Harwell is to be stored at Harwell, it would be intermediate level radioactive waste from Culham or Winfrith in Dorset. Liaison has therefore taken place with Dorset County Council.

When asked to comment further on the implication that RSRL believe that wider liaison should have taken place and, if so, with whom, RSRL declined to make further comment.

046/1

**Ms L Castell**

Re “Tests of Soundness” - National Planning Policy, Para 182:- “...the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities...”;  
“.....the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities....”  
*It appears that there have been no discussions with Neighbouring Counties*

**Oxfordshire County Council response to representation made by Ms L Castell**

Paragraph 2.33 of the Core Strategy does refer to work that has been undertaken in connection with the Duty to Cooperate, but no detail has yet been provided in supporting documents. This Statement on the Duty to Cooperate now provides information on the work that has been undertaken with local authorities and other bodies.

049/6	<b>Communities Against Gravel Extraction (CAGE)</b>	<p>There is no obvious attempt by the Council to meet its Duty to Cooperate as envisaged in the Framework. The Framework in section 13 at paragraph 146 indicates the importance of cooperating with neighbours in respect of the provision of minerals. The absence of such an approach fails to meet the requirements and renders the Plan not in legal compliance and also unsound.</p> <p>Paragraph 5.4 of the Guidance notes makes it clear that the Plan should “be based on effective joint working on cross boundary strategic priorities” but it does not explain how that is achieved. In that respect the inherently poor quality of the mineral resource at Cholsey is highly material as even if it is worked it would be required to be supplemented for use in most building activities. It is not therefore a high quality limited resource that needs to be worked due to its inherent properties. Furthermore, it is not evident that the Council has given proper consideration to the letter dated 26 October 2011 from Lord Bradshaw, an expert on national rail transportation and Wallingford resident, in which he stated: “The Minerals Planning Strategy is defective because it does not examine the case for importing minerals by rail from sources outside the County. As far as I have been able to establish no discussions have taken place with major mineral suppliers about the relevant net costs of supplying minerals through existing or new railheads...” (Appendix 10)</p> <p>(The Core Strategy) is defective in that there is no evidence to support any finding that the Duty to Co-operate has been followed or that the views of neighbours or others relevant to the Plan have been sought. That is compounded by the fact that the Council’s guidance note (see paragraph 5.4) makes it clear that the Plan should be based on joint cross boundary strategic priorities.</p>
<p><b>Oxfordshire County Council response to representation made by Communities Against Gravel Extraction (CAGE)</b></p> <p>Paragraph 2.33 of the Core Strategy does refer to work that has been undertaken in connection with the Duty to Cooperate, but no detail has yet been provided in supporting documents. This Statement on the Duty to Cooperate now provides information on the work that has been undertaken with local authorities and other bodies.</p> <p>CAGE has assumed that absence of evidence of work relating to the Duty to Cooperate should be taken as evidence that the County Council has failed to comply with the new requirement. The Council believes that the work that has been undertaken does adequately meet the Duty to Cooperate. CAGE acknowledges that there is no definitive guidance on what is required.</p>		

CAGE also raises concern at an apparent failure to discuss with operators (and others) an option to bring minerals to Oxfordshire through existing or new railheads. The Council does not believe this to be a viable option, beyond what can already be brought into Oxfordshire through the existing railheads, as evidenced by representations from the minerals industry that the provision being made for aggregate supply from within Oxfordshire is wholly inadequate, although specific discussion have not been held with mineral operators on this. This issue was raised at a meeting with Gloucestershire County Council on 2 October 2012, and that authority agreed that the option was not practical given the availability of resources and railheads.

