Minerals and Waste Joint Plan

Publication draft Representations

Part 4

March 2017

City of York Council
North York Moors National Park Authority
North Yorkshire County Council

The Publication draft of the Minerals and Waste Joint Plan was made available for comments between the 9th November 2016 and 21st December 2016. Any representations received outside these dates were considered 'Not duly made'.

A summary of the comments provided is available in the 'Summary of responses to the Publication document' which can be viewed at www.northyorks.gov.uk/mwjointplan .

Representations were received from 200 individuals or organisations and a copy of each of the full representation are being made available in this document. The document has been split into 4 parts with representations from 50 individuals or organisations in each.

The documents are arranged in 'respondent number' order. If you provided one or more representation within the dates then you will have received a 'respondent number' as part of the acknowledgement letter or email, and it is this number which you will need to search for to find a copy of your response.

Part 1 of the document includes responses from respondents starting at **0053** and going up to **0948**.

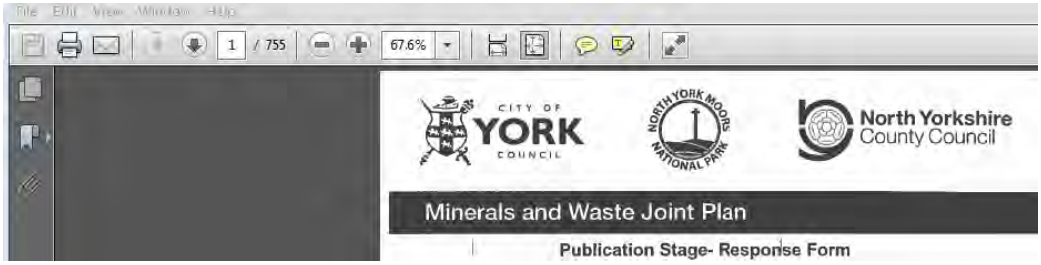
Part 2 of the document includes responses from respondents starting at **1096** and going up to **3839**.

Part 3 of the document includes responses from respondents starting at **3844** and going up to **4107**.

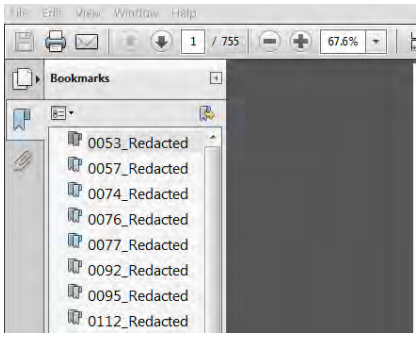
Part 4 of the document includes responses from respondents starting at **4108** and going up to **4158**.

To locate your response when you open the document you will see

Bookmark



Click on the bookmark icon shown above and a list of all the responses in the document will appear in a list, as shown below, find the number you want in the list and click on it, this will take you to that specific response.



mwjointplan

From: [redacted]
Sent: 20 December 2016 16:37
To: mwjointplan
Subject: Re: Waste and Minerals Joint Plan Consultation Submissions

Thank you for letting me know you were unable to open my document.
I have copied it into the email instead:

MINERAL AND WASTE JOINT PLAN (PUBLICATION STAGE) Consultation response

TITLE	
INITIALS	[redacted]
SURNAME	[redacted]
ORGANISATION **(if applicable)**	
ADDRESS	[redacted]
POSTCODE	[redacted]
TELEPHONE	[redacted]
EMAIL	[redacted]

No, I do not want to attend the Oral Examination of the MWJP.

CLIMATE CHANGE

- The Publication Draft of the MWJP does not conform to statutory requirements for legal compliance and tests of soundness relating to Climate Change.

- The MWJP does not conform with Section 19(1A) of The Planning and Compulsory Purchase Act (2004), which states that policies as a whole must contribute to the mitigation of, and adaptation to, climate change.

- Sections M16-18 of the MWJP does not conform with Paragraph 94 of the National Planning Policy Framework (NPPF), Paragraph 94, which states that "*Local planning authorities should adopt proactive strategies to mitigate and adapt to climate change."*.

- The Committee of Climate Change (CCC) report of March2016 concluded that the exploitation of shale gas would not be compatible with UK carbon budgets, or the legally binding commitment in the Climate Change Act to reduce emissions by at least 80% by 2050, unless three crucial tests are met. The MWJP's ability to meet these tests are not clearly defined.

- Assumptions that shale gas could lead to carbon savings are unsupported, given that test 3 of the CCC report states that "*emissions from shale exploitation will need to be offset by emissions reductions in other areas of the economy to ensure that UK carbon budgets are met*."

- It is unclear how this can be achieved, given that the government has removed support for Carbon Capture and Storage (CCS), drastically reduced subsidies for renewable energy and scrapped plans to make all new homes zero carbon by 2016.

- The MWJP is therefore unsound to claim that Policy M16 could have any positive impact on the climate budget, as this key condition of the CCC report is a long way from being met.

- Future applications for hydrocarbons production (including fracking) must be assessed using the following criteria:
- CO_2 emissions and fugitive methane leaks must be included
- CO_2 emissions resulting from both production and combustion must be included
- explanations of how emissions from shale gas production can be accommodated within UK carbon budgets should be included and assessed by the planning authorities.
- Until Carbon Capture and Storage (CCS) is fully operational, this cannot be used in planning applications as a device to mitigate future CO_2 emissions in some notional future
- any proposed plan must clearly show that it will lead to a *reduction* in climate change in order for it to be approved.

Landscape and Visual Impact

- The inclusion in Policy M16 that designated areas such as National Parks, AONBs and SSSIs are protected from fracking on their surfaces is strongly supported.

- However, the MWJP is currently unsound as it does not take into account the Ryedale Local Plan Strategy, in particular Policy SP13 (Landscapes).

- The Ryedale Plan is an adopted local plan which has statutory force and has been made in accordance with the requirements of the NPPF. It follows that the draft minerals plan would be unsound if it failed to take proper account of Policy SP13 of the Ryedale Plan.

- It is also noted that the Areas which Protect the Historic Character and Setting of York are now included as a protected area, presumably because the MWJP was seen to be in conflict with the City Plan, which was also approved by the NYCC. The same consideration must therefore be given to the Ryedale Plan.

- The Ryedale Plan aims to encourage new development to *"reinforce distinctive elements of landscape character"* in areas including the Vale of Pickering and the Yorkshire Wolds. These are areas high in landscape value, with Neolithic features that require specific consideration, and which should be protected by Policy M16 in the MWJP.

- Ryedale Policy SP13 states that developments should contribute to the protection and enhancement of distinctive elements of landscape character, including: *"Visually sensitive skylines, hill and valley sides…the ambience of the area, including nocturnal character, level and type of activity and tranquillity, sense of enclosure/exposure." (p 129 – Ryedale Plan).*

- If fracking were developed in the way described in the MWJP, this would clearly contravene the Ryedale Plan, which was approved and adopted by the NYCC.

- The landscape impact alone of so many fracking well-sites, and the supporting infrastructure such as pipelines, would clearly have a negative effect on the Vale of Pickering and the Yorkshire Wolds.

- The MWJP must be developed so that it is complementary to this Local plan, not be in conflict with it. This means that the MWJP is currently unsound.

- The Vale of Pickering and the Yorkshire Wolds should therefore be included as 'protected areas' in Policy M16.

Buffer Zones

- The inclusion of a 3.5km buffer zone around National Parks and AONBs is supported.

- Point 5.128 says, "*proposals for surface hydrocarbons development within a 3.5km zone around a National Park or AONB should be supported by detailed information assessing the impact of the proposed development on the designated area, including views into and out from the protected area*."

- While the restrictions in terms of how much fracking developments impact on the landscape are welcomed, there is little detail on what other information would be required by companies, and under what criteria fracking within the 3.5 km buffer zone would be supported.

- The National Parks and AONBs are protected for a number of reasons, including to conserve biodiversity, provide quiet places for people to relax, and to boost tourism in the region. In short, this should be about more than if the development 'spoils the view'.

- Any fracking activity that close to a major protected area could not fail to impact upon the protected area, either by impacting the view, causing excessive traffic around the borders of the area, causing noise and air pollution, causing light pollution at night – which would affect not only the wildlife in the protected area, but also impact on the clear night skies which are such a draw for visitors – and potential impacts on water courses the serve the protected areas.

- The NPPF indicates that great weight should be given to conserving landscape and scenic beauty in National Parks and AONBs, which have the highest status of protection. These areas are protected to preserve their landscape and views, tranquillity, biodiversity and geodiversity and rare species and heritage.

- Any fracking within 3.5 km (2 miles) of these areas cannot fail to impact upon these qualities. So, in order to be legally compliant with the NPPF, and the relevant Local Plans, the **MWJP should therefore simply prohibit fracking in these buffer zones completely**.

Noise impacts

- Paragraph 5.107 of the MWJP states that the exploratory stage for hydraulic fracturing exploratory drilling (which is a 24-hour process) may take *"considerably longer"* than the 12-25 week timeframe required for conventional hydrocarbons.

- Drilling of each fracking well will take place 24 hours a day, taking place over a period of weeks at a time. The KM8 well took 100 days to drill, although lower estimates of 60-70 days are now put forward by the industry.

- Well-pads may have up to 40 or 50 wells on them, which would mean that a 40-well pad would take **6.5 years** in continuous drilling alone.

- Fracking itself is also a noisy activity and again is often conducted 24 hours a day, over a period of weeks.

- Unconventional gas development for shale gas cannot therefore be considered a 'short term activity' for the purposes of planning law.

- Paragraph 144 of the NPPF states that when considering new minerals development, local authorities should: *"ensure unavoidable noise, dust and particle emissions and any blasting vibrations are controlled, mitigated or removed at source, and establish appropriate noise limits for extraction in proximity to noise sensitive properties".*

- Fracking exploration is, by the MWJP's own definition, a medium term activity at best, and therefore the policy from the NPPF above must apply.

- 24 hour drilling from exploration stages will lead to night-time noise levels far higher than those allowed for other types of development (such as wind turbines).

- The noise levels in many rural parts of North Yorkshire are very low, particularly at night, and so the impact of night-time noise from drilling and fracking will be very noticeable.

- It is therefore essential that the MWJP must set clear policy to curb noise emissions for nearby residents, as part of its statutory duty to protect local public health.

- A setback distance of 750m would help to reduce the noise impact from drilling and fracking.

- Furthermore, there should therefore be no exceptions allowed for fracking within the proposed residential buffer zone, as this would contravene the guidelines in the NPPF.

- The caveat that fracking within the buffer zone would be allowed 'in exceptional circumstances' is therefore legally unsound and should be removed.

- A Health Impact Assessment should be required for all fracking operations, to establish current air quality and noise levels, and what might be acceptable depending on the distance the fracking well-site is from the nearest home.

Air quality impacts

- There is now clear evidence that the air quality impacts from fracking have been shown to pose risks to health.

- Note that these are not chemicals that are injected into the ground as part of the fracking process, but are released from the ground as a consequence of fracking (and therefore cannot be controlled by the producer, or regulated by the Environment Agency).

- Fumes from the drilling process can also cause fine diesel soot particles, which can penetrate lungs and cause severe health risks.

- Planning Practice Guidance states, *"It is important that the potential impact of new development on air quality is taken into account in planning where the national assessment indicates that relevant limits have been exceeded or are near the limit".*

- Paragraph 109 of the NPPF states that the planning system should prevent*"… both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability;"*[1]

- There is therefore a clear legal requirement for the MWJP to consider air pollution when developing planning policy.

- The proposal to include setback distances for what is termed 'sensitive receptors' is welcomed. The MWJP's definition of 'sensitive receptors' includes residential institutions, such residential care homes, children's homes, social services homes, hospitals and non-residential institutions such as schools.

- However, the setback distance of 500m appears to be arbitrary, and no reason is given for choosing this distance. There is no evidence that this setback distance is safe for residents, either in terms of air quality or other negative aspects of fracking production.

- Baseline Health Impact assessments should be undertaken prior to any work being carried out, to ascertain the impact of fracking on human health.

Water impacts

- The impacts of fracking on water are well known, and there are multiple instances of water being contaminated by the fracking process, either from spills on the ground or under-surface contamination.

- It is therefore the Planning authorities' legal duty to ensure that water contamination will not occur in North Yorkshire.

- The EU Water Framework Directive is part of the UK's legal framework. This suggests the precautionary principle should be considered in planning, mainly through the mechanism of Environmental Impact Assessment (EIA).

- The British Geological Survey has previously highlighted the risks that fracking can contaminate water. saying, "*"Groundwater may be potentially contaminated by extraction of shale gas both from the constituents of shale gas itself, from the formulation and deep injection of water containing a cocktail of additives used for hydraulic fracturing and from flowback water which may have a high content of saline formation water."*

- The British Geological Survey is also not confident that current methods to monitor groundwater pollution are adequate, due to the depth that fracking takes place, the volumes of water required to frack, and the uncertainty regarding how much water returns to the surface: *"The existing frameworks and supporting risk-based tools provide a basis for regulating the industry but there is limited experience of their suitability for large scale on-shore activities that exploit the deep sub-surface. The tools for assessing risks* ***may not be adequate*** *as many have been designed to consider the risks from surface activities."*

Cumulative impact

- The NPPF states Planning Authorities should: *"…take into account the cumulative effects of multiple impacts from individual sites and/or a number of sites in a locality"*

- Planning practice guidance also states: *"The local planning authorities should always have regard to the possible cumulative effects arising from any existing or approved development."*

- One of the biggest concerns regarding fracking is that the industry will require thousands of wells in the next twenty years to be financially viable. Most fracking wells are unprofitable after the first year, and 84% are unprofitable after 3 years. Therefore fracking companies will need to continually drill more wells, and establish more well sites, just to survive. This endless proliferation is the aspect of fracking that raises fears of the industrialisation of the countryside in Yorkshire, and is one of residents' greatest concerns.

- The cumulative impact of fracking wells could have very damaging impacts on the road network, biodiversity, climate change, water use, water contamination, air pollution, noise and light pollution, soil contamination, human health and traditional rural industries such as agriculture and tourism.

- The MWJP suggests that an 'acceptable' cumulative impact can be achieved by a density of 10 well-pads per 10x10 km^2 PEDL licence block. It is noted that each well-pad can contain as many as 40 or 50 individual wells, by the industry's own admission, meaning that a 10x10 km^2 PEDL licence block could contain up to 500 fracking wells.

- Bearing in mind that each well requires 60-100 hours drilling, many more hours fracking, produces millions of gallons of waste water, generates thousands of HGV truck movements, generates toxic air pollution near the site and many other impacts such as noise and light pollution, the proposed density would be condemning people who live in this area to a lifetime of noise, traffic problems, health issues and stress.

- Furthermore, there is no guidance given on the separation distance between each well-site. Kevin Hollinrake MP suggested that these should be at least six miles apart, which would be incompatible with the current plan of 10 well-pads per PEDL licence block.

- However, the lack of any separation distance in the MWJP is a significant failing in terms of soundness, and a minimum separation distance of at least 3 miles should be included in the plan. This would avoid all the allowed well-sites in one PEDL licence area to be 'bunched up' in one place, causing unacceptable impact for the local community.

- Furthermore, the MWJP says "*For PEDLs located within the Green Belt or where a relatively high concentration of other land use constraints exist, including significant access constraints, a lower density **may** be appropriate*. This should be amended to '**will** be appropriate', as otherwise operators may still be allowed to have 10 well-pads located in a much smaller surface area.

Waste management and re-injection wells

- Paragraph 5.156 states incorrectly, with reference to re-injecting waste water from fracking, that "*A specific issue sometimes associated with this form of development is the potential for re-injected water to act as a trigger for the activation of geological fault movements, potentially leading to **very small scale induced seismic activity***".

- The assumption that any seismic activity resulting from re-injection of waste water from fracking operations is 'small scale' is incorrect, and drastically underestimates the damage that fracking waste water re-injection wells are causing elsewhere, particularly in the USA.

- Earthquakes are not 'very small scale induced seismic activity', as described in Paragraph 5.156. They have caused serious structural damage to roads, buildings and water supplies, and the impact on the underlying geology has not been fully assessed.

- The threat to North Yorkshire may be even more severe if fracking waste water was allowed to be re-injected at the scale required for the fracking industry to expand, due to the much more faulted geology of the area.

- The MWJP therefore has a statutory duty to invoke the precautionary principle regarding re-injecting fracking waste fluid in North Yorkshire, and ensure that re-injection is not permitted until it can be proved beyond doubt that this process can be conducted safely.

SCOPE OF THE CONSULTATION

- Since the last draft of the plan, much of North Yorkshire is now covered in Petroleum Exploration and Development Licences (PEDLs), which were announced in December 2016.

- It is clear that much of the new policy has been developed in conjunction with the shale gas industry by the wording and parameters included in the MWJP.

- Much of this content is also brand new policy which has not gone through the required consultation rounds with other representative bodies or the general public.

- There is no legal requirement to limit the scope of this consultation to just legality and soundness. It is the NYCC who have made this decision. Sections M16-M18 of the Minerals and Waste Plan (MWJP) has changed considerably in content since the Preferred Options consultation (the previous version put out for consultation in December 2015)

- The Town and Country Planning (Local Planning) England Regulations (2012) do not limit the scope of consultation at the Regulation 19 ('Publication') consultation stage.

- **The consultation should therefore be opened up to wider public consultation on the content and substance of the plan**.

On 20 December 2016 at 13:49, mwjointplan <mwjointplan@northyorks.gov.uk> wrote:

Dear [redacted],

Thank you for your response to the Minerals and Waste Joint Plan.

Unfortunately our system is unable to open the attachment, please could you resend the attachment in an alternative format such as Microsoft word or as a PDF so that your comments can be taken into consideration.

Regards

Minerals and Waste Joint Plans Team

From: [redacted]
Sent: 20 December 2016 12:58
To: mwjointplan
Subject: Waste and Minerals Joint Plan Consultation Submissions

Please find attached my submission for the North Yorkshire Waste and Minerals Joint Plan Consultation.

[redacted]

[redacted]

[redacted]

Although we have endeavoured to ensure that this e-mail and any attachments are free from any virus we would advise you to take any necessary steps to ensure that they are actually virus free.

If you receive an automatic response stating that the recipient is away from the office and you wish to request information under either the Freedom of Information Act, the Data Protection Act or the Environmental Information Regulations please forward your request by e-mail to the Data Management Team (datamanagement.officer@northyorks.gov.uk) who will process your request.

North Yorkshire County Council

City of York Council

North York Moors National Park Authority

4109

Minerals and Waste Joint Plan

Publication Stage- Response Form

Part A - Contact details

Your contact details

Name:	Title: [redacted]	Initial(s): [redacted]
Surname: [redacted]		
Organisation (if applicable): [redacted]		
Address: [redacted]		
Post Code [redacted]		
Telephone		
Email: [redacted]		

Agent contact details (if applicable)

Name:	Title:	Initial(s):
Surname:		
Organisation (if applicable):		
Address:		
Post Code:		
Telephone:		
Email:		

Please ensure that your contact details in Part A are correctly filled in. Without this information your representations cannot be recorded. Please also see the note on Data Protection at the bottom of this page before submitting your response.

At this stage in producing the Joint Plan, representations should be focussed on legal compliance, compliance with the Duty to Cooperate and whether the Plan meets the four tests of soundness. More information on these matters are provided in separate **guidance notes**. **You are strongly advised to read these notes, which have been prepared by the Planning Inspectorate, before responding.**

A separate **Part B** form **MUST** be produced for each separate representation you wish to make. After this stage, further submissions will only be at the invitation of the inspector who will conduct an Examination in Public of the Joint Plan, based on the matters they identify during the Examination.

All responses should be returned by 5pm on Wednesday 21st December 2016. Please note that representations cannot be received after this deadline.

Responses can be returned by email to: mwjointplan@northyorks.gov.uk or by post using the address below:

Minerals and Waste Joint Plan Team
Planning Services
North Yorkshire County Council
County Hall
Northallerton
DL7 8AH

Data Protection:
North Yorkshire County Council, the North York Moors National Park Authority and the City of York Council are registered under the Data Protection Act 1998. For the purposes of the Data Protection Act legislation, your contact details and responses will only be retained for the preparation of the Minerals and Waste Joint Plan. Representations made at Publication stage cannot remain anonymous, but details will only be used in relation to the Minerals and Waste Joint Plan. Your response will be made avalible to view on the website and as part of the examination.

For official use only:
Respondent Number Date received.....Date entered .....Date acknowledged.....

CITY OF YORK COUNCIL

NORTH YORK MOORS NATIONAL PARK

North Yorkshire County Council

Minerals and Waste Joint Plan

Publication Stage- Response Form

Part A - Contact details

	A	B	C
	Your contact details		
1	Name:	Title: [redacted]	Initial(s): [redacted]
2	Surname: [redacted]		
3	Organisation (if applicable):		
4	Address: [redacted]		
5			
6			
7	Post Code: [redacted]		
8	Telephone: [redacted]		
9	Email: [redacted]		

	A	B	C
	Agent contact details (if applicable)		
1	Name:	Title:	Initial(s):
2	Surname:		
3	Organisation (if applicable):		
4	Address:		
5			
6			
7	Post Code:		
8	Telephone:		
9	Email:		

Please ensure that your contact details in Part A are correctly filled in. Without this information your representations cannot be recorded. Please also see the note on Data Protection at the bottom of this page before submitting your response.

