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Powys Local Development Plan (LDP) 2011-2026

Further Focussed Changes Representation Form, October 2016

It is recommended that representations are made on this standard form. More copies are available at Powys Council offices and at local libraries where the Schedule of Further Focussed Changes is available for public inspection or online at www.powys.gov.uk (Planning Policy/LDP pages).

Please complete Sections 1 and 2 of this standard form; it only needs to be done once. For Section 3 you will need to use a **separate** form for each representation on each Further Focussed Change that you wish to make and attach it to sections 1 and 2.

Send your completed form to:

Powys LDP Team
Planning Policy
Powys County Council
The Gwalia,
Llandrindod Wells,
LD1 6AA

or via email to ldp@powys.gov.uk

Representations must be received by **5.00 pm, Monday 21st November 2016**.

Representations at this stage must **only relate to the Further Focussed Changes**. Representations should not propose further changes to the Deposit LDP 2015 or the Focussed Changes January 2016; any such representations will be disregarded as they should have been made during the earlier stages of the Plan preparation. Duly made representations will be forwarded to the Planning Inspectorate for consideration by the Inspector appointed to examine the soundness of the Plan.

Group Representations

Where there are groups who share a common view on how they wish to see the LDP changed, it would be very helpful for the group to send a single representation which represents that view. (Repeating the same points numerous times will not add weight to the case being made). Groups should indicate how many people they represent and how the representation has been authorised. The group's representative should be clearly identified.

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Please note that information provided in Sections 2, 3 and 4 will be made publicly available. Personal information, as provided in Section 1, will be treated confidentially.

Section 1: Personal Information (This will not be publicly available)

	Your Details	Agents Details (if applicable)
Name:	1. Peter Seaman, Chair Brecon & Radnor Branch 2. Christine Hugh-Jones 3. Jill Kibble 4. Margaret Tregear 5. Wendy Toomey	
Tel:	01874 676225	
Fax:		
Email:	Peter.seaman@btinternet.com	
Signature:	<i>Pete Seaman</i>	
Date:	21 st November 2016	

Privacy Statement

Personal Data will be processed in accordance with the Data Protection Act 1988. We will only use the information for the purpose of the LDP process.

By submitting a representation, the following personal information may be placed in the public domain including publication on the Powys County Council website: Your name, organisation / company, address, and your representation.

All personal telephone numbers and email addresses will be treated as confidential.

Powys County Council accepts the following responsibilities for personal information recorded:

1. The information will only be used for the agreed reason and will be looked after securely.
2. The information will only be kept for as long as needed or to comply with statutory requirements and will then be securely destroyed.
3. If the information has to be shared with other agencies initial consent will be gathered at this point and explicit (signed) consent will be obtained by the service / department concerned as soon as possible. Unless we are obliged by law to disclose the information.

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Detailed guidance can be found on our webpages – search Freedom of Information - or from the Information Management Team.

Section 2: Contact Details

	Your Details	Your Agent's Details (if applicable)
Name:	1. Peter Seaman, Chair Brecon & Radnor Branch 2. Christine Hugh-Jones 3. Jill Kibble 4. Margaret Tregear 5. Wendy Toomey	
Organisation/Company:	The Montgomery, and Brecon & Radnor Branches of the Campaign for the Protection of Rural Wales	
Address:	c/o Brynhyfryd, Scethrog, Brecon, Powys	
Postcode:	LD3 7EQ	

From this point onwards please use a separate representation form for each Further Focussed Change you wish to make a comment on. All representations made will be available for the public to view.

SECTION 3: Commenting on the Further Focussed Changes:

3a. Which document are you commenting on:

Please tick one:

- Schedule of Further Focussed Changes: An Addendum to the Powys Local Development Plan Deposit Draft 2011-2026 (October 2016)
- Sustainability Appraisal Report (October 2016)
- Environmental Report (Strategic Environmental Assessment) (October 2016)
- Habitat Regulations Assessment Screening of Further Focussed Changes (October 2016)

3b. Which Further Focussed Change are you commenting on?

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When making a comment or representation, it is important you tell us which Further Focussed Change you are commenting on.

Please remember to use **one form per representation**.

Further Focussed Change Number

FFC89

Paragraph Number (Particularly if commenting on the Sustainability Appraisal, Strategic Environmental Assessment or Habitat Regulations Assessment)

Section 3c: Your Comments and Suggested Changes

Please set out your comments below using additional sheets as necessary.

Explain why you object to or support the identified Further Focussed Change. Include all the information, evidence and supporting information necessary to support your representation. This will help the Authority and the Inspector to understand the issue you raise. You will only be able to submit further information to the examination if the Inspector invites you to address matters that she may raise.

Is your comment an objection X support comment ? (Please tick)

Please use the space below to set out your representation:

We note that the Monitoring Framework has not been made available for public consultation – see FFC 89 of FFC public consultation document and the following ‘note’ regarding the FFC:

Further Focussed Change: FFC89	Section: 5. The LDP’s Monitoring Framework
<p>Reason:</p> <ul style="list-style-type: none"> To relocate the Monitoring framework from Appendix 3 into the main body of the LDP’s written statement as Section 5, in accordance with the Inspector’s letter to the Council dated 6/5/2016. <p>NOTE: The proposed changes to the monitoring framework set out below consist of proposed further focussed changes to Core and Core Output Indicators only. Further work is being undertaken on changes to proposed Local Indicators to inform the Examination and will be made available in due course.</p>	

This Local Development Plan is therefore not in a state either to go the Inspector or to be put out for

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consultation. It is an incomplete document. Worse than that, there are two *different* incomplete LDP FFC documents, one of which has been presented to cabinet and approved by the Council for consultation and a second, different document which has been put out for consultation but not approved by the cabinet. Which document is to go to the Inspector? One without Powys Cabinet approval or one which has not been publicly consulted?