056/1	<b>West Oxfordshire District Council</b>	<p>As a general observation, the District Council questions the extent to which the County Council has satisfactorily fulfilled the new duty to co-operate in preparing the Minerals and Waste Plan. The Government's National Planning Policy Framework (NPPF) highlights minerals and waste as two of the strategic priorities that should be considered through the new duty to co-operate and yet very little joint working has been undertaken throughout the preparation of the plan.</p> <p>The Planning Inspector will no doubt invite the County Council to demonstrate how they have fulfilled the duty in due course.</p> <p>Oxfordshire County Council should demonstrate the extent to which it has fulfilled the duty to co-operate in preparing the Minerals and Waste Plan.</p>
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**Oxfordshire County Council response to representation made by West Oxfordshire District Council**

Paragraph 2.33 of the Core Strategy does refer to work that has been undertaken in connection with the Duty to Cooperate, but no detail has yet been provided in supporting documents. This Statement on the Duty to Cooperate now provides information on the work that has been undertaken with local authorities and other bodies.

West Oxfordshire DC comments that 'very little' joint working has been undertaken. This is in contrast to the perception of Cherwell District Council that supports the cooperation that has taken place. Concerns were discussed at a meeting on 25 October 2012, and it is understood that West Oxfordshire DC's main concern has been the lack of evidence that has been presented on the Duty to Cooperate hitherto. West Oxfordshire DC acknowledge that there have been opportunities for participation in the preparation of the Core Strategy and that this has included individual and joint discussion on the spatial strategy options for sand and gravel working, which is West Oxfordshire DC's main area of concern.

062/6	<b>Cllr. P Greene</b>	See 049/6: Communities Against Gravel Extraction (CAGE) above.
<p><b>Oxfordshire County Council response to representation made by Cllr. P Greene</b></p> <p>See comment on 049/6 (CAGE).</p>		
068/3	<b>Cllr. C Mathew</b>	This means that the Core strategy is aimed at primary gravel production some two and a quarter to three times the required amount. These calculations ignore secondary gravel, and gives plenty for our neighbours, with whom no discussions have taken place, to import.
<p><b>Oxfordshire County Council response to representation made by Cllr. C Mathew</b></p> <p>Paragraph 2.33 of the Core Strategy does refer to work that has been undertaken in connection with the Duty to Cooperate, but no detail has yet been provided in supporting documents. This Statement on the Duty to Cooperate now provides information on the work that has been undertaken with local authorities and other bodies.</p> <p>Councillor Mathew asserts that no discussion has taken place with other authorities, but this is not correct.</p>		
073/1	<b>Mr P Rogers</b>	No discussions with neighbouring counties, what is the perceived need for HS2?
<p><b>Oxfordshire County Council response to representation made by Mr P Rogers</b></p> <p>Paragraph 2.33 of the Core Strategy does refer to work that has been undertaken in connection with the Duty to Cooperate, but no detail has yet been provided in supporting documents. This Statement on the Duty to Cooperate now provides information on the work that has been undertaken with local authorities and other bodies.</p> <p>Mr Rogers asserts that no discussion has taken place with other authorities, but this is not correct.</p>		

098/3	<b>Mr P Emery</b>	No discussions with neighbouring counties.
<b>Oxfordshire County Council response to representation made by Mr P Emery</b>		
<p>Paragraph 2.33 of the Core Strategy does refer to work that has been undertaken in connection with the Duty to Cooperate, but no detail has yet been provided in supporting documents. This Statement on the Duty to Cooperate now provides information on the work that has been undertaken with local authorities and other bodies.</p> <p>Mr Emery asserts that no discussion has taken place with other authorities, but this is not correct.</p>		
103/6	<b>Cholsey Parish Council</b>	See 049/6: Communities Against Gravel Extraction (CAGE) above.
<b>Oxfordshire County Council response to representation made by Cholsey Parish Council</b>		
See comment on 049/6 (CAGE).		
104/6	<b>Wallingford Town Council</b>	See 049/6: Communities Against Gravel Extraction (CAGE) above.
<b>Oxfordshire County Council response to representation made by Wallingford Town Council</b>		
See comment on 049/6 (CAGE).		