At this stage in producing the Joint Plan, representations should be focussed on legal compliance, compliance with the Duty to Cooperate and whether the Plan meets the four tests of soundness. More information on these matters are provided in separate **guidance notes**. **You are strongly advised to read these notes, which have been prepared by the Planning Inspectorate, before responding.**

A separate **Part B** form **MUST** be produced for each separate representation you wish to make. After this stage, further submissions will only be at the invitation of the inspector who will conduct an Examination in Public of the Joint Plan, based on the matters they identify during the Examination.

All responses should be returned by 5pm on Wednesday 21st December 2016. Please note that representations cannot be received after this deadline.

Responses can be returned by email to: mwjointplan@northyorks.gov.uk or by post using the address below:

Responses can be returned by email to: mwjointplan@northyorks.gov.uk or by post using the address below:

Minerals and Waste Joint Plan Team
Planning Services
North Yorkshire County Council
County Hall
Northallerton
DL7 8AH

For official use only:			
Respondent Number	Date received.....	Date entered	Date acknowledged.....

Data Protection:
North Yorkshire County Council, the North York Moors National Park Authority and the City of York Council are registered under the Data Protection Act 1998. For the purposes of the Data Protection Act legislation, your contact details and responses will only be retained for the preparation of the Minerals and Waste Joint Plan. Representations made at Publication stage cannot remain anonymous, but details will only be used in relation to the Minerals and Waste Joint Plan. Your response will be made avalible to view on the website and as part of the examination.

4109

A

As a farmer and a large user of agricultural Lime, I do not believe the MWJP is legally compliant and therefore unsound for the reasons that not enough consideration has been given to the importance of Calcium based Limestone quarries within the plan. A lack of this product will lead to catastrophic results of lower yields due to fertiliser lock up by over use of Magnesium Lime.(over use of Limes high in Magnesium make soils Mg sick)
To discount this (MJP12) from this plan will surely put more pressure on the only remaining calcium limestone quarry in the plan who I believe is restricted on the volume he can take out as it is.
Therefore Whitewall Quarry should not be discounted as an allocated site as the reasons given are not Sound.

1

(continue on a separate sheet/expand box if necessary)

4. Please set out what modification(s) you consider necessary to make the Minerals and Waste Joint Plan legally compliant or sound, having regard to the Matter you have identified at 3. above where this relates to soundness. (NB Please note that any non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why this modification will make the Minerals and Waste Joint Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

In order to make the plan justified and sound, Whitewall quarry (MJP12) should not be discounted and should be included in Appendix1 to the MWJP as an allocated site for the extraction of crushed rock

(continue on a separate sheet/expand box if necessary)

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

5. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

Official Use Only Reference Number

x	**No,** I do not wish to participate at the oral examination		**Yes,** I wish to participate at the oral examination

6. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

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

All responses received will be considered and any information provided will be made public. My consent is hereby confirmed.

Signature: [redacted]	Date: 19/12/2016

4109

Publication stage Response form - Part B

Please use a separate Part B form for each representation

Name or Organisation :	[redacted]

Please mark with an x as appropriate

1. To which part of the Minerals and Waste Joint Plan does this representation relate?

Paragraph No./ Site Allocation Reference No.	MJP 12	Policy No.	M09	Policies Map	

2. Do you consider the Minerals and Waste Joint Plan is :

2.(1) Legally compliant	Yes	x	No	
2.(2) Sound	Yes		No	x

(2a) Which Element of soundness does your respresentation relate to? (please only mark with an x one element of soundness per response form).

Positively Prepared	Yes		No	x	*Justified*	Yes	No	x
Effective	Yes		No	x	*Consistent with National Policy*	Yes	No	x

2 (3) Complies with the Duty to co-operate	Yes		No	

3. Please give details below of why you consider the Minerals and Waste Joint Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

As a farmer and a large user of agricultural Lime, I do not believe the MWJP is legally compliant and therefore unsound for the reasons that not enough consideration has been given to the importance of Calcium based Limestone quarries within the plan. A lack of this product will lead to catastrophic results of lower yields due to fertiliser lock up by over use of Magnesium Lime.(over use of Limes high in Magnesium make soils Mg sick)
To discount this (MJP12) from this plan will surely put more pressure on the only remaining calcium limestone quarry in the plan who I believe is restricted on the volume he can take out as it is.
Therefore Whitewall Quarry should not be discounted as an allocated site as the resons given are not Sound.

(continue on a separate sheet/expand box if necessary)

4. Please set out what modification(s) you consider necessary to make the Minerals and Waste Joint Plan legally compliant or sound, having regard to the Matter you have identified at 3. above where this relates to soundness. (NB Please note that any non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why this modification will make the Minerals and Waste Joint Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

In order to make the plan justified and sound, Whitewall quarry (MJP12) should not be discounted and should be included in Appendix1 to the MWJP as an allocated site for the extraction of crushed rock

(continue on a separate sheet/expand box if necessary)

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

5. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

x	**No,** I do not wish to participate at the oral examination		**Yes,** I wish to participate at the oral examination

6. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

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

All responses received will be considered and any information provided will be made public. My consent is hereby confirmed.

Signature: [redacted]	Date: 19/12/2016

Official Use Only Reference Number

4109

mwjointplan

From: [redacted]
Sent: 21 December 2016 10:28
To: mwjointplan
Subject: Re: Representation for Mineral and Waste Joint Plan (Whitewall Quarry)
Attachments: NYJM&WLP Publication_response_form_part_A1.docx; Publication_response_form_part_B1.docx

Importance: High

Dear Sir or Madam,

Attached are the document you require in word format, please could you let me know you have received them and that they can be included in the representations. If you require anything further please do not hesitate to contact me.

kindest regards,

[redacted]

From: mwjointplan <mwjointplan@northyorks.gov.uk>
Sent: 21 December 2016 09:58
To: [redacted]
Subject: RE: Representation for Mineral and Waste Joint Plan (Whitewall Quarry)

Dear [redacted]

Thank you for your response to the Minerals and Waste Joint Plan Publication Document, unfortunately we are unable to open the attachments in the current format.

Please can you resend the attachments either in word or as a PDF so we can take your comments into account.

Regards

Minerals and Waste Plans Team

From: [redacted]
Sent: 20 December 2016 20:59
To: mwjointplan
Subject: Representation for Mineral and Waste Joint Plan (Whitewall Quarry)
Importance: High

Dear Sir or Madam,

Please see attached my representation to the Mineral and Waste Joint Plan. Could you please acknowledge the receipt of this email. If you require any further information please do not hesitate to contact me.

Kindest Regards,

[redacted]

Publication stage Response form - Part B

Please use a separate Part B form for each representation

Name or Organisation :	[redacted]

Please mark with an x as appropriate

1. To which part of the Minerals and Waste Joint Plan does this representation relate?

Paragraph No./ Site Allocation Reference No. MJP12 Policy No. MO9 Policies Map

2. Do you consider the Minerals and Waste Joint Plan is :

2.(1) Legally compliant	Yes	x	No	
2.(2) Sound	Yes		No	x

(2a) Which Element of soundness does your respresentation relate to? (please only mark with an x one element of soundness per response form).

Positively Prepared	Yes	No	x	*Justified*	Yes	No	x
Effective	Yes	No	x	*Consistent with National Policy*	Yes	No	x

2 (3) Complies with the Duty to co-operate	Yes	No

3. Please give details below of why you consider the Minerals and Waste Joint Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

mwjointplan

From: [redacted]
Sent: 21 December 2016 10:23
To: mwjointplan
Subject: Minerals and waste plan

Dear Sir

I write as a Yorkshire resident and active member of the Green Party, in support of Green Party policies.

My concerns about the plan centre on fracking.

1. There is now hard evidence from Wyoming and other places of contamination of water supplies by fracking. Assurances that this cannot happen are refuted by reputable scientific studies, including by Dominic DiGiulio and Robert Jackson, demonstrating dangerous levels of chemicals in underground water supplies. Claims that UK regulation will obviate this are based on nothing specific, and self regulation by small companies controlled from locations such as the Cayman Islands gives no adequate reassurance. The policy should include solid guarantees on the protection of water supplies and should reject hazardous operations.

2. There are Government stated commitments to limiting carbon emissions as a signatory to the COP21 Paris Climate Agreement and also with the 2008 Climate Change Act. There are also policies in the National Planning Policy Framework and National Planning Policy Guidance (NPPG) that support a move to a low carbon future. There are also examples given in NPPG where mitigation measures can be integrated into hydrocarbon applications. I request that such a policy is integrated in the Joint Minerals and Waste Plan. In particular, I request that adequate attention be addressed to the full implications of fracking, whose total carbon emissions, including production factors, exceed the mining and burning of coal. This implies that replacing either coal or conventionally extracted natural gas by fracked gas involves an increase in carbon emissions, and is therefore contrary to government policy and to the interests of humanity in limiting climate change, already at hazardous levels.

Best regards, [redacted]

--

[redacted]

MINERAL AND WASTE JOINT PLAN (PUBLICATION STAGE) Consultation response

TITLE	[redacted]
INITIALS	
SURNAME	
ADDRESS	[redacted]
POSTCODE	[redacted]
TELEPHONE	
EMAIL	[redacted]

No, I do not want to attend the Oral Examination of the MWJP.

SCOPE OF THE CONSULTATION

- Sections M16-M18 of the Minerals and Waste Plan (MWJP) has changed considerably in content since the Preferred Options consultation (the previous version put out for consultation in December 2015)
- Since the last draft of the plan, much of North Yorkshire is now covered in Petroleum Exploration and Development Licences (PEDLs), which were announced in December 2016.
- It is clear that much of the new policy has been developed in conjunction with the shale gas industry by the wording and parameters included in the MWJP.
- Much of this content is also brand new policy which has not gone through the required consultation rounds with other representative bodies or the general public.
- There is no legal requirement to limit the scope of this consultation to just legality and soundness. It is the NYCC who have made this decision.
- The Town and Country Planning (Local Planning) England Regulations (2012) do not limit the scope of consultation at the Regulation 19 ('Publication') consultation stage.
- The consultation should therefore be opened up to wider public consultation on the content and substance of the plan.

CLIMATE CHANGE

- The Publication Draft of the MWJP does not conform to statutory requirements for legal compliance and tests of soundness relating to Climate Change.
- The MWJP does not conform with Section 19(1A) of The Planning and Compulsory Purchase Act (2004), which states that policies as a whole must contribute to the mitigation of, and adaptation to, climate change.
- Sections M16-18 of the MWJP does not conform with Paragraph 94 of the National Planning Policy Framework (NPPF), Paragraph 94, which states that *"Local planning authorities should adopt proactive strategies to mitigate and adapt to climate change."*.
- The Committee of Climate Change (CCC) report of March2016 concluded that the exploitation of shale gas would not be compatible with UK carbon budgets, or the legally binding commitment in the Climate Change Act to reduce emissions by at least 80% by 2050, unless three crucial tests are met. The MWJP's ability to meet these tests are not clearly defined.
- Assumptions that shale gas could lead to carbon savings are unsupported, given that test 3 of the

CCC report states that *"emissions from shale exploitation will need to be offset by emissions reductions in other areas of the economy to ensure that UK carbon budgets are met."*

- It is unclear how this can be achieved, given that the government has removed support for Carbon Capture and Storage (CCS), drastically reduced subsidies for renewable energy and scrapped plans to make all new homes zero carbon by 2016.
- The MWJP is therefore unsound to claim that Policy M16 could have any positive impact on the climate budget, as this key condition of the CCC report is a long way from being met.
- Future applications for hydrocarbons production (including fracking) must be assessed using the following criteria:
  - CO_2 emissions and fugitive methane leaks must be included
  - CO_2 emissions resulting from both production and combustion must be included
  - explanations of how emissions from shale gas production can be accommodated within UK carbon budgets should be included and assessed by the planning authorities.
  - Until Carbon Capture and Storage (CCS) is fully operational, this cannot be used in planning applications as a device to mitigate future CO_2 emissions in some notional future
  - any proposed plan must clearly show that it will lead to a *reduction* in climate change in order for it to be approved.

CONSIDERATION OF LOCAL IMPACTS

Landscape and Visual Impact

- The inclusion in Policy M16 that designated areas such as National Parks, AONBs and SSSIs are protected from fracking on their surfaces is strongly supported.
- However, the MWJP is currently unsound as it does not take into account the Ryedale Local Plan Strategy, in particular Policy SP13 (Landscapes).
- The Ryedale Plan is an adopted local plan which has statutory force and has been made in accordance with the requirements of the NPPF. It follows that the draft minerals plan would be unsound if it failed to take proper account of Policy SP13 of the Ryedale Plan.
- It is also noted that the Areas which Protect the Historic Character and Setting of York are now included as a protected area, presumably because the MWJP was seen to be in conflict with the City Plan, which was also approved by the NYCC. The same consideration must therefore be given to the Ryedale Plan.
- The Ryedale Plan aims to encourage new development to *"reinforce distinctive elements of landscape character"* in areas including the Vale of Pickering and the Yorkshire Wolds. These are areas high in landscape value, with Neolithic features that require specific consideration, and which should be protected by Policy M16 in the MWJP.
- Ryedale Policy SP13 states that developments should contribute to the protection and enhancement of distinctive elements of landscape character, including: *"Visually sensitive skylines, hill and valley sides...the ambience of the area, including nocturnal character, level and type of activity and tranquillity, sense of enclosure/exposure." (p 129 – Ryedale Plan).*
- If fracking were developed in the way described in the MWJP, this would clearly contravene the Ryedale Plan, which was approved and adopted by the NYCC.
- The landscape impact alone of so many fracking well-sites, and the supporting infrastructure such as pipelines, would clearly have a negative effect on the Vale of Pickering and the Yorkshire Wolds.
- The MWJP must be developed so that it is complementary to this Local plan, not be in conflict with it. This means that the MWJP is currently unsound.
- The Vale of Pickering and the Yorkshire Wolds should therefore be included as 'protected areas' in Policy M16.

Buffer Zones

- The inclusion of a 3.5km buffer zone around National Parks and AONBs is supported.
- Point 5.128 says, "*proposals for surface hydrocarbons development within a 3.5km zone around a National Park or AONB should be supported by detailed information assessing the impact of the proposed development on the designated area, including views into and out from the protected area.*"
- While the restrictions in terms of how much fracking developments impact on the landscape are welcomed, there is little detail on what other information would be required by companies, and under what criteria fracking within the 3.5 km buffer zone would be supported.
- The National Parks and AONBs are protected for a number of reasons, including to conserve biodiversity, provide quiet places for people to relax, and to boost tourism in the region. In short, this should be about more than if the development 'spoils the view'.
- Any fracking activity that close to a major protected area could not fail to impact upon the protected area, either by impacting the view, causing excessive traffic around the borders of the area, causing noise and air pollution, causing light pollution at night – which would affect not only the wildlife in the protected area, but also impact on the clear night skies which are such a draw for visitors – and potential impacts on water courses the serve the protected areas.
- The NPPF indicates that great weight should be given to conserving landscape and scenic beauty in National Parks and AONBs, which have the highest status of protection. These areas are protected to preserve their landscape and views, tranquillity, biodiversity and geodiversity and rare species and heritage.
- Any fracking within 3.5 km (2 miles) of these areas cannot fail to impact upon these qualities. So, in order to be legally compliant with the NPPF, and the relevant Local Plans, the **MWJP should therefore simply prohibit fracking in these buffer zones completely.**

Noise impacts

- Paragraph 5.107 of the MWJP states that the exploratory stage for hydraulic fracturing exploratory drilling (which is a 24-hour process) may take *"considerably longer"* than the 12-25 week timeframe required for conventional hydrocarbons.
- Drilling of each fracking well will take place 24 hours a day, taking place over a period of weeks at a time. The KM8 well took 100 days to drill, although lower estimates of 60-70 days are now put forward by the industry.
- Well-pads may have up to 40 or 50 wells on them, which would mean that a 40-well pad would take **6.5 years** in continuous drilling alone.
- Fracking itself is also a noisy activity and again is often conducted 24 hours a day, over a period of weeks.
- Unconventional gas development for shale gas cannot therefore be considered a 'short term activity' for the purposes of planning law.
- Paragraph 144 of the NPPF states that when considering new minerals development, local authorities should: *"ensure unavoidable noise, dust and particle emissions and any blasting vibrations are controlled, mitigated or removed at source, and establish appropriate noise limits for extraction in proximity to noise sensitive properties".*
- Fracking exploration is, by the MWJP's own definition, a medium term activity at best, and therefore the policy from the NPPF above must apply.
- 24 hour drilling from exploration stages will lead to night-time noise levels far higher than those allowed for other types of development (such as wind turbines).
- The noise levels in many rural parts of North Yorkshire are very low, particularly at night, and so the impact of night-time noise from drilling and fracking will be very noticeable.
- It is therefore essential that the MWJP must set clear policy to curb noise emissions for nearby

residents, as part of its statutory duty to protect local public health.

- A setback distance of 750m would help to reduce the noise impact from drilling and fracking.
- Furthermore, there should therefore be no exceptions allowed for fracking within the proposed residential buffer zone, as this would contravene the guidelines in the NPPF.
- The caveat that fracking within the buffer zone would be allowed 'in exceptional circumstances' is therefore legally unsound and should be removed.
- A Health Impact Assessment should be required for all fracking operations, to establish current air quality and noise levels, and what might be acceptable depending on the distance the fracking well-site is from the nearest home.

Air quality impacts

- There is now clear evidence that the air quality impacts from fracking have been shown to pose risks to health.
- Evidence from the University of Colorado, among others, reveals a number of potentially toxic hydrocarbons in the air near fracking wells, including benzene, ethylbenzene, toluene and xylene. A number of chemicals routinely released during fracking, such as benzene, are known carcinogens. http://www.ucdenver.edu/about/newsroom/newsreleases/Pages/health-impacts-of-fracking-emissions.aspx
- Note that these are not chemicals that are injected into the ground as part of the fracking process, but are released from the ground as a consequence of fracking (and therefore cannot be controlled by the producer, or regulated by the Environment Agency).
- Fumes from the drilling process can also cause fine diesel soot particles, which can penetrate lungs and cause severe health risks.
- Crystalline silica is also a noted hazard associated with fracking, and can lead to silicosis, chronic obstructive pulmonary disease and lung cancer.
- Planning Practice Guidance states, *"It is important that the potential impact of new development on air quality is taken into account in planning where the national assessment indicates that relevant limits have been exceeded or are near the limit".*
- Paragraph 109 of the NPPF states that the planning system should prevent *"... both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability;"*[1]
- There is therefore a clear legal requirement for the MWJP to consider air pollution when developing planning policy.
- The proposal to include setback distances for what is termed 'sensitive receptors' is welcomed. The MWJP's definition of 'sensitive receptors' includes residential institutions, such residential care homes, children's homes, social services homes, hospitals and non-residential institutions such as schools.
- However, the setback distance of 500m appears to be rather arbitrary, and no reason is given for choosing this distance. There is no evidence that this setback distance is safe for residents, either in terms of air quality or other negative aspects of fracking production.
- Experiences of residents in the USA show that a setback distance of 500m is not sufficient, and research in Colorado has resulted in a proposal for setback distances from fracking well sites to be extended to 750m from any place where people live. https://ballotpedia.org/Colorado_Mandatory_Setback_from_Oil_and_Gas_Development_Amendment_(2016)
- The recommendation is therefore that the setback distance from 'sensitive receptors' should be a minimum of 750m to ensure that the negative health impacts of fracking, including air quality, are reduced.
- There is a strong argument that setback distances from places which house vulnerable people, such as schools, residential homes and hospitals, should be increased to 1km.
- Note that this is still less than the setback distance recommended by Kevin Hollinrake MP on his return from his 'fact-finding' mission in the USA, when he recommended a minimum setback

distance of 1 mile from schools.
- Baseline Health Impact assessments should be undertaken prior to any work being carried out, to ascertain the impact of fracking on human health.