We do not understand how valid public consultation can take place without all relevant documents which will make up the Local Development Plan being made available for public scrutiny. It appears that the consultation exercise which has taken place over the period 10th October to 21st November cannot have legal validity.

We are aware that some work *had* been done on the LDP Monitoring Framework prior to the Cabinet meeting of 13th September 2016, although Cabinet were also told that this work had not been completed. See attached pdf of relevant (Monitoring) pages from Item C162-2016 (Schedule of Further Focussed Changes) in the Cabinet Pack for approval at Cabinet meeting of 13th September 2016.

See extract from these pages below:

Powys LDP 2011-2026

Deposit Draft with Focussed Changes and Further Focussed Changes October 2016

Further Focussed Change: FFC89	Section: 5. The LDP's Monitoring Framework
Reason: <ul style="list-style-type: none"> To relocate the Monitoring framework from Appendix 3 into the main body of the LDP's written statement as Section 5, in accordance with the Inspector's letter to the Council dated 6/5/2016. NOTE: The monitoring framework has not been updated or amended for the further focussed changes. Further work will be undertaken on the monitoring framework to inform the examination in due course. 	

In particular one addition which must have been made very shortly prior to the Cabinet meeting is the inclusion of 'Sustainable Energy: Renewable and Low Carbon Energy – AMR 33' with its substantial target for renewable generation within the county.

We question why the Cabinet felt it was appropriate or acceptable to give their approval to an important legal document which they had not seen in complete form, and for which they will be held accountable. We question also what advice was given to cabinet by the Report Author and Portfolio Holder, Avril York, as to the state of completion of the Schedule of Further Focussed Changes.

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Schedule of Further Focussed Changes *as presented for public consultation* make no mention of the AMR 33, even though it is stated that the information presented contains the general changes to the Monitoring Framework and 'Specific changes to individual Core and Core Output Indicators'.

We had serious concerns about the adequacy and appropriateness of the monitoring measures put out in earlier drafts of the LDP. We observed, for example, in commenting on focussed changes that some monitoring data had no relevance to the objective to which the monitored policy related. We will not comment on individual AMRs as this monitoring section is incomplete and must be put out for consultation again. However, we do not see much here, or in the monitoring section of the LDP FFC which was put to cabinet, to suggest that this section has yet been much improved. Accordingly we attach as appendices our previous Focussed Changes representation on monitoring and hope that the comments within will feed into the revised document.

Clearly in the state it's in the Monitoring section of the LDP FFC is not ready for consultation. It not only fails to give the complete picture but it fails to mention the single most important change that has been made within the Further Focussed Changes.

Major procedural errors:

1. Presentation to and approval by Cabinet of incomplete documents
2. Public consultation of incomplete documents
3. No documents fit for submission to Inspector as either ***incomplete and unapproved***, or ***incomplete and unconsulted***.

Attachments: 5 documents in total

Appendix 1: Monitoring from Cabinet pack 13-9-16 C162-02016 pdf

Appendices 2-5: Focussed Change response – 4 documents

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Outline what changes are needed to the Further Focussed Change to make the LDP sound:

We believe that consultation of Further Focussed Changes has been invalid on grounds of incomplete state of documents put out for consultation and a public consultation of completed documents will have to take place before the LDP process can proceed.

I am enclosing further supporting information and material.

Section 4: After making your representation

Receipt of your representation will be acknowledged by the LDP team at Powys and it will then be forwarded directly to the Planning Inspector.

Everyone that wants to change the Plan can request to appear before and speak to the Inspector at a ‘hearing session’ during the public Examination. However, you should bear in mind that your “written representations” on this form will be given the same weight by the Inspector as those made verbally at a hearing session. Please note that the Inspector will determine the most appropriate procedure for accommodating those who want to provide oral evidence.

a) Do you want your comments to be considered by “written representations” or do you want to speak at a hearing session of the public examination? (Please tick one of the following):

i) I do not want to speak at a hearing session and am happy for my written comments to be considered by the Inspector.

ii) I want to speak at a hearing session.

X

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b) If you wish to speak, please explain what you wish to speak to the Inspector about.

As above

If you wish to speak please tick which language you would like to be heard in:

English Welsh

THANK YOU FOR YOUR COMMENTS

Forms should be returned to: LDP Team, Planning Policy, Powys County Council, The Gwalia, Llandrindod Wells, Powys. LD1 6AA or emailed to ldp@powys.gov.uk .

The closing date for representations is **5.00pm Monday 21st November 2016**. Representations received after this date will not be accepted.

Representations **on the proposed Further Focussed Changes** submitted during this consultation period (**Monday 10th October – Monday 21st November 2016**) will be forwarded to the appointed Inspector.