Biodiversity impacts

- Section 40 of the Natural Environment and Rural Communities Act (2006) places a duty on every public authority in England and Wales to *"...have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity"*.
- The inclusion of designated wildlife sites, such as Sites of Special Scientific Interest (SSSIs), Special Protection Areas, Special Areas of Conservation and Ramsar Sites, as protected areas in which fracking is prohibited is welcomed.
- However, fracking would still be allowed just outside the boundaries of, and underneath, these areas from fracking well-sites situated on their borders.
- Unconventional gas production is not just an underground activity. The above ground aspects of fracking developments, such as clearing of local hedges, trees and vegetation, additional pipelines and access roads, noise and light pollution (particularly at night) would all have a negative impact on wildlife living nearby.
- Planning Practice Guidance supports this viewpoint, stating that: *"Particular consideration should be given to noisy development affecting designated sites."*
- Policy D07 in the MWJP currently states that mineral developments which would have an unacceptable impact on an SSSI - or a network of SSSIs - will only be permitted *"...where the benefits of the development would clearly outweigh the impact or loss"*.
- This wording appears to allow considerable impact or loss on a protected area, if the Planning Authority felt that this was still outweighed by the benefits (i.e. by the production of gas).
- Given that SSSIs are sensitive nationally protected areas, often containing rare and protected species, this is a contradictory and unsound approach. This clause should therefore be removed.
- Noise is a particular danger for resident and migrating birds, and nocturnal creatures such as bats. Not enough consideration has been given to the impact of noise from fracking well-sites situated near a designated protected area such as an SSSI.
- As many SSSIs are relatively small in area, the noise, light and air pollution from a fracking well-site close by could have a devastating impact on wildlife populations, even if they are just outside the borders of the protected area.
- The MWJP includes a 3.5 km 'buffer zone' around National Parks and AONBs, so that the impact of fracking on the boundaries of these protected areas is reduced.
- The same consideration should be extended to SSSIs, so that fracking wells are not allowed to be established near the boundaries of these highly sensitive and nationally protected areas.
- In non-designated areas, the current policy wording should be more explicit in its requirements to demonstrate that significant effects to biodiversity and habitat impacts will not result.
- Biodiversity offsetting has been shown many times to be an unsatisfactory solution to problems caused by development, and should not be offered as a solution to developers to get around the damage they will cause to protected areas. The specific features of an SSSI cannot simply be replaced by planting a new wood somewhere else. This approach is unsound and should be removed from the MWJP guidance.

Water impacts

- The impacts of fracking on water are well known, and there are multiple instances of water being contaminated by the fracking process, either from spills on the ground or under-surface contamination.
- In Pennsylvania, the Department of Water Protection has confirmed at least 279 cases of water contamination due to fracking:
  http://files.dep.state.pa.us/OilGas/BOGM/BOGMPortalFiles/OilGasReports/Determination_Letters/Regional_Determination_Letters.pdf
- Fracking has also been proven to pollute groundwater in Wyoming:
  https://www.scientificamerican.com/article/fracking-can-contaminate-drinking-water/
- It is therefore the Planning authorities' legal duty to ensure that water contamination will not occur in North Yorkshire.
- The EU Water Framework Directive is part of the UK's legal framework. This suggests the precautionary principle should be considered in planning, mainly through the mechanism of Environmental Impact Assessment (EIA).
- The British Geological Survey has previously highlighted the risks that fracking can contaminate water. saying, "*"Groundwater may be potentially contaminated by extraction of shale gas both from the constituents of shale gas itself, from the formulation and deep injection of water containing a cocktail of additives used for hydraulic fracturing and from flowback water which may have a high content of saline formation water."* http://nora.nerc.ac.uk/16467/
- The British Geological Survey is also not confident that current methods to monitor groundwater pollution are adequate, due to the depth that fracking takes place, the volumes of water required to frack, and the uncertainty regarding how much water returns to the surface: *"The existing frameworks and supporting risk-based tools provide a basis for regulating the industry but there is limited experience of their suitability for large scale on-shore activities that exploit the deep sub-surface. The tools for assessing risks* ***may not be adequate*** *as many have been designed to consider the risks from surface activities."*
- Paragraph 94 of the NPPF states that local planning authorities should *"adopt proactive strategies to mitigate and adapt to climate change, taking full account of....water supply".* Paragraph 99 later states that *"local plans should take account of climate change over the longer term, including factors such as flood risk, coastal change, water supply."*
- The MWJP should therefore incorporate the precautionary principle, meaning that unless it can be proved that there will be groundwater contamination from a fracking well-site, it should not apply.
- In order to be legally sound, the policy therefore needs to be reworded so that fracking companies must have to demonstrate beyond scientific doubt that there would be no impact on the water supply.

Highways and traffic impacts

- Fracking is very likely to cause a large increase in traffic movements, as trucks bring water, chemicals and sand to the well-site, and to remove contaminated waste water (often containing Naturally Occurring Radioactive Material), solid waste, and possibly gas if there is no nearby pipeline.
- It has been estimated that each individual borehole will require between 2,000 and 7,000 truck movements, and there are plans for up to 40 or 50 wells per fracking site.
- The rural road network in Yorkshire is ill-suited to deal with this exponential increase in traffic.
- The A170 and A19, which would appear to be the major arteries for the HGV traffic, are single-lane roads. In Helmsley the A170 crosses a small bridge and passes through the town centre, which is a focal point for tourists, cyclists and motor cyclists as well as being home to the weekly market. A constant flow of HGVs would have a highly detrimental effect on the attractiveness of the area and its accessibility. Tourists would inevitably be deterred from visiting the area if they were subjected to constant convoys of heavy lorries, and the resulting impact to the tourist economy could be catastrophic.

- Considering the impact that minor roadworks currently have on traffic flow through the area, the impact of additional HGV traffic and consequent damage to the minor roads would be highly detrimental to the local traffic network. Air quality would also be badly impacted in this instance by queues of lorries waiting at temporary traffic lights around roadworks.
- Paragraph 144 of the NPPF states that local authorities should ensure that there: *"are no unacceptable adverse impacts on the natural and historic environment, human health or aviation safety, and take into account the cumulative effect of multiple impacts from individual sites".*
- There appears to be little in the MWJP to guarantee the safety of other users of the road network, including non-vehicle users (cyclists, walkers, people on horseback, etc.). This must be included in the Plan.
- The huge increase in HGV traffic will also adversely affect the air quality along the designated routes, particularly if they pass 'sensitive receptors' such as schools, hospitals and old people's homes.
- The MWJP is therefore unsound as it does not adequately include restrictions to prohibit fracking HGV traffic from impacting on the air quality on these receptors. Policy M17 therefore needs to be amended to include these concerns and if necessary, impose restrictions.
- This would ensure compliance with concerns of Public Health England, which has been raising this issue with minerals applications in other parts of the UK.

Cumulative impact

- The NPPF states Planning Authorities should: *"...take into account the cumulative effects of multiple impacts from individual sites and/or a number of sites in a locality"*
- Planning practice guidance also states: *"The local planning authorities should always have regard to the possible cumulative effects arising from any existing or approved development."*
- One of the biggest concerns regarding fracking is that the industry will require thousands of wells in the next twenty years to be financially viable. Most fracking wells are unprofitable after the first year, and 84% are unprofitable after 3 years. Therefore fracking companies will need to continually drill more wells, and establish more well sites, just to survive. This endless proliferation is the aspect of fracking that raises fears of the industrialisation of the countryside in Yorkshire, and is one of residents' greatest concerns.
- The cumulative impact of fracking wells could have very damaging impacts on the road network, biodiversity, climate change, water use, water contamination, air pollution, noise and light pollution, soil contamination, human health and traditional rural industries such as agriculture and tourism.
- The MWJP suggests that an 'acceptable' cumulative impact can be achieved by a density of 10 well-pads per 10x10 km^2 PEDL licence block. It is noted that each well-pad can contain as many as 40 or 50 individual wells, by the industry's own admission, meaning that a 10x10 km^2 PEDL licence block could contain up to 500 fracking wells.
- Bearing in mind that each well requires 60-100 hours drilling, many more hours fracking, produces millions of gallons of waste water, generates thousands of HGV truck movements, generates toxic air pollution near the site and many other impacts such as noise and light pollution, the proposed density would be condemning people who live in this area to a lifetime of noise, traffic problems, health issues and stress.
- Furthermore, there is no guidance given on the separation distance between each well-site. Kevin Hollinrake MP suggested that these should be at least six miles apart, which would be incompatible with the current plan of 10 well-pads per PEDL licence block.
- However, the lack of any separation distance in the MWJP is a significant failing in terms of soundness, and a minimum separation distance of at least 3 miles should be included in the plan.

This would avoid all the allowed well-sites in one PEDL licence area to be 'bunched up' in one place, causing unacceptable impact for the local community.

- Furthermore, the MWJP says *"For PEDLs located within the Green Belt or where a relatively high concentration of other land use constraints exist, including significant access constraints, a lower density **may** be appropriate*. This should be amended to '**will** be appropriate', as otherwise operators may still be allowed to have 10 well-pads located in a much smaller surface area.
- There is also an absence of transport impacts relating to this density of well sites, particularly in terms of how this is monitored, which needs to be addressed.

The Precautionary Principle

- To abide by legal guidelines, the precautionary principle should be applied to the issue of cumulative impact. The precautionary principle is a means of restricting development where there is a lack of scientific evidence to demonstrate that significant effects would not otherwise occur.
- Planning practice guidance also refers to the precautionary principle in relation to Environmental Impact Assessment (EIA): *"the local planning authority must have regard to the amount of information available, the precautionary principle and the degree of uncertainty in relation to the environmental impact."*
- The precautionary principle is also reflected in the NPPF, saying, *"Ensuring policy is developed and implemented on the basis of strong scientific evidence, whilst taking into account scientific uncertainty (through the precautionary principle) as well as public attitudes and values."*
- In order to comply with current legislation (see above), the precautionary principle should be included in the MWJP, so that new developments are not permitted unless it can be proved that there will be no unacceptable cumulative effects.
- The MWJP should therefore amended so that an **Environmental Impact Assessment** should always be required to assess the potential cumulative effects from an additional fracking development and ensure that in determining planning applications, final decisions are based on a scientific certainty that <u>all</u> potential issues can be overcome.
- New York State's Public Health Review of High Volume Hydraulic Fracturing for Shale Gas Development, published in 2014, <u>https://www.health.ny.gov/press/reports/docs/high_volume_hydraulic_fracturing.pdf</u> concluded that "Until the science provides sufficient information to determine the level of risk to public health from HVHF and whether the risks can be adequately managed, HVHF should not proceed in New York State". I feel that the same principle should apply in Ryedale.

Waste management and re-injection wells

- Paragraph 5.156 states incorrectly, with reference to re-injecting waste water from fracking, that *"A specific issue sometimes associated with this form of development is the potential for re-injected water to act as a trigger for the activation of geological fault movements, potentially leading to **very small scale induced seismic activity**"*.
- The assumption that any seismic activity resulting from re-injection of waste water from fracking operations is 'small scale' is incorrect, and drastically underestimates the damage that fracking waste water re-injection wells are causing elsewhere, particularly in the USA.
- Oklahoma, for example, is now the earthquake capital of the USA due to re-injection of waste from fracking operations. According to an article Scientific American, entitled Waste Water Injection Caused Oklahoma Quakes, "More than 230 earthquakes with a magnitude greater than 3.0 have shaken the state of Oklahoma already this year. Before 2008 the state averaged one such quake a year." https://www.scientificamerican.com/article/wastewater-injection-caused-oklahoma-earthquakes/
- A recent earthquake in Oklahoma registered at 5.7 on the Richter Scale. and was felt from Texas to Illinois. This resulted in the state regulator shutting down 37 waste-water re-injection wells.

https://www.bloomberg.com/news/articles/2016-09-04/oklahoma-quake-matches-record-even-as-fracking-waste-restricted

- These earthquakes, and many others like it, are not 'very small scale induced seismic activity', as described in Paragraph 5.156. They have caused serious structural damage to roads, buildings and water supplies, and the impact on the underlying geology has not been fully assessed.
- The threat to North Yorkshire may be even more severe if fracking waste water was allowed to be re-injected at the scale required for the fracking industry to expand, due to the much more faulted geology of the area.
- The MWJP therefore has a statutory duty to invoke the precautionary principle regarding re-injecting fracking waste fluid in North Yorkshire, and ensure that re-injection is not permitted until it can be proved beyond doubt that this process can be conducted safely.

KEY POLICY AMENDMENTS

Policy M16 pt (b) (regarding climate change requirements, precautionary approach and cumulative impacts)

...b) [INSERT] ***Proposals will only be considered where they can demonstrate by appropriate evidence and assessment that they can be delivered in a safe and sustainable way and that adverse impacts can be avoided – either alone or in combination with other developments. Consideration should include: -***

- ***It being demonstrated that greenhouse gases associated with fugitive and end-user emissions will not lead to unacceptable adverse environmental impacts or compromise the planning authority's duties in relation to reducing greenhouse gas emissions.***
- ***a precautionary approach to unconventional oil and gas development in requiring environmental impact assessment;***
- ***cumulative impacts for such development including issues such as (and not limited to):***
- ***water, air and soil quality; habitats and ecology; highway movements and highway safety; landscape impact; noise; and GHG emissions;***

Policy M16 pt (b) (regarding inclusion of Yorkshire Wolds and Vale of Pickering landscape areas)

(ii) Sub-surface proposals for these forms of hydrocarbon development, including lateral drilling, underneath the designations referred to in i) above, will **[INSERT] not** ~~only~~ be permitted **[INSERT] unless** ~~where~~ it can be demonstrated that ~~significant~~ **[INSERT] no** harm to the designated asset will ~~not~~ occur.

Policy M16 pt (c) (regarding inclusion of Yorkshire Wolds and Vale of Pickering landscape areas)

i) Surface proposals for these forms of hydrocarbon development will ***[INSERT] not*** *~~only~~ be permitted ~~where~~* ***[INSERT] unless*** *they would be outside* ***[INSERT] and respect the setting of*** *the following designated areas: National Park, AONBs, Protected Groundwater Source Areas, the Fountains Abbey/Studley Royal World Heritage Site and accompanying buffer zone, Scheduled Monuments, Registered Historic Battlefields, Grade I and II* Registered Parks and Gardens, Areas which Protect the Historic Character and Setting of York,* ***[INSERT] The Vale of Pickering and The Yorkshire Wolds,*** *Special Protection Areas, Special Areas of Conservation, Ramsar sites and Sites of Special Scientific Interest.*

Policy M17 part 1 (regarding highways impacts)

...i) Hydrocarbon development will ***[INSERT] not*** *be permitted in locations ~~with~~* ***[INSERT] without*** *suitable direct or indirect access to classified A or B roads and where it can be demonstrated through a Transport Assessment* ***[INSERT] either singularly or cumulatively with other schemes*** *that:*

a) There is capacity within the road network for the level of traffic proposed and the nature, volume and routing of traffic generated by the development would not give rise to unacceptable impact on local communities ***[INSERT] including indirect impacts linked to air quality (re Air Quality Management Areas),*** *businesses or other users of the highway or, where necessary, any such impacts can be appropriately mitigated for example by traffic controls, highway improvements and/or traffic routing arrangements* ***[INSERT] away from sensitive areas and receptors;*** *and ...*

M17 pt 3 (regarding the local economy)

...Hydrocarbon development will ***[INSERT] not*** *be permitted ~~in locations where~~* ***[INSERT] unless it can be demonstrated that a very*** *high standard of protection can be provided to environmental, recreational,*

cultural, heritage or business assets important to the local economy including, where relevant, important visitor attractions.

M17 pt 4 (regarding amenity)

4) Specific local amenity considerations relevant to hydrocarbon development

*i) Hydrocarbon development will be permitted in locations where it would not give rise to unacceptable impact on local communities or public health. Adequate separation distances should be maintained between hydrocarbons development and residential buildings and other sensitive receptors in order to ensure a high level of protection from adverse impacts from noise, light pollution, emissions to air or ground and surface water and induced seismicity, including in line with the requirements of Policy D02. Proposals for surface hydrocarbon development, particularly those involving hydraulic fracturing, within ~~500~~**[INSERT] 750**m of residential buildings and other sensitive receptors, are unlikely to be consistent with this requirement and will ~~only~~ **[INSERT] not** be permitted ~~in exceptional circumstances~~...*

*...iii) Proposals involving hydraulic fracturing should be accompanied by an air quality monitoring plan and Health Impact Assessment **[INSERT] which includes consideration of the baseline and how the development will mitigate effectively to maintain these levels enjoyed by local residents. Where it cannot be demonstrated these levels can be maintained, then development will not be supported.***

M18 pt ii (regarding waste water and re-injection wells)

*Proposals for development involving re-injection of returned water via an existing borehole, or the drilling and use of a new borehole for this purpose, will **[INSERT] not** ~~only~~ be permitted in locations **unless** ~~where~~ a high standard of protection can be be provided to ground and surface waters; they would comply with all other relevant requirements of Policy M16 and M17 and where it can be **proven beyond doubt** ~~demonstrated~~ that any risk from induced seismicity can be mitigated to an acceptable level.*

4111

mwjointplan

From: [redacted]
Sent: 21 December 2016 08:58
To: mwjointplan
Subject: Mineral and Waste Joint Plan comments - [redacted]

Attachments: MWJP consultation comments [redacted].docx

To whom it may concern,

Please find attached my comments on the Minerals and Waste Joint Plan for consideration.

Best regards,

[redacted]

4112

Minerals and Waste Joint Plan

Publication Stage- Response Form

Part A - Contact details

Your contact details

Name:	Title: Mr	Initial(s): T
Surname: Elsey		
Organisation (if applicable): T Elsey Tyres Ltd		
Address:	Showfield Lane Industrial Estate	
	Malton	
	North Yorkshire	
Post Code: YO17 6BT		
Telephone: 01653 693830		
Email:		

Agent contact details (if applicable)

Name:	Title:	Initial(s):
Surname:		
Organisation (if applicable):		
Address:		
Post Code:		
Telephone:		
Email:		

Please ensure that your contact details in Part A are correctly filled in. Without this information your representations cannot be recorded. Please also see the note on Data Protection at the bottom of this page before submitting your response.

At this stage in producing the Joint Plan, representations should be focussed on legal compliance, compliance with the Duty to Cooperate and whether the Plan meets the four tests of soundness. More information on these matters are provided in separate **guidance notes. You are strongly advised to read these notes, which have been prepared by the Planning Inspectorate, before responding.**

A separate **Part B** form **MUST** be produced for each separate representation you wish to make. After this stage, further submissions will only be at the invitation of the inspector who will conduct an Examination in Public of the Joint Plan, based on the matters they identify during the Examination.

All responses should be returned by 5pm on Wednesday 21st December 2016. Please note that representations cannot be received after this deadline.

Responses can be returned by email to: mwjointplan@northyorks.gov.uk or by post using the address below:

Minerals and Waste Joint Plan Team
Planning Services
North Yorkshire County Council
County Hall
Northallerton
DL7 8AH

Data Protection:
North Yorkshire County Council, the North York Moors National Park Authority and the City of York Council are registered under the Data Protection Act 1998. For the purposes of the Data Protection Act legislation, your contact details and responses will only be retained for the preparation of the Minerals and Waste Joint Plan. Representations made at Publication stage cannot remain anonymous, but details will only be used in relation to the Minerals and Waste Joint Plan. Your response will be made avalible to view on the website and as part of the examination.

For official use only:
Respondent Number Date received 21/12/16 Date entered ..... Date acknowledged .....

4112

Publication stage Response form - Part B

Please use a separate Part B form for each representation

Name or Organisation :	T Elsey Tyres Ltd

Please mark with an x as appropriate

1. To which part of the Minerals and Waste Joint Plan does this representation relate?

Paragraph No./ Site Allocation Reference No.	MJP12	Policy No.	M09	Policies Map	

2. Do you consider the Minerals and Waste Joint Plan is :

2.(1) Legally compliant	Yes	x	No	
2.(2) Sound	Yes		No	x

(2a) Which Element of soundness does your respresentation relate to? (please only mark with an x one element of soundness per response form).

Positively Prepared	Yes		No	x	*Justified*	Yes	No	x
Effective	Yes		No	x	*Consistent with National Policy*	Yes	No	x

2 (3) Complies with the Duty to co-operate	Yes		No	

3. Please give details below of why you consider the Minerals and Waste Joint Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

I have seen that Whitewall Quarry (Site Ref MJP12) has been discounted in Minerals and Waste Joint Plan and therefore, I believe the MWJP is not Sound. Whitewall Quarry employs a large amount of people in the area and to safeguard jobs for local people, we need to ensure it continues to operate in the future.

The vehicles associated with the delivery of material from Whitewall cause minimal disturbance to Malton and Norton. Malton is a market town needs commercial activity to keep it vibrant and prosperous. As a market town, it is similar to Middleham or Bedale, both of which are co-exist with large Quarries on their doorsteps.

The closure of the Quarry will cause many job losses in our area. These will be both direct and indirect jobs. If they were to shut the Quarry down, my own business will be severely affected; the Quarry owners spend over £30,000 per year with me.

The need for Aggregates in the region will still be there if the Quarry is closed. These will need to be imported from outside the region, which will require more haulage, more costs and increased environmental impact.

(continue on a separate sheet/expand box if necessary)

4. Please set out what modification(s) you consider necessary to make the Minerals and Waste Joint Plan legally compliant or sound, having regard to the Matter you have identified at 3. above where this relates to soundness. (NB Please note that any non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why this modification will make the Minerals and Waste Joint Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

To safeguard Jobs in our area, Whitewall Quarry (Site Ref MJP12) must be included in Appendix 1 to the Minerals and Waste Joint Plan as an allocated site for the extraction of crushed rock.

(continue on a separate sheet/expand box if necessary)

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

5. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

X	**No,** I do not wish to participate at the oral examination		**Yes,** I wish to participate at the oral examination

6. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

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

All responses received will be considered and any information provided will be made public. My consent is hereby confirmed.

Signature: [redacted]	Date: 19/12/2016

Official Use Only

Minerals and Waste Joint Plan

Publication Stage- Response Form

Part A - Contact details

Your contact details

Name:	Title: Mr	Initial(s): D E
Surname: Coning		
Organisation (if applicable): David E Coning		
Address:	Fleet Bank Lodge	
	York Road, Tollerton	
	York	
Post Code: YO61 1RA		
Telephone: 01347 838910		
Email: david@coning.co.uk		

Agent contact details (if applicable)

Name:	Title:	Initial(s):
Surname:		
Organisation (if applicable):		
Address:		
Post Code:		
Telephone:		
Email:		

Please ensure that your contact details in Part A are correctly filled in. Without this information your representations cannot be recorded. Please also see the note on Data Protection at the bottom of this page before submitting your response.

At this stage in producing the Joint Plan, representations should be focussed on legal compliance, compliance with the Duty to Cooperate and whether the Plan meets the four tests of soundness. More information on these matters are provided in separate **guidance notes**. **You are strongly advised to read these notes, which have been prepared by the Planning Inspectorate, before responding.**

A separate **Part B** form **MUST** be produced for each separate representation you wish to make. After this stage, further submissions will only be at the invitation of the inspector who will conduct an Examination in Public of the Joint Plan, based on the matters they identify during the Examination.

All responses should be returned by 5pm on Wednesday 21st December 2016. Please note that representations cannot be received after this deadline.

Responses can be returned by email to: mwjointplan@northyorks.gov.uk or by post using the address below:

Minerals and Waste Joint Plan Team
Planning Services
North Yorkshire County Council
County Hall
Northallerton
DL7 8AH

Data Protection:
North Yorkshire County Council, the North York Moors National Park Authority and the City of York Council are registered under the Data Protection Act 1998. For the purposes of the Data Protection Act legislation, your contact details and responses will only be retained for the preparation of the Minerals and Waste Joint Plan. Representations made at Publication stage cannot remain anonymous, but details will only be used in relation to the Minerals and Waste Joint Plan. Your response will be made avalible to view on the website and as part of the examination.

For official use only:
Respondent Number

Date received 21/12/16 Date entered ..... Date acknowledged .....

4113

Publication stage Response form - Part B

Please use a separate Part B form for each representation

Name or Organisation :	David E Coning

Please mark with an x as appropriate

1. To which part of the Minerals and Waste Joint Plan does this representation relate?

Paragraph No./ Site Allocation Reference No.	MJP12	Policy No.	M09	Policies Map	

2. Do you consider the Minerals and Waste Joint Plan is :

2.(1) Legally compliant	Yes	x	No	
2.(2) Sound	Yes		No	x

(2a) Which Element of soundness does your respresentation relate to? (please only mark with an x one element of soundness per response form).

Positively Prepared	Yes		No	x	*Justified*	Yes	No x
Effective	Yes		No	x	*Consistent with National Policy*	Yes	No x

2 (3) Complies with the Duty to co-operate	Yes		No	

3. Please give details below of why you consider the Minerals and Waste Joint Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

The MWJP is not Sound because Whitewall Quarry (Site Ref MJP12) has been discounted. It should be included in Appendix 1 to the Minerals and Waste Joint Plan as an allocated site for the extraction of crushed rock.

We have been supplying Lime to the Farming Industry for more than 10 years. We have been buying Lime from Whitewall Quarry (MJP12) to spread throughout North Yorkshire

Whitewall Quarry is a vital source of Clacium Lime to us and the greater Farming Industry in the North Yorkshire region. The region is predominantly Magnesium rich and the Calcium in the Whitewall Quarry Lime is a crucial source of Calcium in a county full of Magnesium and Carboniferous Limestone Quarries.

If we lose access to the Whitewall Quarry Lime, the base costs for Farming in the region will rise and the productivity in the region will probably fall. Alternative sources will not only be financially more costly to access, they will inevitably lead to a higher Carbon Footprint for the Farming Industry in the region.

(please see my letter of support for the Quarry attached)

(continue on a separate sheet/expand box if necessary)

4. Please set out what modification(s) you consider necessary to make the Minerals and Waste Joint Plan legally compliant or sound, having regard to the Matter you have identified at 3. above where this relates to soundness. (NB Please note that any non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why this modification will make the Minerals and Waste Joint Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Whitewall Quarry (Site Ref MJP12) should be included in Appendix 1 to the Minerals and Waste Joint Plan as an allocated site for the extraction of crushed rock.

(continue on a separate sheet/expand box if necessary)

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

5. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

X	**No,** I do not wish to participate at the oral examination		**Yes,** I wish to participate at the oral examination

6. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

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

All responses received will be considered and any information provided will be made public. My consent is hereby confirmed.

Signature: [redacted]	Date: 20/12/2016

Official Use Only Reference Number

4114

Minerals and Waste Joint Plan

Publication Stage- Response Form

Part A - Contact details

Your contact details

Name: [redacted]	Title:	Initial([redacted])
Surname: [redacted]		
Organisation (if applicable): [redacted]		
Address: [redacted]		
Post Code:		
Telephone:		
Email [redacted]		

Agent contact details (if applicable)

Name:	Title:	Initial(s):
Surname:		
Organisation (if applicable):		
Address:		
Post Code:		
Telephone:		
Email:		

Please ensure that your contact details in Part A are correctly filled in. Without this information your representations cannot be recorded. Please also see the note on Data Protection at the bottom of this page before submitting your response.

At this stage in producing the Joint Plan, representations should be focussed on legal compliance, compliance with the Duty to Cooperate and whether the Plan meets the four tests of soundness. More information on these matters are provided in separate **guidance notes. You are strongly advised to read these notes, which have been prepared by the Planning Inspectorate, before responding.**

A separate **Part B** form **MUST** be produced for each separate representation you wish to make. After this stage, further submissions will only be at the invitation of the inspector who will conduct an Examination in Public of the Joint Plan, based on the matters they identify during the Examination.

All responses should be returned by 5pm on Wednesday 21st December 2016. Please note that representations cannot be received after this deadline.

Responses can be returned by email to: mwjointplan@northyorks.gov.uk or by post using the address below:

Minerals and Waste Joint Plan Team
Planning Services
North Yorkshire County Council
County Hall
Northallerton
DL7 8AH

Data Protection:
North Yorkshire County Council, the North York Moors National Park Authority and the City of York Council are registered under the Data Protection Act 1998. For the purposes of the Data Protection Act legislation, your contact details and responses will only be retained for the preparation of the Minerals and Waste Joint Plan. Representations made at Publication stage cannot remain anonymous, but details will only be used in relation to the Minerals and Waste Joint Plan. Your response will be made avalible to view on the website and as part of the examination.

For official use only:
Respondent Number Date received 21/12/16 Date entered ..... Date acknowledged .....

4114

Publication stage Response form - Part B

Please use a separate Part B form for each representation

Name or Organisation :	

Please mark with an x as appropriate

1. To which part of the Minerals and Waste Joint Plan does this representation relate?

Paragraph No./ Site Allocation Reference No.	MJP12	Policy No.	M09	Policies Map	

2. Do you consider the Minerals and Waste Joint Plan is :

2.(1) Legally compliant	Yes	x	No	
2.(2) Sound	Yes		No	x

(2a) Which Element of soundness does your respresentation relate to? (please only mark with an x one element of soundness per response form).

Positively Prepared	Yes		No	x	*Justified*	Yes		No	x
Effective	Yes		No	x	*Consistent with National Policy*	Yes		No	x

2 (3) Complies with the Duty to co-operate	Yes		No	

3. Please give details below of why you consider the Minerals and Waste Joint Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

I find the MWJP is unsound for the following reasons:—
As a business situated on Castlegate in Malton the through put of traffic in our location is plainly evident on a daily basis and causes no concern.
Some of the statements highlighted in your 'reasons for discounting Whitewall Quarry'
e.g Impact of the economy of Malton/Norton and local area
Traffic Impact including: access, hgv use of local roads, Malton & Norton Heavy traffic through Norton On Derwent, such that there is potential for significant adverse impact on local communities
These are unfounded and therefore unsound.
Whitewall Quarry's hgvs in no way adversely affect our business and in my opinion, your key sensitivities regarding MJP12 traffic cannot be reasonably justified.

(continue on a separate sheet/expand box if necessary)

4. Please set out what modification(s) you consider necessary to make the Minerals and Waste Joint Plan legally compliant or sound, having regard to the Matter you have identified at 3. above where this relates to soundness. (NB Please note that any non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why this modification will make the Minerals and Waste Joint Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

I would suggest that Minterwall Quarry ought to be supported through MWJP and included as an allocated site in the plan.

(continue on a separate sheet/expand box if necessary)

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

5. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

x	**No,** I do not wish to participate at the oral examination		**Yes,** I wish to participate at the oral examination

6. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

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

All responses received will be considered and any information provided will be made public. My consent is hereby confirmed.

Signature:	[redacted]	Date:19/12/2016

Official Use Only Reference Number

Minerals and Waste Joint Plan

Publication Stage- Response Form

Part A - Contact details

Your contact details

Name: [redacted]	Title:	Initial(s):
Surnam[redacted]		
Organisation (if applicable): [redacted]		
Address: [redacted]		
Post Code: [redacted]		
Telephone: [redacted]		
Ema[redacted]		

Agent contact details (if applicable)

Name:	Title:	Initial(s):
Surname:		
Organisation (if applicable):		
Address:		
Post Code:		
Telephone:		
Email:		

Please ensure that your contact details in Part A are correctly filled in. Without this information your representations cannot be recorded. Please also see the note on Data Protection at the bottom of this page before submitting your response.

At this stage in producing the Joint Plan, representations should be focussed on legal compliance, compliance with the Duty to Cooperate and whether the Plan meets the four tests of soundness. More information on these

matters are provided in separate **guidance notes. You are strongly advised to read these notes, which have been prepared by the Planning Inspectorate, before responding.**

4115

A separate **Part B** form **MUST** be produced for each separate representation you wish to make. After this stage, further submissions will only be at the invitation of the inspector who will conduct an Examination in Public of the Joint Plan, based on the matters they identify during the Examination.

All responses should be returned by 5pm on Wednesday 21st December 2016. Please note that representations cannot be received after this deadline.

Responses can be returned by email to: mwjointplan@northyorks.gov.uk or by post using the address below:

Minerals and Waste Joint Plan Team
Planning Services
North Yorkshire County Council
County Hall
Northallerton
DL7 8AH

Data Protection:
North Yorkshire County Council, the North York Moors National Park Authority and the City of York Council are registered under the Data Protection Act 1998. For the purposes of the Data Protection Act legislation, your contact details and responses will only be retained for the preparation of the Minerals and Waste Joint Plan. Representations made at Publication stage cannot remain anonymous, but details will only be used in relation to the Minerals and Waste Joint Plan. Your response will be made avalible to view on the website and as part of the examination.

For official use only:
Respondent Number Date received..... Date entered ..... Date acknowledged.....

4115

Publication stage Response form - Part B

Please use a separate Part B form for each representation

Name or Organisation :	[redacted]

Please mark with an x as appropriate

1. To which part of the Minerals and Waste Joint Plan does this representation relate?

Paragraph No./ Site Allocation Reference No.	MJP12	Policy No.	M09	Policies Map	

2. Do you consider the Minerals and Waste Joint Plan is :

	Yes		No	
2.(1) Legally compliant	Yes	X	No	
2.(2) Sound	Yes		No	X

(2a) Which Element of soundness does your respresentation relate to? (please only mark with an x one element of soundness per response form).

	Yes				Yes	No		
Positively Prepared	Yes		X	*ed*	Yes	No		X
Effective	Yes		X	*istent with National Policy*	Yes	No		X

2 (3) Complies with the Duty to co-operate	Yes		No	

3. Please give details below of why you consider the Minerals and Waste Joint Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Please see ~~separate~~ sheet

Whitewall quarry traffic movements do not affect my business on Malton main street. Any local business employing local people is however good for my business [redacted]
I find this plan correct [redacted]

(continue on a separate sheet/expand box if necessary)

4. Please set out what modification(s) you consider necessary to make the Minerals and Waste Joint Plan legally compliant or sound, having regard to the Matter you have identified at 3. above where this relates to soundness. (NB Please note that any non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why this modification will make the Minerals and Waste Joint Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please see separate sheet

In order to make this plan justified MSP2 site should not be deleted and included in appendix 1 of the MWSP as an allocated site.

(continue on a separate sheet/expand box if necessary)

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

5. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

☒ **No,** I do not wish to participate at the oral examination

☐ **Yes,** I wish to participate at the oral examination

6. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

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

All responses received will be considered and any information provided will be made public. My consent is hereby confirmed.

4115

Signature:	Date:
[redacted]	22/12/16

Official Use Only

Minerals and Waste Joint Plan

Publication Stage- Response Form

Part A - Contact details

Your contact details

Name: [redacted]	Title: [redacted]	Initial(s) [redacted]
Surname:Platt		
Organisation (if applicable): [redacted]		
Address: [redacted]		
Post Code: [redacted]		
Telephone: [redacted]		
Email: [redacted]		

Agent contact details (if applicable)

Name:	Title:	Initial(s):
Surname:		
Organisation (if applicable):		
Address:		
Post Code:		
Telephone:		
Email:		

Please ensure that your contact details in Part A are correctly filled in. Without this information your representations cannot be recorded. Please also see the note on Data Protection at the bottom of this page before submitting your response.

At this stage in producing the Joint Plan, representations should be focussed on legal compliance, compliance with the Duty to Cooperate and whether the Plan meets the four tests of soundness. More information on these matters are provided in separate **guidance notes. You are strongly advised to read these notes, which have been prepared by the Planning Inspectorate, before responding.**

A separate **Part B** form **MUST** be produced for each separate representation you wish to make. After this stage, further submissions will only be at the invitation of the inspector who will conduct an Examination in Public of the Joint Plan, based on the matters they identify during the Examination.

All responses should be returned by 5pm on Wednesday 21st December 2016. Please note that representations cannot be received after this deadline.

Responses can be returned by email to: mwjointplan@northyorks.gov.uk or by post using the address below:

Minerals and Waste Joint Plan Team
Planning Services
North Yorkshire County Council
County Hall
Northallerton
DL7 8AH

Data Protection:
North Yorkshire County Council, the North York Moors National Park Authority and the City of York Council are registered under the Data Protection Act 1998. For the purposes of the Data Protection Act legislation, your contact details and responses will only be retained for the preparation of the Minerals and Waste Joint Plan. Representations made at Publication stage cannot remain anonymous, but details will only be used in relation to the Minerals and Waste Joint Plan. Your response will be made avalible to view on the website and as part of the examination.

For official use only:
Respondent Number Date received.....Date entered .....Date acknowledged.....

[redacted]

To Who it may concern,

I would like my supporting evidence to be considered as part of the background information whilst reviewing the draft minerals and waste joint plan.

We farm at Newlands Farm, Cliffe Bank, Nr Selby and have been using Whitewall quarry as our provider of calcium lime for over 20 years.

As the farm is predominantly heavy soils we have been a large user of lime which is used as a neutralising mineral for generations.

With the farm situated near a magnesium limestone belt, magnesium lime has been the preferred product due to location.

The continued use of magnesium lime has made our soils magnesium sick due to the high levels of magnesium in the product.

The end result of this 'Fertiliser lock up' which means the crops are unable to process fertilisers applied efficiently which has contributed to reduced yields. Since we have been using Whitewall limestone lime the reverse has been achieved and yields have been improved dramatically.

The loss of Whitewall lime would be a huge blow for us when calcium limestone quarries are virtually extinct in North Yorkshire as it is which will reduce competition and inflate prices long term.

Yours Sincerely

[redacted]

4. Please set out what modification(s) you consider necessary to make the Minerals and Waste Joint Plan legally compliant or sound, having regard to the Matter you have identified at 3. above where this relates to soundness. (NB Please note that any non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why this modification will make the Minerals and Waste Joint Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please see separate sheet
In order to make the plan justified hence sound, Whitewall quarry should not be discounted and should be included in appendix 1 of the plan, based on the lack of calcium limestone based quarries in North Yorkshire, for the use as a main source of agricultural fertiliser and soil stabiliser mineral.

(continue on a separate sheet/expand box if necessary)

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

5. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

√	**No,** I do not wish to participate at the oral examination		**Yes,** I wish to participate at the oral examination

6. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

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

All responses received will be considered and any information provided will be made public. My consent is hereby confirmed.

Signature: [redacted] Date:20/12/2016

Official Use Only Reference Number

Publication stage Response form - Part B

Please use a separate Part B form for each representation

Name or Organisation :	

Please mark with an x as appropriate

1. To which part of the Minerals and Waste Joint Plan does this representation relate?

Paragraph No./ Site Allocation Reference No.	MJP12	Policy No.	M09	Policies Map	

2. Do you consider the Minerals and Waste Joint Plan is :

2.(1) Legally compliant	Yes	√	No	
2.(2) Sound	Yes		No	√

(2a) Which Element of soundness does your respresentation relate to? (please only mark with an x one element of soundness per response form).

Positively Prepared	Yes		No √	*Justified*	Yes		No √
Effective	Yes		No √	*Consistent with National Policy*	Yes		No √

2 (3) Complies with the Duty to co-operate	Yes		No	

3. Please give details below of why you consider the Minerals and Waste Joint Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Please see separate sheet

(continue on a separate sheet/expand box if necessary)

4117
Received 21/12/16

Publication Stage- Response Form

Part A - Contact details

Your contact details

Name: MRS	Title: ~~MR~~	Initial(s): D J
Surname: BATH		
Organisation (if applicable): YTC LIMITED		
Address:	WHEELGATE	
	MALTON	
Post Code: YO17 7HP		
Telephone: ~~01653 698833~~	01653 698833	
Email: debbieb@yorkshiretrading.com		

Agent contact details (if applicable)

Name:	Title:	Initial(s):
Surname:		
Organisation (if applicable):		
Address:		
Post Code:		
Telephone:		
Email:		

Please ensure that your contact details in Part A are correctly filled in. Without this information your representations cannot be recorded. Please also see the note on Data Protection at the bottom of this page before submitting your response.

At this stage in producing the Joint Plan, representations should be focussed on legal compliance, compliance with the Duty to Cooperate and whether the Plan meets the four tests of soundness. More information on these

matters are provided in separate **guidance notes. You are strongly advised to read these notes, which have been prepared by the Planning Inspectorate, before responding.**

4117

A separate **Part B** form **MUST** be produced for each separate representation you wish to make. After this stage, further submissions will only be at the invitation of the inspector who will conduct an Examination in Public of the Joint Plan, based on the matters they identify during the Examination.

All responses should be returned by 5pm on Wednesday 21st December 2016. Please note that representations cannot be received after this deadline.

Responses can be returned by email to: mwjointplan@northyorks.gov.uk or by post using the address below:

Minerals and Waste Joint Plan Team
Planning Services
North Yorkshire County Council
County Hall
Northallerton
DL7 8AH

Data Protection:
North Yorkshire County Council, the North York Moors National Park Authority and the City of York Council are registered under the Data Protection Act 1998. For the purposes of the Data Protection Act legislation, your contact details and responses will only be retained for the preparation of the Minerals and Waste Joint Plan. Representations made at Publication stage cannot remain anonymous, but details will only be used in relation to the Minerals and Waste Joint Plan. Your response will be made avalible to view on the website and as part of the examination.

For official use only:			
Respondent Number	Date received.....	Date entered	Date acknowledged.....

4117

Publication stage Response form - Part B

Please use a separate Part B form for each representation

Name or Organisation :	YTC LIMITED

Please mark with an x as appropriate

1. To which part of the Minerals and Waste Joint Plan does this representation relate?

Paragraph No./ Site Allocation Reference No.	MJP12	Policy No.	M09	Policies Map	

2. Do you consider the Minerals and Waste Joint Plan is :

2.(1) Legally compliant	Yes	X	No	
2.(2) Sound	Yes		No	X

(2a) Which Element of soundness does your respresentation relate to? (please only mark with an x one element of soundness per response form).

Positively Prepared	Yes		X	*ed*	Yes	No	X
Effective	Yes		X	*istent with National Policy*	Yes	No	X

2 (3) Complies with the Duty to co-operate	Yes		No	

3. Please give details below of why you consider the Minerals and Waste Joint Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

~~Please see separate sheet~~

WHITE WALL QUARRY TRAFFIC MOVEMENTS THROUGH THE CENTRE OF MALTON (WHEELGATE) WHERE OUR SHOP IS SITUATED DOES NOT HAVE ANY ADVERSE IMPACT ON OUR BUSINESS THE QUARRY IS A LONG ESTABLISHED LOCAL BUSINESS AND EMPLOYER AND CAN ONLY BE OF BENEFIT TO THE TOWN.
I CANT SEE THE TRAFFIC (SUCH AS IT IS) HAVING A DETRIMENTAL IMPACT ESPECIALLY AS THE MATERIALS WILL BE ESSENTIAL TO THE NEW HOUSING DEVELOPMENTS AND THEIR INFRASTRUCTURE — WHICH WILL ALSO BRING NEW CUSTOMERS INTO THE TOWN.

(continue on a separate sheet/expand box if necessary)

4. Please set out what modification(s) you consider necessary to make the Minerals and Waste Joint Plan legally compliant or sound, having regard to the Matter you have identified at 3. above where this relates to soundness. (NB Please note that any non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why this modification will make the Minerals and Waste Joint Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

~~Please see separate sheet~~

AS FAR AS FUTURE PLANNING FOR WHITE WALL QUARRY SITE MIP12 IS CONCERNED IT WOULD BE SHORT SIGHTED TO CLOSE THIS AS PER THE MINERALS AND JOINT WASTE PLAN PROPOSALS. I WOULD CONSIDER IT AN ESSENTIAL BUSINESS FOR THE TOWN AND WOULD RECOMMEND ITS INCLUSION IN APPENDIX 1 OF THE MWJP AS AN ALLOCATED ~~SITE~~ SITE

(continue on a separate sheet/expand box if necessary)

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

5. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

☒ **No,** I do not wish to participate at the oral examination

☐ **Yes,** I wish to participate at the oral examination

6. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

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

All responses received will be considered and any information provided will be made public. My consent is hereby confirmed.

Signature: [redacted] Date: 10/12/16

Official Use Only Reference Number

Received 21/12/16

Publication Stage- Response Form

Part A - Contact details

Your contact details

Name:	Title: [redacted]	Initial(s):
Surname [redacted]		
Organisation (if applicable):		
Address: [redacted]		
Post Code [redacted]		
Telephone:		
Email: [redacted]		

Agent contact details (if applicable)

Name:	Title:	Initial(s):
Surname:		
Organisation (if applicable):		
Address:		
Post Code:		
Telephone:		
Email:		

Please ensure that your contact details in Part A are correctly filled in. Without this information your representations cannot be recorded. Please also see the note on Data Protection at the bottom of this page before submitting your response.

At this stage in producing the Joint Plan, representations should be focussed on legal compliance, compliance with the Duty to Cooperate and whether the Plan meets the four tests of soundness. More information on these

matters are provided in separate **guidance notes. You are strongly advised to read these notes, which have been prepared by the Planning Inspectorate, before responding.** 4118

A separate **Part B** form **MUST** be produced for each separate representation you wish to make. After this stage, further submissions will only be at the invitation of the inspector who will conduct an Examination in Public of the Joint Plan, based on the matters they identify during the Examination.

All responses should be returned by 5pm on Wednesday 21st December 2016. Please note that representations cannot be received after this deadline.

Responses can be returned by email to: mwjointplan@northyorks.gov.uk or by post using the address below:

Minerals and Waste Joint Plan Team
Planning Services
North Yorkshire County Council
County Hall
Northallerton
DL7 8AH

Data Protection:
North Yorkshire County Council, the North York Moors National Park Authority and the City of York Council are registered under the Data Protection Act 1998. For the purposes of the Data Protection Act legislation, your contact details and responses will only be retained for the preparation of the Minerals and Waste Joint Plan. Representations made at Publication stage cannot remain anonymous, but details will only be used in relation to the Minerals and Waste Joint Plan. Your response will be made avalible to view on the website and as part of the examination.

For official use only:
Respondent Number Date received..... Date entered ..... Date acknowledged.....

4118

Publication stage Response form - Part B

Please use a separate Part B form for each representation

Name or Organisation : [redacted]

Please mark with an x as appropriate

1. To which part of the Minerals and Waste Joint Plan does this representation relate?

Paragraph No./ Site Allocation Reference No. MSP 12 | Policy No. M09 | Policies Map

2. Do you consider the Minerals and Waste Joint Plan is :

2.(1) Legally compliant — Yes [X] No [ ]

2.(2) Sound — Yes [ ] No [X]

(2a) Which Element of soundness does your respresentation relate to? (please only mark with an x one element of soundness per response form).

Positively Prepared Yes [ ] *ed* [X] Yes No [ ] [X]

Effective Yes [ ] [X] *stent with National Policy* Yes No [ ] [X]

2 (3) Complies with the Duty to co-operate Yes [ ] No [ ]

3. Please give details below of why you consider the Minerals and Waste Joint Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Please see separate sheet Included

(continue on a separate sheet/expand box if necessary)

4. Please set out what modification(s) you consider necessary to make the Minerals and Waste Joint Plan legally compliant or sound, having regard to the Matter you have identified at 3. above where this relates to soundness. (NB Please note that any non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why this modification will make the Minerals and Waste Joint Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

~~Please see separate sheet~~ In order to make the Plan Justified here sound, the contribution that the site could make to the supply of Agricultural lime, building stone and Readymixed Concrete without resulting in an unacceptable adverse impact on the environment and amenity should be recognised and the proposed site should be included in the draft new Policy M15

(continue on a separate sheet/expand box if necessary)

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

5. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

☒ **No,** I do not wish to participate at the oral examination

☐ **Yes,** I wish to participate at the oral examination

6. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

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

All responses received will be considered and any information provided will be made public. My consent is hereby confirmed.

4118

Signature:	Date:
[redacted]	16/12/16

Official Use Only Reference Number

__ __ __

[redacted]

Dear Sir / Madam

I am writing in support of the inclusion of Whitewall Quarry into the draft minerals and waste joint plan. This facility provide essential products to the local farming community including concrete panels and ready mix concrete for the construction of agricultural buildings and much needed agg lime for neutralizing soil Ph. Values ensuring the quality of local crops. As a local business I rely on the products produced from Whitewall, having recently purchased 10 full loads of concrete building blocks to construct a new silage clamp. I have also purchased Whitewall aggregate and concrete for this project and would like to think that this service will be available for future generations.

Kind Regards

[redacted]

4119

Minerals and Waste Joint Plan

Publication Stage- Response Form

Part A - Contact details

Your contact details

Name:	Title: Mr	Initial(s): D
Surname: Hutchinson		
Organisation (if applicable): D & E Farm Services Ltd		
Address:	Grooms Cottage,	
	Sharrow, Ripon,	
	North Yorkshire	
Post Code: HG4 5BH		
Telephone: 07980 566682		
Email: david.hutchinson@rallytravel.com		

Agent contact details (if applicable)

Name:	Title:	Initial(s):
Surname:		
Organisation (if applicable):		
Address:		
Post Code:		
Telephone:		
Email:		

Please ensure that your contact details in Part A are correctly filled in. Without this information your representations cannot be recorded. Please also see the note on Data Protection at the bottom of this page before submitting your response.

At this stage in producing the Joint Plan, representations should be focussed on legal compliance, compliance with the Duty to Cooperate and whether the Plan meets the four tests of soundness. More information on these matters are provided in separate **guidance notes. You are strongly advised to read these notes, which have been prepared by the Planning Inspectorate, before responding.**

A separate **Part B** form **MUST** be produced for each separate representation you wish to make. After this stage, further submissions will only be at the invitation of the inspector who will conduct an Examination in Public of the Joint Plan, based on the matters they identify during the Examination.

All responses should be returned by 5pm on Wednesday 21st December 2016. Please note that representations cannot be received after this deadline.

Responses can be returned by email to: mwjointplan@northyorks.gov.uk or by post using the address below:

Minerals and Waste Joint Plan Team
Planning Services
North Yorkshire County Council
County Hall
Northallerton
DL7 8AH

Data Protection:
North Yorkshire County Council, the North York Moors National Park Authority and the City of York Council are registered under the Data Protection Act 1998. For the purposes of the Data Protection Act legislation, your contact details and responses will only be retained for the preparation of the Minerals and Waste Joint Plan. Representations made at Publication stage cannot remain anonymous, but details will only be used in relation to the Minerals and Waste Joint Plan. Your response will be made avalible to view on the website and as part of the examination.

For official use only:
Respondent Number Date received 21/12/16 Date entered ..... Date acknowledged.....

4119

Publication stage Response form - Part B

Please use a separate Part B form for each representation

Name or Organisation :	D&E Farm Services Ltd

Please mark with an x as appropriate

1. To which part of the Minerals and Waste Joint Plan does this representation relate?

Paragraph No./ Site Allocation Reference No.	MJP12	Policy No.	M09	Policies Map	

2. Do you consider the Minerals and Waste Joint Plan is :

2.(1) Legally compliant	Yes	x	No	
2.(2) Sound	Yes		No	x

(2a) Which Element of soundness does your respresentation relate to? (please only mark with an x one element of soundness per response form).

Positively Prepared	Yes		No	x	*Justified*	Yes	No x
Effective	Yes		No	x	*Consistent with National Policy*	Yes	No x

2 (3) Complies with the Duty to co-operate	Yes		No	

3. Please give details below of why you consider the Minerals and Waste Joint Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

We believe the Policy M09 is not sound because it has left out Whitewall Quarry (Ref MJP12) which will adversely affect our business in Ryedale. Whitewall Quarry must be allowed to continue trading into the future. Please see our reasoning below:

We at D & E Farm Services Ltd are a specialist Agronomy Company operating in North Yorkshire. As part of our business, we supply Agricultural Lime for Farm use throughout North Yorkshire. Much of the Land in North Yorkshire is naturally high in Magnesium. Applying the widely available Magnesium Lime to this type of land can cause 'Magnesium Lock-Up' and therefore, it is important to use a Calcium Lime in these areas. Many of our customers are still experiencing these problems from historical use of Magnesium Lime on unsuitable land.

We buy Calcium Lime from Whitewall Quarry at Norton, near Malton in North Yorkshire. It is an important and scarce source of Calcium Lime for us in the region. As directors of the Company, we have personally used the Calcium Lime from Whitewall Quarries for many years. It has proven value and we believe it is an important asset to the Farming / Agricultural Industry in the North Yorkshire region. Without this locally available source of Calcium Lime the costs to the farming industry in this area would increase by a large margin, with an additional detrimental affect to the environment from transporting Calcium Lime from much further afield.

(continue on a separate sheet/expand box if necessary)

4. Please set out what modification(s) you consider necessary to make the Minerals and Waste Joint Plan legally compliant or sound, having regard to the Matter you have identified at 3. above where this relates to soundness. (NB Please note that any non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why this modification will make the Minerals and Waste Joint Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Whitewall Quarry (Site Ref MJP12) should be included in Appendix 1 to the Minerals and Waste Joint Plan as an allocated site for the extraction of crushed rock.

(continue on a separate sheet/expand box if necessary)

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

5. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

X	**No,** I do not wish to participate at the oral examination		**Yes,** I wish to participate at the oral examination

6. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

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

All responses received will be considered and any information provided will be made public. My consent is hereby confirmed.

Signature: [redacted]	Date: 20/12/2016

Official Use Only Reference Number

4120

Minerals and Waste Joint Plan

Publication Stage- Response Form

Part A - Contact details

Your contact details

Name:	Title:	Initial(s):
[redacted]		
Surname: [redacted]		
Organisation (if applicable): [redacted]		
Address: [redacted]		
Post Code: [redacted]		
Telephone:		
Email: [redacted]		

Agent contact details (if applicable)

Name:	Title:	Initial(s):
Surname:		
Organisation (if applicable):		
Address:		
Post Code:		
Telephone:		
Email:		

Please ensure that your contact details in Part A are correctly filled in. Without this information your representations cannot be recorded. Please also see the note on Data Protection at the bottom of this page before submitting your response.

At this stage in producing the Joint Plan, representations should be focussed on legal compliance, compliance with the Duty to Cooperate and whether the Plan meets the four tests of soundness. More information on these matters are provided in separate **guidance notes. You are strongly advised to read these notes, which have been prepared by the Planning Inspectorate, before responding.**

A separate **Part B** form **MUST** be produced for each separate representation you wish to make. After this stage, further submissions will only be at the invitation of the inspector who will conduct an Examination in Public of the Joint Plan, based on the matters they identify during the Examination.

All responses should be returned by 5pm on Wednesday 21st December 2016. Please note that representations cannot be received after this deadline.

Responses can be returned by email to: mwjointplan@northyorks.gov.uk or by post using the address below:

Minerals and Waste Joint Plan Team
Planning Services
North Yorkshire County Council
County Hall
Northallerton
DL7 8AH

Data Protection:
North Yorkshire County Council, the North York Moors National Park Authority and the City of York Council are registered under the Data Protection Act 1998. For the purposes of the Data Protection Act legislation, your contact details and responses will only be retained for the preparation of the Minerals and Waste Joint Plan. Representations made at Publication stage cannot remain anonymous, but details will only be used in relation to the Minerals and Waste Joint Plan. Your response will be made avalible to view on the website and as part of the examination.

For official use only:
Respondent Number Date received 21/12/16 Date entered ..... Date acknowledged .....

4120

Publication stage Response form - Part B

Please use a separate Part B form for each representation

Name or Organisation :	[redacted]

Please mark with an x as appropriate

1. To which part of the Minerals and Waste Joint Plan does this representation relate?

Paragraph No./ Site Allocation Reference No.	MJP12	Policy No.	M09	Policies Map	

2. Do you consider the Minerals and Waste Joint Plan is :

2.(1) Legally compliant	Yes	x	No	
2.(2) Sound	Yes		No	x

(2a) Which Element of soundness does your respresentation relate to? (please only mark with an x one element of soundness per response form).

Positively Prepared	Yes		No	x	*Justified*	Yes		No	x
Effective	Yes		No	x	*Consistent with National Policy*	Yes		No	x

2 (3) Complies with the Duty to co-operate	Yes		No	

3. Please give details below of why you consider the Minerals and Waste Joint Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

like whitewall Quarry, [redacted] is a local business, Whitewall Quarry lorries do not disrupt/ detremental to my business if anything provide me with trade, all the local building schemes bring me more business.

(continue on a separate sheet/expand box if necessary)

4120

4. Please set out what modification(s) you consider necessary to make the Minerals and Waste Joint Plan legally compliant or sound, having regard to the Matter you have identified at 3. above where this relates to soundness. (NB Please note that any non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why this modification will make the Minerals and Waste Joint Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Whitewall Quarry Site ref: MJP12 Must be included in appendix 1. as an allocated site for crushed rock to make the MWJP Sound.

(continue on a separate sheet/expand box if necessary)

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

5. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

[x] **No,** I do not wish to participate at the oral examination

[ ] **Yes,** I wish to participate at the oral examination

6. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

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

All responses received will be considered and any information provided will be made public. My consent is hereby confirmed.

Signature: [redacted]	Date:19/12/2016

Official Use Only Reference Number

4121

Minerals and Waste Joint Plan

Publication Stage- Response Form

Part A - Contact details

Your contact details

Name:	Title: MR	Initial(s): A
Surname: CLARK		
Organisation (if applicable): R HOTEL + SWS LTD		
Address:	RAILWAY ST.	
	MALTON	
	N YORKS	
Post Code: YO17 7NR		
Telephone: 01653 693215		
Email: andrew@yatesonline.com		

Agent contact details (if applicable)

Name:	Title:	Initial(s):
Surname:		
Organisation (if applicable):		
Address:		
Post Code:		
Telephone:		
Email:		

Please ensure that your contact details in Part A are correctly filled in. Without this information your representations cannot be recorded. Please also see the note on Data Protection at the bottom of this page before submitting your response.

At this stage in producing the Joint Plan, representations should be focussed on legal compliance, compliance with the Duty to Cooperate and whether the Plan meets the four tests of soundness. More information on these matters are provided in separate **guidance notes. You are strongly advised to read these notes, which have been prepared by the Planning Inspectorate, before responding.**

A separate **Part B** form **MUST** be produced for each separate representation you wish to make. After this stage, further submissions will only be at the invitation of the inspector who will conduct an Examination in Public of the Joint Plan, based on the matters they identify during the Examination.

All responses should be returned by 5pm on Wednesday 21st December 2016. Please note that representations cannot be received after this deadline.

Responses can be returned by email to: mwjointplan@northyorks.gov.uk or by post using the address below:

Minerals and Waste Joint Plan Team
Planning Services
North Yorkshire County Council
County Hall
Northallerton
DL7 8AH

Data Protection:
North Yorkshire County Council, the North York Moors National Park Authority and the City of York Council are registered under the Data Protection Act 1998. For the purposes of the Data Protection Act legislation, your contact details and responses will only be retained for the preparation of the Minerals and Waste Joint Plan. Representations made at Publication stage cannot remain anonymous, but details will only be used in relation to the Minerals and Waste Joint Plan. Your response will be made avalible to view on the website and as part of the examination.

For official use only:
Respondent Number Date received 21/12/16 Date entered ..... Date acknowledged .....

4121

Publication stage Response form - Part B

Please use a separate Part B form for each representation

Name or Organisation :	R WATTS + SONS LTD

Please mark with an x as appropriate

1. To which part of the Minerals and Waste Joint Plan does this representation relate?

Paragraph No./ Site Allocation Reference No.	MJP12	Policy No.	M09	Policies Map	

2. Do you consider the Minerals and Waste Joint Plan is :

2.(1) Legally compliant	Yes	x	No	
2.(2) Sound	Yes		No	x

(2a) Which Element of soundness does your respresentation relate to? (please only mark with an x one element of soundness per response form).

Positively Prepared	Yes		No	x	*Justified*	Yes	No x
Effective	Yes		No	x	*Consistent with National Policy*	Yes	No x

2 (3) Complies with the Duty to co-operate	Yes		No	

3. Please give details below of why you consider the Minerals and Waste Joint Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

* MWJP policy as it stands is NOT sound as it leaves out the Winterwell Quarry resource MJP12. Like Winterwell Quarry we are a longstanding local business providing jobs and local trade, Winterwell has no adverse impact on our business. HGV traffic does not stop customers using yards. We purchase a lot of lime and closure would mean shipping it much further at extra cost and pollution.

(continue on a separate sheet/expand box if necessary)

4. Please set out what modification(s) you consider necessary to make the Minerals and Waste Joint Plan legally compliant or sound, having regard to the Matter you have identified at 3. above where this relates to soundness. (NB Please note that any non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why this modification will make the Minerals and Waste Joint Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

* To make the MWJP sound Whitewall Quarry must be included in appendix 1 as an allocated site for extraction of crushed rock. (site ref MJP12)

(continue on a separate sheet/expand box if necessary)

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

5. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

x	**No,** I do not wish to participate at the oral examination		**Yes,** I wish to participate at the oral examination

6. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

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

All responses received will be considered and any information provided will be made public. My consent is hereby confirmed.

Signature: [redacted]	Date:19/12/2016

Official Use Only Reference Number

4122

Minerals and Waste Joint Plan

Publication Stage- Response Form

Part A - Contact details

Your contact details

Name:	Title: Mr	Initial(s): P A
Surname: Scothern		
Organisation (if applicable): Scothern Construction Ltd		
Address:	3 Yorkd Road Industrial Park	
	Rye Close	
	Malton, North Yorkshire	
Post Code: YO17 6YD		
Telephone: 01653 698382		
Email: paul@scothernconst.co.uk		

Agent contact details (if applicable)

Name:	Title:	Initial(s):
Surname:		
Organisation (if applicable):		
Address:		
Post Code:		
Telephone:		
Email:		

Please ensure that your contact details in Part A are correctly filled in. Without this information your representations cannot be recorded. Please also see the note on Data Protection at the bottom of this page before submitting your response.

At this stage in producing the Joint Plan, representations should be focussed on legal compliance, compliance with the Duty to Cooperate and whether the Plan meets the four tests of soundness. More information on these matters are provided in separate **guidance notes. You are strongly advised to read these notes, which have been prepared by the Planning Inspectorate, before responding.**

A separate **Part B** form **MUST** be produced for each separate representation you wish to make. After this stage, further submissions will only be at the invitation of the inspector who will conduct an Examination in Public of the Joint Plan, based on the matters they identify during the Examination.

All responses should be returned by 5pm on Wednesday 21st December 2016. Please note that representations cannot be received after this deadline.

Responses can be returned by email to: mwjointplan@northyorks.gov.uk or by post using the address below:

Minerals and Waste Joint Plan Team
Planning Services
North Yorkshire County Council
County Hall
Northallerton
DL7 8AH

Data Protection:
North Yorkshire County Council, the North York Moors National Park Authority and the City of York Council are registered under the Data Protection Act 1998. For the purposes of the Data Protection Act legislation, your contact details and responses will only be retained for the preparation of the Minerals and Waste Joint Plan. Representations made at Publication stage cannot remain anonymous, but details will only be used in relation to the Minerals and Waste Joint Plan. Your response will be made avalible to view on the website and as part of the examination.

For official use only:
Respondent Number Date received 21/12/16 Date entered .....Date acknowledged.....

4122

SCOTHERN construction

3 YORK RD IND PARK, RYE CLOSE,
MALTON, NORTH YORKSHIRE YO17 6YD
TEL No. 01653 698382/3 FAX 01653 698384
RESTORATION • REFURBISHMENT • BUILDING • MAINTENANCE

16th December 2016 PAS/General

To whom it may concern,

We would like it known that the Whitewall Quarry operated by Clifford Watts is a crucial asset to us as a Construction Company operating in Malton, North Yorkshire and it's surrounding areas.

We rely heavily on Whitewall Quarry for Aggregates and Ready Mix Concrete, and should it cease to operate, this would affect our cost base and incur our company with substantial increases, which would ultimately affect our ability to be competitive as a local Company.

We hope our concerns are given due consideration, when any decision regarding the future of Whitewall Quarry is decided upon.

Yours sincerely

[redacted]

PAUL A SCOTHERN

4122

Publication stage Response form - Part B

Please use a separate Part B form for each representation

Name or Organisation :	Scothern construction Ltd

Please mark with an x as appropriate

1. To which part of the Minerals and Waste Joint Plan does this representation relate?

Paragraph No./ Site Allocation Reference No.	MJP12	Policy No.	M09	Policies Map	

2. Do you consider the Minerals and Waste Joint Plan is :

2.(1) Legally compliant	Yes	x	No	
2.(2) Sound	Yes		No	x

(2a) Which Element of soundness does your respresentation relate to? (please only mark with an x one element of soundness per response form).

Positively Prepared	Yes		No	x	*Justified*	Yes		No	x
Effective	Yes		No	x	*Consistent with National Policy*	Yes		No	x

2 (3) Complies with the Duty to co-operate	Yes		No	

3. Please give details below of why you consider the Minerals and Waste Joint Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

The Policy as it stands is not sound because it leaves out the Whitewall Quarry resource, which is a crucial asset to us as a local Building company. Please see our letter of support on a separate sheet.

(continue on a separate sheet/expand box if necessary)

4. Please set out what modification(s) you consider necessary to make the Minerals and Waste Joint Plan legally compliant or sound, having regard to the Matter you have identified at 3. above where this relates to soundness. (NB Please note that any non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why this modification will make the Minerals and Waste Joint Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

To make the MWJP Sound, Whitewall Quarry (Site Ref MJP12) must be included in Appendix 1 to the MWJP as an allocated site for the extraction of crushed rock.

(continue on a separate sheet/expand box if necessary)

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

5. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

X	**No,** I do not wish to participate at the oral examination		**Yes,** I wish to participate at the oral examination

6. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

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

All responses received will be considered and any information provided [redacted] made public. My consent is hereby confirmed.

Signature: [redacted]	Date: 19/12/2016

Official Use Only Reference Number

4123

Minerals and Waste Joint Plan

Publication Stage- Response Form

Part A - Contact details

Your contact details

Name:	Title: [redacted]	Initial(s): [redacted]
Surname: [redacted]		
Organisation (if applicable): [redacted]		
Address: [redacted]		
Post Code: [redacted]		
Telephone:		
Email: [redacted]		

Agent contact details (if applicable)

Name:	Title:	Initial(s):
Surname:		
Organisation (if applicable):		
Address:		
Post Code:		
Telephone:		
Email:		

Please ensure that your contact details in Part A are correctly filled in. Without this information your representations cannot be recorded. Please also see the note on Data Protection at the bottom of this page before submitting your response.

At this stage in producing the Joint Plan, representations should be focussed on legal compliance, compliance with the Duty to Cooperate and whether the Plan meets the four tests of soundness. More information on these matters are provided in separate **guidance notes. You are strongly advised to read these notes, which have been prepared by the Planning Inspectorate, before responding.**

A separate **Part B** form **MUST** be produced for each separate representation you wish to make. After this stage, further submissions will only be at the invitation of the inspector who will conduct an Examination in Public of the Joint Plan, based on the matters they identify during the Examination.

All responses should be returned by 5pm on Wednesday 21st December 2016. Please note that representations cannot be received after this deadline.

Responses can be returned by email to: mwjointplan@northyorks.gov.uk or by post using the address below:

Minerals and Waste Joint Plan Team
Planning Services
North Yorkshire County Council
County Hall
Northallerton
DL7 8AH

Data Protection:
North Yorkshire County Council, the North York Moors National Park Authority and the City of York Council are registered under the Data Protection Act 1998. For the purposes of the Data Protection Act legislation, your contact details and responses will only be retained for the preparation of the Minerals and Waste Joint Plan. Representations made at Publication stage cannot remain anonymous, but details will only be used in relation to the Minerals and Waste Joint Plan. Your response will be made avalible to view on the website and as part of the examination.

For official use only:
Respondent Number Date received 21/12/16 Date entered ..... Date acknowledged .....

4123

Publication stage Response form - Part B

Please use a separate Part B form for each representation

Name or Organisation :	[redacted]

Please mark with an x as appropriate

1. To which part of the Minerals and Waste Joint Plan does this representation relate?

Paragraph No./ Site Allocation Reference No.	MJP12	Policy No.	M09	Policies Map	

2. Do you consider the Minerals and Waste Joint Plan is :

2.(1) Legally compliant	Yes	x	No	
2.(2) Sound	Yes		No	x

(2a) Which Element of soundness does your respresentation relate to? (please only mark with an x one element of soundness per response form).

Positively Prepared	Yes		No	x	*Justified*	Yes		No	x
Effective	Yes		No	x	*Consistent with National Policy*	Yes		No	x

2 (3) Complies with the Duty to co-operate	Yes		No	

3. Please give details below of why you consider the Minerals and Waste Joint Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

WHINHILL QUARRY TRAFFIC FROM WAGONS DOES NOT IMPACT ON MY BUSINESS.

AS FOR MY BUSINESS IT IS A LONGSTANDING LOCAL BUSINESS PROVIDING JOBS.

(continue on a separate sheet/expand box if necessary)

4. Please set out what modification(s) you consider necessary to make the Minerals and Waste Joint Plan legally compliant or sound, having regard to the Matter you have identified at 3. above where this relates to soundness. (NB Please note that any non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why this modification will make the Minerals and Waste Joint Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

(continue on a separate sheet/expand box if necessary)

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

5. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

[x] **No,** I do not wish to participate at the oral examination

[ ] **Yes,** I wish to participate at the oral examination

6. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

WINSTEWALL QUARRY SITE REFERENCE MJP12 SHOULD BE INCLUDED IN THE MWJP IN APPENDIX 1. AS AN ALLOCATED SITE TO EXTRACT CRUSHED ROCK.

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

All responses received will be considered and any information provided will [redacted] consent is hereby confirmed.

Sig[redacted]	Date:19/12/2016

Official Use Only Reference Number

4124

Minerals and Waste Joint Plan

Publication Stage- Response Form

Part A - Contact details

Your contact details

Name:	Title: [redacted]	Initial(s): [redacted]
Surname: [redacted]		
Organisation (if applicable):		
Address: [redacted]		
Post Code: [redacted]		
Telephone:		
Email:		

Agent contact details (if applicable)

Name:	Title:	Initial(s):
Surname:		
Organisation (if applicable):		
Address:		
Post Code:		
Telephone:		
Email:		

Please ensure that your contact details in Part A are correctly filled in. Without this information your representations cannot be recorded. Please also see the note on Data Protection at the bottom of this page before submitting your response.

At this stage in producing the Joint Plan, representations should be focussed on legal compliance, compliance with the Duty to Cooperate and whether the Plan meets the four tests of soundness. More information on these matters are provided in separate **guidance notes. You are strongly advised to read these notes, which have been prepared by the Planning Inspectorate, before responding.**

A separate **Part B** form **MUST** be produced for each separate representation you wish to make. After this stage, further submissions will only be at the invitation of the inspector who will conduct an Examination in Public of the Joint Plan, based on the matters they identify during the Examination.

All responses should be returned by 5pm on Wednesday 21st December 2016. Please note that representations cannot be received after this deadline.

Responses can be returned by email to: mwjointplan@northyorks.gov.uk or by post using the address below:

Minerals and Waste Joint Plan Team
Planning Services
North Yorkshire County Council
County Hall
Northallerton
DL7 8AH

Data Protection:
North Yorkshire County Council, the North York Moors National Park Authority and the City of York Council are registered under the Data Protection Act 1998. For the purposes of the Data Protection Act legislation, your contact details and responses will only be retained for the preparation of the Minerals and Waste Joint Plan. Representations made at Publication stage cannot remain anonymous, but details will only be used in relation to the Minerals and Waste Joint Plan. Your response will be made avalible to view on the website and as part of the examination.

For official use only:
Respondent Number Date received 21/12/16 Date entered ..... Date acknowledged .....

4124

Publication stage Response form - Part B

Please use a separate Part B form for each representation

Name or Organisation :	[redacted]

Please mark with an x as appropriate

1. To which part of the Minerals and Waste Joint Plan does this representation relate?

Paragraph No./ Site Allocation Reference No.		Policy No.	M09	Policies Map	

2. Do you consider the Minerals and Waste Joint Plan is :

2.(1) Legally compliant	Yes	√	No	
2.(2) Sound	Yes		No	√

(2a) Which Element of soundness does your respresentation relate to? (please only mark with an x one element of soundness per response form).

Positively Prepared	Yes		No	√	*Justified*	Yes		No	√
Effective	Yes		No	√	*Consistent with National Policy*	Yes		No	√

2 (3) Complies with the Duty to co-operate	Yes		No	

3. Please give details below of why you consider the Minerals and Waste Joint Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

~~Please see separate sheet~~

As a local farmer whitewall quarry is a viable asset to the farming and building industries in the area not only as with dug stone for use either on the land or for use for new shed bases, so should be closed

Site MJP12 needs to included in new JP.

(continue on a separate sheet/expand box if necessary)

4. Please set out what modification(s) you consider necessary to make the Minerals and Waste Joint Plan legally compliant or sound, having regard to the Matter you have identified at 3. above where this relates to soundness. (NB Please note that any non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why this modification will make the Minerals and Waste Joint Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Whitewall quarry site reference mjp12 should be included in appendix 1 of the MWJP as an allocated site and this would make the MWJP sound.

(continue on a separate sheet/expand box if necessary)

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

5. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

√	**No,** I do not wish to participate at the oral examination		**Yes,** I wish to participate at the oral examination

6. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

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

All responses received will be considered and any information provided will be made public. My consent is hereby confirmed.

Signature: [redacted]	Date: 20/12/16

Official Use Only Reference Number

4125

Minerals and Waste Joint Plan

Publication Stage- Response Form

Part A - Contact details

Your contact details

Name:	Title:	Initial(s):
Surname:		
Organisation (if applicable):		
Address:		
Post Code:		
Telephone:		
Email:		

Agent contact details (if applicable)

Name:	Title:	Initial(s):
Surname:		
Organisation (if applicable):		
Address:		
Post Code:		
Telephone:		
Email:		

Please ensure that your contact details in Part A are correctly filled in. Without this information your representations cannot be recorded. Please also see the note on Data Protection at the bottom of this page before submitting your response.

At this stage in producing the Joint Plan, representations should be focussed on legal compliance, compliance with the Duty to Cooperate and whether the Plan meets the four tests of soundness. More information on these matters are provided in separate **guidance notes. You are strongly advised to read these notes, which have been prepared by the Planning Inspectorate, before responding.**

A separate **Part B** form **MUST** be produced for each separate representation you wish to make. After this stage, further submissions will only be at the invitation of the inspector who will conduct an Examination in Public of the Joint Plan, based on the matters they identify during the Examination.

All responses should be returned by 5pm on Wednesday 21st December 2016. Please note that representations cannot be received after this deadline.

Responses can be returned by email to: mwjointplan@northyorks.gov.uk or by post using the address below:

Minerals and Waste Joint Plan Team
Planning Services
North Yorkshire County Council
County Hall
Northallerton
DL7 8AH

Data Protection:
North Yorkshire County Council, the North York Moors National Park Authority and the City of York Council are registered under the Data Protection Act 1998. For the purposes of the Data Protection Act legislation, your contact details and responses will only be retained for the preparation of the Minerals and Waste Joint Plan. Representations made at Publication stage cannot remain anonymous, but details will only be used in relation to the Minerals and Waste Joint Plan. Your response will be made avalible to view on the website and as part of the examination.

For official use only:
Respondent Number Date received 21/12/16 Date entered ..... Date acknowledged .....

4125

Publication stage Response form - Part B

Please use a separate Part B form for each representation

Name or Organisation :	[redacted]

Please mark with an x as appropriate

1. To which part of the Minerals and Waste Joint Plan does this representation relate?

Paragraph No./ Site Allocation Reference No.		Policy No.	M09	Policies Map	

2. Do you consider the Minerals and Waste Joint Plan is :

2.(1) Legally compliant	Yes	√	No	
2.(2) Sound	Yes		No	√

(2a) Which Element of soundness does your respresentation relate to? (please only mark with an x one element of soundness per response form).

Positively Prepared	Yes		No	√	*Justified*	Yes		No	√
Effective	Yes		No	√	*Consistent with National Policy*	Yes		No	√

2 (3) Complies with the Duty to co-operate	Yes		No	

3. Please give details below of why you consider the Minerals and Waste Joint Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

~~Please see separate sheet~~

While wall quary (in JP12) is crucial to the Local Farming community for many years supplying stone either as Lime & the fields or as rubbles for new agricultural building keeping the quary operational will have no adverse impact on local business it can only improve it

(continue on a separate sheet/expand box if necessary)

4125

4. Please set out what modification(s) you consider necessary to make the Minerals and Waste Joint Plan legally compliant or sound, having regard to the Matter you have identified at 3. above where this relates to soundness. (NB Please note that any non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why this modification will make the Minerals and Waste Joint Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

~~Please see separate sheet~~

To make the MWJP sound any references regarding impact on the economy of Malton and local area and references to traffic being an adverse impact on the local community by Whitewall quarry should be withdrawn and Whitewall quarry (MJP12) should be included in appendix 1 of the MWJP as an allocated site

(continue on a separate sheet/expand box if necessary)

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

5. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

[√] **No,** I do not wish to participate at the oral examination	[ ] **Yes,** I wish to participate at the oral examination

6. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

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

All responses received will be considered and any information provided will be made public. My consent is hereby confirmed.

Signature: [redacted]	Date: 20/12/16

Official Use Only Reference Number

4126

Minerals and Waste Joint Plan

Publication Stage- Response Form

Part A - Contact details

Your contact details

Name: D	Title: MR	Initial(s):
Surname: TAYLOR (Site Manager)		
Organisation (if applicable): WOLDS WAY CARAVAN & CAMPING		
Address:	WEST BARTON	
	WEST KNAPTON	
Post Code: YO17 8JG		
Telephone: 01944 728463		
Email:		

Agent contact details (if applicable)

Name:	Title:	Initial(s):
Surname:		
Organisation (if applicable):		
Address:		
Post Code:		
Telephone:		
Email:		

Please ensure that your contact details in Part A are correctly filled in. Without this information your representations cannot be recorded. Please also see the note on Data Protection at the bottom of this page before submitting your response.

At this stage in producing the Joint Plan, representations should be focussed on legal compliance, compliance with the Duty to Cooperate and whether the Plan meets the four tests of soundness. More information on these matters are provided in separate **guidance notes**. **You are strongly advised to read these notes, which have been prepared by the Planning Inspectorate, before responding.**

A separate **Part B** form **MUST** be produced for each separate representation you wish to make. After this stage, further submissions will only be at the invitation of the inspector who will conduct an Examination in Public of the Joint Plan, based on the matters they identify during the Examination.

All responses should be returned by 5pm on Wednesday 21st December 2016. Please note that representations cannot be received after this deadline.

Responses can be returned by email to: mwjointplan@northyorks.gov.uk or by post using the address below:

Minerals and Waste Joint Plan Team
Planning Services
North Yorkshire County Council
County Hall
Northallerton
DL7 8AH

Data Protection:
North Yorkshire County Council, the North York Moors National Park Authority and the City of York Council are registered under the Data Protection Act 1998. For the purposes of the Data Protection Act legislation, your contact details and responses will only be retained for the preparation of the Minerals and Waste Joint Plan. Representations made at Publication stage cannot remain anonymous, but details will only be used in relation to the Minerals and Waste Joint Plan. Your response will be made avalible to view on the website and as part of the examination.

For official use only:
Respondent Number ..... Date received 21/12/16 Date entered ..... Date acknowledged .....

4126

Publication stage Response form - Part B

Please use a separate Part B form for each representation

Name or Organisation :	HOLDS WAY CARAVAN & CAMPING LTD

Please mark with an x as appropriate

1. To which part of the Minerals and Waste Joint Plan does this representation relate?

Paragraph No./ Site Allocation Reference No.		Policy No.	M09	Policies Map	

2. Do you consider the Minerals and Waste Joint Plan is :

2.(1) Legally compliant	Yes	√	No	
2.(2) Sound	Yes		No	√

(2a) Which Element of soundness does your respresentation relate to? (please only mark with an x one element of soundness per response form).

Positively Prepared	Yes		No	√	*Justified*	Yes	No	√
Effective	Yes		No	√	*Consistent with National Policy*	Yes	No	√

2 (3) Complies with the Duty to co-operate	Yes		No	

3. Please give details below of why you consider the Minerals and Waste Joint Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Please see separate sheet

Re

Site MJP 12

Important to the local economy and saves long distant haulage on products such as stone & cement products. It is an asset to the local economy in jobs & bringing money into the area

[redacted]

(continue on a separate sheet/expand box if necessary)

4126

4. Please set out what modification(s) you consider necessary to make the Minerals and Waste Joint Plan legally compliant or sound, having regard to the Matter you have identified at 3. above where this relates to soundness. (NB Please note that any non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why this modification will make the Minerals and Waste Joint Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please see separate sheet

the MWJP ref whitewall Quarry (MJP 12) should be included in Appendix 1 of the MWJP as an allocated site to make sound

[redacted]

(continue on a separate sheet/expand box if necessary)

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

5. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

√	**No,** I do not wish to participate at the oral examination		**Yes,** I wish to participate at the oral examination

6. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

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

All responses received will be considered and any information provided will be made public. My consent is hereby confirmed.

Signature [redacted]	Date: 20/12/16

Official Use Only Reference Number

4127

Minerals and Waste Joint Plan

Publication Stage- Response Form

Part A - Contact details

Your contact details

Name:	Title: Mr	Initial(s): B C
Surname: Wilson		
Organisation (if applicable): B C Wilson		
Address:	4 Flowery Bank	
	Broughton, Malton	
	North Yorkshire	
Post Code: YO17 6QQ		
Telephone: 07801 565569		
Email: brucecwilson@hotmail.com		

Agent contact details (if applicable)

Name:	Title:	Initial(s):
Surname:		
Organisation (if applicable):		
Address:		
Post Code:		
Telephone:		
Email:		

Please ensure that your contact details in Part A are correctly filled in. Without this information your representations cannot be recorded. Please also see the note on Data Protection at the bottom of this page before submitting your response.

At this stage in producing the Joint Plan, representations should be focussed on legal compliance, compliance with the Duty to Cooperate and whether the Plan meets the four tests of soundness. More information on these matters are provided in separate **guidance notes**. **You are strongly advised to read these notes, which have been prepared by the Planning Inspectorate, before responding.**

A separate **Part B** form **MUST** be produced for each separate representation you wish to make. After this stage, further submissions will only be at the invitation of the inspector who will conduct an Examination in Public of the Joint Plan, based on the matters they identify during the Examination.

All responses should be returned by 5pm on Wednesday 21st December 2016. Please note that representations cannot be received after this deadline.

Responses can be returned by email to: mwjointplan@northyorks.gov.uk or by post using the address below:

Minerals and Waste Joint Plan Team
Planning Services
North Yorkshire County Council
County Hall
Northallerton
DL7 8AH

Data Protection:
North Yorkshire County Council, the North York Moors National Park Authority and the City of York Council are registered under the Data Protection Act 1998. For the purposes of the Data Protection Act legislation, your contact details and responses will only be retained for the preparation of the Minerals and Waste Joint Plan. Representations made at Publication stage cannot remain anonymous, but details will only be used in relation to the Minerals and Waste Joint Plan. Your response will be made avalible to view on the website and as part of the examination.

For official use only:
Respondent Number Date received 21/12/16 Date entered ..... Date acknowledged.....

4127

B C WILSON

Lime Merchant & Spreading Contractor
6 Quarry Hill
Appleton le Street
Malton
N Yorks
YO17 6PQ
07801 565569
brucecwilson@hotmail.com
www.b-c-wilson.co.uk

19th December 2016

To whom it may concern,

Re – Unsoundness of the North Yorkshire Minerals and Waste Joint Plan because Whitewall Quarry has been left out and must be added back in to the list of allocated sites in the policy - Plan Reference MJP12

As a major Lime Merchant and Contractor North Yorkshire and more specifically the Ryedale area, I cannot stress enough the importance of having access to the Whitewall Quarry Calcium Lime is to my Customers and I.

There are limited resources of this material available in the North and having access to a local source is key to expediting the needs of Farmers during the windows of opportunity they have to apply Lime to their Land. With the alternative source of the material from Settrington Quarry being limited, if we were to lose access to the Whitewall Quarry resource, the Lime would have to come from much further afield and the Haulage available would not be sufficient to deliver the quantities required during the peak periods of demand.

Missing the application of the fertilising Lime will lead to lower yields and poor productivity in the region. The alternative for Farmers is to use expensive factory prepared Lime Pellets or Tablets. This cost more to purchase and have a vastly greater Carbon Footprint than the locally produced Lime at Whitewall Quarry. This in turn would put the North Yorkshire Farmers at a financial disadvantage to Farmers from other Counties and to Farmers from foreign Countries.

We need to ensure the Limestone at Whitewall Quarry continues to be available for the future benefit of the Farming community in Ryedale and North Yorkshire.

Kind regards,

[redacted]

Bruce C Wilson

4127

Publication stage Response form - Part B

Please use a separate Part B form for each representation

Name or Organisation :	Bruce Wilson (Trading as: B C Wilson)

Please mark with an x as appropriate

1. To which part of the Minerals and Waste Joint Plan does this representation relate?

Paragraph No./ Site Allocation Reference No.	MJP12	Policy No.	M09	Policies Map	

2. Do you consider the Minerals and Waste Joint Plan is :

2.(1) Legally compliant	Yes	x	No	
2.(2) Sound	Yes		No	x

(2a) Which Element of soundness does your respresentation relate to? (please only mark with an x one element of soundness per response form).

Positively Prepared	Yes		No	x	*Justified*	Yes		No	x
Effective	Yes		No	x	*Consistent with National Policy*	Yes		No	x

2 (3) Complies with the Duty to co-operate	Yes		No	

3. Please give details below of why you consider the Minerals and Waste Joint Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

The MWJP is not Sound because Whitewall Quarry (Site Ref MJP12) has been discounted. It should be included in Appendix 1 to the Minerals and Waste Joint Plan as an allocated site for the extraction of crushed rock. (please see my letter of support for the Quarry attached)

(continue on a separate sheet/expand box if necessary)

4. Please set out what modification(s) you consider necessary to make the Minerals and Waste Joint Plan legally compliant or sound, having regard to the Matter you have identified at 3. above where this relates to soundness. (NB Please note that any non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why this modification will make the Minerals and Waste Joint Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Whitewall Quarry (Site Ref MJP12) should be included in Appendix 1 to the Minerals and Waste Joint Plan as an allocated site for the extraction of crushed rock.

(continue on a separate sheet/expand box if necessary)

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

5. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

X	**No,** I do not wish to participate at the oral examination		**Yes,** I wish to participate at the oral examination

6. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

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

All responses received will be considered and any information provided will be made public. My consent is hereby confirmed.

Signature: [redacted]	Date: 19/12/2016

Official Use Only Reference Number

4128

Minerals and Waste Joint Plan

Publication Stage- Response Form

Part A - Contact details

Your contact details

Name:	Title: [redacted]	Initial(s): [redacted]
Surname: [redacted]		
Organisation (if applicable):		
Address: [redacted]		
Post Code: [redacted]		
Telephone: [redacted]		
Email:		

Agent contact details (if applicable)

Name:	Title:	Initial(s):
Surname:		
Organisation (if applicable):		
Address:		
Post Code:		
Telephone:		
Email:		

Please ensure that your contact details in Part A are correctly filled in. Without this information your representations cannot be recorded. Please also see the note on Data Protection at the bottom of this page before submitting your response.

At this stage in producing the Joint Plan, representations should be focussed on legal compliance, compliance with the Duty to Cooperate and whether the Plan meets the four tests of soundness. More information on these matters are provided in separate **guidance notes. You are strongly advised to read these notes, which have been prepared by the Planning Inspectorate, before responding.**

A separate **Part B** form **MUST** be produced for each separate representation you wish to make. After this stage, further submissions will only be at the invitation of the inspector who will conduct an Examination in Public of the Joint Plan, based on the matters they identify during the Examination.

All responses should be returned by 5pm on Wednesday 21st December 2016. Please note that representations cannot be received after this deadline.

Responses can be returned by email to: mwjointplan@northyorks.gov.uk or by post using the address below:

Minerals and Waste Joint Plan Team
Planning Services
North Yorkshire County Council
County Hall
Northallerton
DL7 8AH

Data Protection:
North Yorkshire County Council, the North York Moors National Park Authority and the City of York Council are registered under the Data Protection Act 1998. For the purposes of the Data Protection Act legislation, your contact details and responses will only be retained for the preparation of the Minerals and Waste Joint Plan. Representations made at Publication stage cannot remain anonymous, but details will only be used in relation to the Minerals and Waste Joint Plan. Your response will be made avalible to view on the website and as part of the examination.

For official use only:
Respondent Number Date received 21/12/16 Date entered ..... Date acknowledged .....

4128

Publication stage Response form - Part B

Please use a separate Part B form for each representation

Name or Organisation :	[redacted]

Please mark with an x as appropriate

1. To which part of the Minerals and Waste Joint Plan does this representation relate?

Paragraph No./ Site Allocation Reference No.	MJP12	Policy No.	M09	Policies Map	

2. Do you consider the Minerals and Waste Joint Plan is :

2.(1) Legally compliant	Yes	x	No	
2.(2) Sound	Yes		No	x

(2a) Which Element of soundness does your respresentation relate to? (please only mark with an x one element of soundness per response form).

Positively Prepared	Yes		No	x	*Justified*	Yes		No	x
Effective	Yes		No	x	*Consistent with National Policy*	Yes		No	x

2 (3) Complies with the Duty to co-operate	Yes		No	

3. Please give details below of why you consider the Minerals and Waste Joint Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

I do not find this plan legally compliant on the basis that MJP12 will have impact on the economy of Malton, Norton and the local area, including the horse racing industry, traffic impact and Amenity issues, including: noise, dust, air quality in Malton and Norton, vibration, quality of life.

Please see my attached sheet.

(continue on a separate sheet/expand box if necessary)

4. Please set out what modification(s) you consider necessary to make the Minerals and Waste Joint Plan legally compliant or sound, having regard to the Matter you have identified at 3. above where this relates to soundness. (NB Please note that any non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why this modification will make the Minerals and Waste Joint Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

To make this plan legally sound Whitewall Quarry should be included in Appendix 1 of the plan.

(continue on a separate sheet/expand box if necessary)

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

5. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

x	**No,** I do not wish to participate at the oral examination		**Yes,** I wish to participate at the oral examination

6. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

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

All responses received will be considered and any information provided will be made public. My consent is hereby confirmed.

Signature:	[redacted]	Date:19/12/2016

Official Use Only Reference Number

4128

Mineral and Waste Joint Plan

Planning Services

North Yorkshire County Council

Northallerton

DL7 8AH

19 December 2016

Minerals and Waste Joint Plan – Site MJP12

It has been brought to my attention that North Yorkshire County Council are constructing their draft Mineral and Waste joint plan. It is suggested that Whitewall Quarry is to be discounted from the plan on various grounds including adverse impact on local communities due to heavy traffic travelling through Norton on Derwent along with impact on the economy at Malton, Norton and local area including the horse racing industry.

I have lived at the foot of the quarry on Bazley's Lane [redacted] and worked with and have known many of the local racehorse trainers in the area.

To this end it is not only my opinion but one shared by most trainers that Whitewall Quarry is **not** causing any impact to the horse racing industry it's actually the opposite, many of the stables and gallops use Whitewall Quarry products. I know that the quarry has supplied large volumes of products to one of the trainers at the end of Bazley's Lane who has been expanding his business over recent years and this is likewise said for another trainer who has also expanded tremendously. These are the sort of business including the one's in Whitewall Quarry are big employers in the area to which we need.

The Quarry is actually getting further away from residents on Bazley's Lane who are the closest to the quarry and I can say without question, noise , dust and vibrations as reported in your plan is definitely not an issue (monitoring for this was carried out by NYCC in the field behind my property)

The suggestion that heavy traffic is a major impact on Norton on Derwent is incorrect, the impact for anyone who lives in Norton on Derwent has reduce since the construction of Bramley field's roundabout which has taken not only HGV's but cars and vans away from Malton and Norton bound for North Grave Industrial estate. This scheme **has** been a success

If this site is not included in the Minerals and Waste Joint plan then what will be the future of Whitewall Quarry? Can we really put employment at risk, will all of the new homes being built in the area of White wall products as well as the employment it brings

As one of the more local residents to the quarry, I would ask for Whitewall Quarry to be included in the Minerals and Waste Joint Plan

Regards [redacted]

[redacted]

4129

Minerals and Waste Joint Plan

Publication Stage- Response Form

Part A - Contact details

Your contact details

Name: [redacted]	Title:	Initial(s):
Surname: [redacted]		
Organisation (if applicable): [redacted]		
Address: [redacted]		
Post Code: [redacted]		
Telephone: [redacted]		
Email: [redacted]		

Agent contact details (if applicable)

Name:	Title:	Initial(s):
Surname:		
Organisation (if applicable):		
Address:		
Post Code:		
Telephone:		
Email:		

Please ensure that your contact details in Part A are correctly filled in. Without this information your representations cannot be recorded. Please also see the note on Data Protection at the bottom of this page before submitting your response.

At this stage in producing the Joint Plan, representations should be focussed on legal compliance, compliance with the Duty to Cooperate and whether the Plan meets the four tests of soundness. More information on these matters are provided in separate **guidance notes. You are strongly advised to read these notes, which have been prepared by the Planning Inspectorate, before responding.**

A separate **Part B** form **MUST** be produced for each separate representation you wish to make. After this stage, further submissions will only be at the invitation of the inspector who will conduct an Examination in Public of the Joint Plan, based on the matters they identify during the Examination.

All responses should be returned by 5pm on Wednesday 21st December 2016. Please note that representations cannot be received after this deadline.

Responses can be returned by email to: mwjointplan@northyorks.gov.uk or by post using the address below:

Minerals and Waste Joint Plan Team
Planning Services
North Yorkshire County Council
County Hall
Northallerton
DL7 8AH

Data Protection:
North Yorkshire County Council, the North York Moors National Park Authority and the City of York Council are registered under the Data Protection Act 1998. For the purposes of the Data Protection Act legislation, your contact details and responses will only be retained for the preparation of the Minerals and Waste Joint Plan. Representations made at Publication stage cannot remain anonymous, but details will only be used in relation to the Minerals and Waste Joint Plan. Your response will be made avalible to view on the website and as part of the examination.

For official use only:
Respondent Number Date received 21/12/16 Date entered ..... Date acknowledged .....

4129

Publication stage Response form - Part B

Please use a separate Part B form for each representation

Name or Organisation :	[redacted]

Please mark with an x as appropriate

1. To which part of the Minerals and Waste Joint Plan does this representation relate?

Paragraph No./ Site Allocation Reference No.	MJP12	Policy No.	M09	Policies Map	

2. Do you consider the Minerals and Waste Joint Plan is :

2.(1) Legally compliant	Yes	x	No	
2.(2) Sound	Yes		No	x

(2a) Which Element of soundness does your respresentation relate to? (please only mark with an x one element of soundness per response form).

Positively Prepared	Yes		No	x	*Justified*	Yes		No	x
Effective	Yes		No	x	*Consistent with National Policy*	Yes		No	x

2 (3) Complies with the Duty to co-operate	Yes		No	

3. Please give details below of why you consider the Minerals and Waste Joint Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

We like Whitewall Quarries as a local business and trade isn't affected by the waggons, it brings business to the local economy

Site MSP12 should be allowed to continue as they have contributed locally for many years.

(continue on a separate sheet/expand box if necessary)

4. Please set out what modification(s) you consider necessary to make the Minerals and Waste Joint Plan legally compliant or sound, having regard to the Matter you have identified at 3. above where this relates to soundness. (NB Please note that any non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why this modification will make the Minerals and Waste Joint Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The Quarry (site ref MSP12) should be included in Appendix 1, the MWJSP is not Sound.

(continue on a separate sheet/expand box if necessary)

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

5. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

x	**No,** I do not wish to participate at the oral examination		**Yes,** I wish to participate at the oral examination

6. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

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

All responses received will be considered and any information provided will be made public. My consent is hereby confirmed.

Signature: [redacted]	Date:19/12/2016

Official Use Only Reference Number

4130

Minerals and Waste Joint Plan

Publication Stage- Response Form

Part A - Contact details

Your contact details

Name:	Title: Mr	Initial(s): DBW
Surname:	WAKELET .	
Organisation (if applicable):	MASSEYS PHOTO SHOP.	
Address:	30 WHEELGATE	
	MALTON	
Post Code:	YO17 7HP .	
Telephone:	01653 692468 .	
Email:	david@ryedale.co.uk .	

Agent contact details (if applicable)

Name:	Title:	Initial(s):
Surname:		
Organisation (if applicable):		
Address:		
Post Code:		
Telephone:		
Email:		

Please ensure that your contact details in Part A are correctly filled in. Without this information your representations cannot be recorded. Please also see the note on Data Protection at the bottom of this page before submitting your response.

At this stage in producing the Joint Plan, representations should be focussed on legal compliance, compliance with the Duty to Cooperate and whether the Plan meets the four tests of soundness. More information on these matters are provided in separate **guidance notes**. **You are strongly advised to read these notes, which have been prepared by the Planning Inspectorate, before responding.**

A separate **Part B** form **MUST** be produced for each separate representation you wish to make. After this stage, further submissions will only be at the invitation of the inspector who will conduct an Examination in Public of the Joint Plan, based on the matters they identify during the Examination.

All responses should be returned by 5pm on Wednesday 21st December 2016. Please note that representations cannot be received after this deadline.

Responses can be returned by email to: mwjointplan@northyorks.gov.uk or by post using the address below:

Minerals and Waste Joint Plan Team
Planning Services
North Yorkshire County Council
County Hall
Northallerton
DL7 8AH

Data Protection:
North Yorkshire County Council, the North York Moors National Park Authority and the City of York Council are registered under the Data Protection Act 1998. For the purposes of the Data Protection Act legislation, your contact details and responses will only be retained for the preparation of the Minerals and Waste Joint Plan. Representations made at Publication stage cannot remain anonymous, but details will only be used in relation to the Minerals and Waste Joint Plan. Your response will be made avalible to view on the website and as part of the examination.

For official use only:
Respondent Number ..... Date received 21/12/16 ..... Date entered ..... Date acknowledged .....

4130

Publication stage Response form - Part B

Please use a separate Part B form for each representation

Name or Organisation :	MASSERS PHOTO SHOP .

Please mark with an x as appropriate

1. To which part of the Minerals and Waste Joint Plan does this representation relate?

Paragraph No./ Site Allocation Reference No.	MJP12	Policy No.	M09	Policies Map	

2. Do you consider the Minerals and Waste Joint Plan is :

2.(1) Legally compliant	Yes	x	No	
2.(2) Sound	Yes		No	x

(2a) Which Element of soundness does your respresentation relate to? (please only mark with an x one element of soundness per response form).

Positively Prepared	Yes		No	x	*Justified*	Yes	No	x
Effective	Yes		No	x	*Consistent with National Policy*	Yes	No	x

2 (3) Complies with the Duty to co-operate	Yes		No	

3. Please give details below of why you consider the Minerals and Waste Joint Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

MASSERS HAS BEEN IN MARKET FOR 50 YEARS, LIKE WISE IS A FAMILY BUSINESS SUPPORTING THE LOCAL COMMUNITY, AND THE DISTURBANCE BY WHITEWALL QUARRIES WORKS HAS NOT BEEN NOTICED AT ALL AND DOES NOT AFFECT MY BUSINESS

SITE MJP12 SHOULD BE REALLOWED TO CONTINUE TRADING IT WILL BE UNJUST IF THEY ARE NOT ALLOCATED PERMISSION .

(continue on a separate sheet/expand box if necessary)

4130

4. Please set out what modification(s) you consider necessary to make the Minerals and Waste Joint Plan legally compliant or sound, having regard to the Matter you have identified at 3. above where this relates to soundness. (NB Please note that any non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why this modification will make the Minerals and Waste Joint Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

IN MY MIND THE MWJP IS NOT SOUND, MJP12 SITE SHOULD BE ALLOWED TO CONTINUE TO EXTRACT MINERALS. AND MUST BE INCLUDED IN APPENDIX 1 to CONTINUE IN BUSINESS.

(continue on a separate sheet/expand box if necessary)

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

5. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

x	**No,** I do not wish to participate at the oral examination		**Yes,** I wish to participate at the oral examination

6. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

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

All responses received will be considered and any information provided will be made public. My consent is hereby confirmed.

Signature: [redacted]	Date:19/12/2016

Official Use Only Reference Number

4131

Minerals and Waste Joint Plan

Publication Stage- Response Form

Part A - Contact details

Your contact details

Name:	Title: Mr	Initial(s):D
Surname:Carroll		
Organisation (if applicable): Declan Carroll Racing		
Address:	Park Road	
	Norton	
	Malton	
Post Code:YO17 9EA		
Telephone:07801 553779		
Email:		

Agent contact details (if applicable)

Name:	Title:	Initial(s):
Surname:		
Organisation (if applicable):		
Address:		
Post Code:		
Telephone:		
Email:		

Please ensure that your contact details in Part A are correctly filled in. Without this information your representations cannot be recorded. Please also see the note on Data Protection at the bottom of this page before submitting your response.

At this stage in producing the Joint Plan, representations should be focussed on legal compliance, compliance with the Duty to Cooperate and whether the Plan meets the four tests of soundness. More information on these matters are provided in separate **guidance notes. You are strongly advised to read these notes, which have been prepared by the Planning Inspectorate, before responding.**

A separate **Part B** form **MUST** be produced for each separate representation you wish to make. After this stage, further submissions will only be at the invitation of the inspector who will conduct an Examination in Public of the Joint Plan, based on the matters they identify during the Examination.

All responses should be returned by 5pm on Wednesday 21st December 2016. Please note that representations cannot be received after this deadline.

Responses can be returned by email to: mwjointplan@northyorks.gov.uk or by post using the address below:

Minerals and Waste Joint Plan Team
Planning Services
North Yorkshire County Council
County Hall
Northallerton
DL7 8AH

Data Protection:
North Yorkshire County Council, the North York Moors National Park Authority and the City of York Council are registered under the Data Protection Act 1998. For the purposes of the Data Protection Act legislation, your contact details and responses will only be retained for the preparation of the Minerals and Waste Joint Plan. Representations made at Publication stage cannot remain anonymous, but details will only be used in relation to the Minerals and Waste Joint Plan. Your response will be made avalible to view on the website and as part of the examination.

For official use only:
Respondent Number Date received 21/12/16 Date entered ..... Date acknowledged .....

matters are provided in separate **guidance notes. You are strongly advised to read these notes, which have been prepared by the Planning Inspectorate, before responding.**

4131

A separate **Part B** form **MUST** be produced for each separate representation you wish to make. After this stage, further submissions will only be at the invitation of the inspector who will conduct an Examination in Public of the Joint Plan, based on the matters they identify during the Examination.

All responses should be returned by 5pm on Wednesday 21st December 2016. Please note that representations cannot be received after this deadline.

Responses can be returned by email to: mwjointplan@northyorks.gov.uk or by post using the address below:

Minerals and Waste Joint Plan Team
Planning Services
North Yorkshire County Council
County Hall
Northallerton
DL7 8AH

Data Protection:
North Yorkshire County Council, the North York Moors National Park Authority and the City of York Council are registered under the Data Protection Act 1998. For the purposes of the Data Protection Act legislation, your contact details and responses will only be retained for the preparation of the Minerals and Waste Joint Plan. Representations made at Publication stage cannot remain anonymous, but details will only be used in relation to the Minerals and Waste Joint Plan. Your response will be made avalible to view on the website and as part of the examination.

For official use only:			
Respondent Number	Date received.....	Date entered	Date acknowledged.....

4131

Publication stage Response form - Part B

Please use a separate Part B form for each representation

Name or Organisation :	Declan Carroll Racing

Please mark with an x as appropriate

1. To which part of the Minerals and Waste Joint Plan does this representation relate?

Paragraph No./ Site Allocation Reference No.	MJP 12	Policy No.	M09	Policies Map	

2. Do you consider the Minerals and Waste Joint Plan is :

2.(1) Legally compliant	Yes	X	No	
2.(2) Sound	Yes		No	X

(2a) Which Element of soundness does your respresentation relate to? (please only mark with an x one element of soundness per response form).

Positively Prepared	Yes		X	*ed*	Yes	No	X
Effective	Yes		X	*stent with National Policy*	Yes	No	X

2 (3) Complies with the Duty to co-operate	Yes		No	

3. Please give details below of why you consider the Minerals and Waste Joint Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

I do not find this Plan legally compliant on the basis that MJP 12 will impact on the economy of Malton, Norton and local area, including the horse racing industry.

Please see attached Sheet.

(continue on a separate sheet/expand box if necessary)

4. Please set out what modification(s) you consider necessary to make the Minerals and Waste Joint Plan legally compliant or sound, having regard to the Matter you have identified at 3. above where this relates to soundness. (NB Please note that any non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why this modification will make the Minerals and Waste Joint Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

To make this Plan legally sound Whitewall Quarry should be included in Appendix 1 of the Plan

(continue on a separate sheet/expand box if necessary)

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

5. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

☒ **No,** I do not wish to participate at the oral examination

☐ **Yes,** I wish to participate at the oral examination

6. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

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

All responses received will be considered and any information provided will be made public. My consent is hereby confirmed.

4131

Signature:	Date:
	16/12/16

[redacted]

Official Use Only Reference Number

4131

16.12.2016

Declan Carroll Racing ltd,
Park Road,
Welham Road,
Norton,
Malton.
YO17 9EA.

Ref- Whitewall Quarry MJP 12

Mineral & Waste Joint Planning Services

I write in response to documents from NYCC's mineral and waste services regarding the future of Whitewall Quarry and the impact the site has on the local economy and racing industry.
I train horses in the close proximity of Whitewall quarry, with stable based just off Welham Road. Declan Carroll racing has enjoyed a successful years and have good reason to believe that the coming years will be similar. At no point last year or at any point before have W Clifford Watts activities at Whitewall Quarry caused us any issues and do not in any way have a detrimental effect on my horses or the way I train them.
The reason I write this letter is that it concerns me that this quarry supports many local families and it would be a great shame to force a long standing local business to close when the operator is keen to continue with this facility, and in so doing safeguard the jobs and futures of the local community.
I hope you will consider this before making any decisions that could affect the local community.

Yours sincerely

[redacted]

Publication Stage- Response Form

Part A - Contact details

Your contact details

Name:	Title:	Initial(s):
Su[redacted]		
Organisation (if applicable):		
Address: [redacted]		
Post Code		
Telephone		
Email:		

Agent contact details (if applicable)

Name:	Title:	Initial(s):
Surname:		
Organisation (if applicable):		
Address:		
Post Code:		
Telephone:		
Email:		

Please ensure that your contact details in Part A are correctly filled in. Without this information your representations cannot be recorded. Please also see the note on Data Protection at the bottom of this page before submitting your response.

At this stage in producing the Joint Plan, representations should be focussed on legal compliance, compliance with the Duty to Cooperate and whether the Plan meets the four tests of soundness. More information on these

matters are provided in separate **guidance notes. You are strongly advised to read these notes, which have been prepared by the Planning Inspectorate, before responding.**

4132

A separate **Part B** form **MUST** be produced for each separate representation you wish to make. After this stage, further submissions will only be at the invitation of the inspector who will conduct an Examination in Public of the Joint Plan, based on the matters they identify during the Examination.

All responses should be returned by 5pm on Wednesday 21st December 2016. Please note that representations cannot be received after this deadline.

Responses can be returned by email to: mwjointplan@northyorks.gov.uk or by post using the address below:

Minerals and Waste Joint Plan Team
Planning Services
North Yorkshire County Council
County Hall
Northallerton
DL7 8AH

Data Protection:
North Yorkshire County Council, the North York Moors National Park Authority and the City of York Council are registered under the Data Protection Act 1998. For the purposes of the Data Protection Act legislation, your contact details and responses will only be retained for the preparation of the Minerals and Waste Joint Plan. Representations made at Publication stage cannot remain anonymous, but details will only be used in relation to the Minerals and Waste Joint Plan. Your response will be made avalible to view on the website and as part of the examination.

For official use only:
Respondent Number Date received..... Date entered ..... Date acknowledged.....

4132

Publication stage Response form - Part B

Please use a separate Part B form for each representation

Name or Organisation :	

Please mark with an x as appropriate

1. To which part of the Minerals and Waste Joint Plan does this representation relate?

Paragraph No./ Site Allocation Reference No. MSR 12 | Policy No. M09 | Policies Map

2. Do you consider the Minerals and Waste Joint Plan is :

2.(1) Legally compliant	Yes		No	
2.(2) Sound	Yes		No	X

(2a) Which Element of soundness does your respresentation relate to? (please only mark with an x one element of soundness per response form).

Positively Prepared	Yes		*ed*	Yes	No		X
Effective	Yes		*stent with National Policy*	Yes	No		X

2 (3) Complies with the Duty to co-operate	Yes		No	

3. Please give details below of why you consider the Minerals and Waste Joint Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Please see separate sheet

4132

(continue on a separate sheet/expand box if necessary)

4. Please set out what modification(s) you consider necessary to make the Minerals and Waste Joint Plan legally compliant or sound, having regard to the Matter you have identified at 3. above where this relates to soundness. (NB Please note that any non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why this modification will make the Minerals and Waste Joint Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

the view that MSP12 will impact on the horse racing industry are unfounded and should be removed, and Whitewall Quarry should be included in the MWJP.

(continue on a separate sheet/expand box if necessary)

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

5. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

☒ **No,** I do not wish to participate at the oral examination

☐ **Yes,** I wish to participate at the oral examination

6. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

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

All responses received will be considered and any information provided will be made public. My consent is hereby confirmed.

4132

Signature:	Date:
[redacted]	11/12/16

Official Use Only Reference Number

4132

[redacted]

Dear Sir / Madam

It has been brought to my attention that the future of Whitewall quarry has been brought into doubt after the publication of the minerals and waste joint plan. Personally I have been training horses in the Norton and Malton area for some 30 years and have not in any way been impacted by any of the reasons listed as part of the reasoning within this document. The quarry has been in operation throughout my time as a local trainer, and for some time before I am led to believe. I have never had any issues with the traffic from the quarry and am yet to hear any excessive noise. I would like to think that you will consider the impact of forcing a well-established local company to close based on findings that I am yet to encounter.

Regard[redacted]

Publication Stage- Response Form

Part A - Contact details

Your contact details

Name:	Title:	Initial(s): C
Surname: HALLIDAY		
Organisation (if applicable): ACORN COMMUNITY CARE		
Address:	White Flower Mill	
	Scarborough Rd	
	Norton	
Post Code: YO17 8EE		
Telephone: 01653 699922		
Email:		

Agent contact details (if applicable)

Name:	Title:	Initial(s):
Surname:		
Organisation (if applicable):		
Address:		
Post Code:		
Telephone:		
Email:		

Please ensure that your contact details in Part A are correctly filled in. Without this information your representations cannot be recorded. Please also see the note on Data Protection at the bottom of this page before submitting your response.

At this stage in producing the Joint Plan, representations should be focussed on legal compliance, compliance with the Duty to Cooperate and whether the Plan meets the four tests of soundness. More information on these

matters are provided in separate **guidance notes. You are strongly advised to read these notes, which have been prepared by the Planning Inspectorate, before responding.**

4133

A separate **Part B** form **MUST** be produced for each separate representation you wish to make. After this stage, further submissions will only be at the invitation of the inspector who will conduct an Examination in Public of the Joint Plan, based on the matters they identify during the Examination.

All responses should be returned by 5pm on Wednesday 21st December 2016. Please note that representations cannot be received after this deadline.

Responses can be returned by email to: mwjointplan@northyorks.gov.uk or by post using the address below:

Minerals and Waste Joint Plan Team
Planning Services
North Yorkshire County Council
County Hall
Northallerton
DL7 8AH

Data Protection:
North Yorkshire County Council, the North York Moors National Park Authority and the City of York Council are registered under the Data Protection Act 1998. For the purposes of the Data Protection Act legislation, your contact details and responses will only be retained for the preparation of the Minerals and Waste Joint Plan. Representations made at Publication stage cannot remain anonymous, but details will only be used in relation to the Minerals and Waste Joint Plan. Your response will be made avalible to view on the website and as part of the examination.

For official use only:
Respondent Number Date received..... Date entered ..... Date acknowledged.....

4133

Publication stage Response form - Part B

Please use a separate Part B form for each representation

Name or Organisation :	Acorn Community Care

Please mark with an x as appropriate

1. To which part of the Minerals and Waste Joint Plan does this representation relate?

Paragraph No./ Site Allocation Reference No.	MSP12	Policy No.	M09	Policies Map	

2. Do you consider the Minerals and Waste Joint Plan is :

2.(1) Legally compliant	Yes	X	No	
2.(2) Sound	Yes		No	X

(2a) Which Element of soundness does your respresentation relate to? (please only mark with an x one element of soundness per response form).

Positively Prepared	Yes		X	*ed*	Yes	No	X
Effective	Yes		X	*istent with National Policy*	Yes	No	X

2 (3) Complies with the Duty to co-operate	Yes		No	

3. Please give details below of why you consider the Minerals and Waste Joint Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

~~Please see separate sheet~~

See attached sheet.

(continue on a separate sheet/expand box if necessary)

4. Please set out what modification(s) you consider necessary to make the Minerals and Waste Joint Plan legally compliant or sound, having regard to the Matter you have identified at 3. above where this relates to soundness. (NB Please note that any non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why this modification will make the Minerals and Waste Joint Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please see separate sheet

In order to make the Plan Justified, hence sound, Whitewall Quarry (site MJP12) should not be discounted and should be included in Appendix 1 in the MWJP.

(continue on a separate sheet/expand box if necessary)

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

5. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

☒ **No,** I do not wish to participate at the oral examination

☐ **Yes,** I wish to participate at the oral examination

6. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

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

All responses received will be considered and any information provided will be made public. My consent is hereby confirmed.

4133

Signature:	Date:
[redacted]	19/12/16

Official Use Only Reference Number

4133

ACORN COMMUNITY CARE

WHINFLOWER HALL

SCARBOROUGH ROAD

NORTON

YO17 8EE

Dear Sir / Madam

I am writing over concerns about the future of Whitewall quarry following the release of the Mineral & Waste joint plan. We are a local charity providing a range of services for adults (18+) witha learning and/or physical disabilities in the Rydale and North Yorkshire areas. W Clifford Watts have supported us by kind donations and it would be very sad to see this long standing company be forced to close .

After reading the document it states that traffic congestion is a major factor for the proposed exclusion of Whitewall on the future planning list. In my experience the traffic from the quarry has not noticeably increased over the many years the quarry has existed. The inclusion of Brambling Field roundabout has reduced traffic massively through Malton and Norton bound for Norton Grove industrial estate. Based on this, any impact HGV traffic has previously had in the area has been greatly reduced since the addition of the roundabout.

Please consider the impact of not allowing this long standing quarry to continue providing essential jobs, materials and support to the local community before deciding on its future. It's my firm belief that the community in a whole should support any business that has supported the community for so many years.

4134

Minerals and Waste Joint Plan

Publication Stage- Response Form

Part A - Contact details

Your contact details

Name:	Title: mr	Initial(s):B
Surname:Rothwell		
Organisation (if applicable): BRYAN ROTHWELL RACING		
Address:	THE OLD POST OFFICE	
	OSWALDKIRK	
	YORK,	
YO62 5XT		
Telephone:07969 968241		
Email:		

Agent contact details (if applicable)

Name:	Title:	Initial(s):
Surname:		
Organisation (if applicable):		
Address:		
Post Code:		
Telephone:		
Email:		

Please ensure that your contact details in Part A are correctly filled in. Without this information your representations cannot be recorded. Please also see the note on Data Protection at the bottom of this page before submitting your response.

At this stage in producing the Joint Plan, representations should be focussed on legal compliance, compliance with the Duty to Cooperate and whether the Plan meets the four tests of soundness. More information on these matters are provided in separate **guidance notes**. **You are strongly advised to read these notes, which have been prepared by the Planning Inspectorate, before responding.**

A separate **Part B** form **MUST** be produced for each separate representation you wish to make. After this stage, further submissions will only be at the invitation of the inspector who will conduct an Examination in Public of the Joint Plan, based on the matters they identify during the Examination.

All responses should be returned by 5pm on Wednesday 21st December 2016. Please note that representations cannot be received after this deadline.

Responses can be returned by email to: mwjointplan@northyorks.gov.uk or by post using the address below:

Minerals and Waste Joint Plan Team
Planning Services
North Yorkshire County Council
County Hall
Northallerton
DL7 8AH

Data Protection:
North Yorkshire County Council, the North York Moors National Park Authority and the City of York Council are registered under the Data Protection Act 1998. For the purposes of the Data Protection Act legislation, your contact details and responses will only be retained for the preparation of the Minerals and Waste Joint Plan. Representations made at Publication stage cannot remain anonymous, but details will only be used in relation to the Minerals and Waste Joint Plan. Your response will be made avalible to view on the website and as part of the examination.

For official use only:
Respondent Number ..... Date received 21/12/16 Date entered ..... Date acknowledged .....

4134

Publication stage Response form - Part B

Please use a separate Part B form for each representation

Name or Organisation :	Brian Rothwell Racing.

Please mark with an x as appropriate

1. To which part of the Minerals and Waste Joint Plan does this representation relate?

Paragraph No./ Site Allocation Reference No.	MJP12	Policy No.	M09	Policies Map	

2. Do you consider the Minerals and Waste Joint Plan is :

2.(1) Legally compliant	Yes	√	No	
2.(2) Sound	Yes		No	√

(2a) Which Element of soundness does your respresentation relate to? (please only mark with an x one element of soundness per response form).

Positively Prepared	Yes		No	√	*Justified*	Yes	No	√
Effective	Yes		No	√	*Consistent with National Policy*	Yes	No	√

2 (3) Complies with the Duty to co-operate	Yes		No	

3. Please give details below of why you consider the Minerals and Waste Joint Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

I do not think the draft plan is sound on the basis of effecting the horse racing industry, traffic impact and noise, dust, air quality in Norton and Malton, vibration, and quality of life. See attached supporting letter.

(continue on a separate sheet/expand box if necessary)

4. Please set out what modification(s) you consider necessary to make the Minerals and Waste Joint Plan legally compliant or sound, having regard to the Matter you have identified at 3. above where this relates to soundness. (NB Please note that any non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why this modification will make the Minerals and Waste Joint Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Whitewall quarry (MPJ12) should be included in the MWJP as an allocated site for the extraction of crushed rock.

(continue on a separate sheet/expand box if necessary)

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

5. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

√	**No,** I do not wish to participate at the oral examination		**Yes,** I wish to participate at the oral examination

6. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

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

All responses received will be considered and any information provided will be made public. My consent is hereby confirmed.

Signature: [redacted]	Date:19/12/2016

Official Use Only Reference Number

4134

Brian Rothwell Racing

The Old Post Office

Oswald Kirk

YORK

YO62 5XT

19 December 2016

Mixed and Waste Joint Plan

Whitewall Quarry (MJP 12)

I have trained race horses at Norton Grange Stables which is off Welham Road in Norton for the last 6 years.

The discounted sites key sensitivities identified regarding (MJP 12) is unsound on the following grounds.

Whitewall Quarry is not and has never had a negative impact on training horses at our yard, The HGV vehicles have no effect whilst running our horses on the local gallops. To this end the statement regarding MJP 12 "impact on economy of the Malton, Norton and local area including the horse racing industry" is untrue.

Being close to the Quarry I also disagree with the statements "including, noise, dust, air quality, vibration and quality of life".

Whitewall Quarry is a good employer in the area and we should be supporting growth for jobs not closing long established business down.

Yours sincerely

[redacted]

Received – 21/12/16

Minerals and Waste Joint Plan

Publication Stage- Response Form

Part A - Contact details

Your contact details

Name:	Title: MR	Initial(s): SJ
Surname: CARLISTHORP		
Organisation (if applicable): JB MOTORS		
Address:	WENTWORTH ST	
	MALTON	
Post Code: YO17 7BN		
Telephone: 01653 692678		
Email:		

Agent contact details (if applicable)

Name:	Title:	Initial(s):
Surname:		
Organisation (if applicable):		
Address:		
Post Code:		
Telephone:		
Email:		

Please ensure that your contact details in Part A are correctly filled in. Without this information your representations cannot be recorded. Please also see the note on Data Protection at the bottom of this page before submitting your response.

At this stage in producing the Joint Plan, representations should be focussed on legal compliance, compliance with the Duty to Cooperate and whether the Plan meets the four tests of soundness. More information on these

matters are provided in separate **guidance notes. You are strongly advised to read these notes, which have been prepared by the Planning Inspectorate, before responding.** 4135

A separate **Part B** form **MUST** be produced for each separate representation you wish to make. After this stage, further submissions will only be at the invitation of the inspector who will conduct an Examination in Public of the Joint Plan, based on the matters they identify during the Examination.

All responses should be returned by 5pm on Wednesday 21st December 2016. Please note that representations cannot be received after this deadline.

Responses can be returned by email to: mwjointplan@northyorks.gov.uk or by post using the address below:

Minerals and Waste Joint Plan Team
Planning Services
North Yorkshire County Council
County Hall
Northallerton
DL7 8AH

Data Protection:
North Yorkshire County Council, the North York Moors National Park Authority and the City of York Council are registered under the Data Protection Act 1998. For the purposes of the Data Protection Act legislation, your contact details and responses will only be retained for the preparation of the Minerals and Waste Joint Plan. Representations made at Publication stage cannot remain anonymous, but details will only be used in relation to the Minerals and Waste Joint Plan. Your response will be made avalible to view on the website and as part of the examination.

For official use only:
Respondent Number Date received..... Date entered ..... Date acknowledged.....

4135

Publication stage Response form - Part B

Please use a separate Part B form for each representation

Name or Organisation :	JB Motors

Please mark with an x as appropriate

1. To which part of the Minerals and Waste Joint Plan does this representation relate?

Paragraph No./ Site Allocation Reference No. MSP12 Policy No. M09 Policies Map

2. Do you consider the Minerals and Waste Joint Plan is :

2.(1) Legally compliant Yes [ ] No [X]

2.(2) Sound Yes [ ] No [X]

(2a) Which Element of soundness does your respresentation relate to? (please only mark with an x one element of soundness per response form).

Positively Prepared Yes [ ] No [X]

Effective Yes [ ] No [X]

Consistent with National Policy Yes [ ] No [X]

2 (3) Complies with the Duty to co-operate Yes [ ] No [ ]

3. Please give details below of why you consider the Minerals and Waste Joint Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Please see separate sheet

See separate sheet

(continue on a separate sheet/expand box if necessary)

4. Please set out what modification(s) you consider necessary to make the Minerals and Waste Joint Plan legally compliant or sound, having regard to the Matter you have identified at 3. above where this relates to soundness. (NB Please note that any non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why this modification will make the Minerals and Waste Joint Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please see separate sheet

WHITEWALL QUARRY SITE MJP12 SHOULD CONTINE TO HAVE PLANNING PERMISSION FOR THE CONTINUED SUCESS OF THE TOWN. THEY SHOULD NOT BE DISCOUNTED AND BE INCLUDED IN APPENDIX 1. OF THE MWJPAS AN ALLOCATED SITE FOR CRUSHED ROCK.

(continue on a separate sheet/expand box if necessary)

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

5. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

☒ **No,** I do not wish to participate at the oral examination

☐ **Yes,** I wish to participate at the oral examination

6. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

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

4135

All responses received will be considered and any information provided will be made public. My consent is hereby confirmed.

Signature:	Date:
[redacted]	19/12/2016

Official Use Only Reference Number

__ __ __

4135.

JB Motors

Minerals and Waste Joint Plan Team
Planning Service
North Yorkshire County Council
Northallerton
DL7 8AH

JB Motors
Wentworth Street, Malton
North Yorkshire YO17 7BN
Tel. 01653 692678
Fax 01653 600694

sales@jbmotors.co.uk
www.jbmotors

19th December 2016

Dear Sirs,

With reference to the impact of the HGV traffic movements through Malton regarding site MJP12.

As per our business Whitewall Quarry is a family owned business providing employment for local business. The HGV traffic through Malton has no negative impact on our business which is based on the road out of Malton. Whitewall Quarry provides support to our local housing development, local shops and trades people.

Yours sincerely

[redacted]

Stuart Carruthers
Retail Operator

4136
Recieved 21/12/16

Publication Stage- Response Form

Part A - Contact details

Your contact details

Name:	Title:	Initial(s): M
Surname: O'RUDZ		
Organisation (if applicable): DEREK FOX BUTTRESS		
Address:	25 MARKET PLACE MALTON	
Post Code: YO17 7LP		
Telephone: 01653 600358		
Email:		

Agent contact details (if applicable)

Name:	Title:	Initial(s):
Surname:		
Organisation (if applicable):		
Address:		
Post Code:		
Telephone:		
Email:		

Please ensure that your contact details in Part A are correctly filled in. Without this information your representations cannot be recorded. Please also see the note on Data Protection at the bottom of this page before submitting your response.

At this stage in producing the Joint Plan, representations should be focussed on legal compliance, compliance with the Duty to Cooperate and whether the Plan meets the four tests of soundness. More information on these

matters are provided in separate **guidance notes. You are strongly advised to read these notes, which have been prepared by the Planning Inspectorate, before responding.**

4136

A separate **Part B** form **MUST** be produced for each separate representation you wish to make. After this stage, further submissions will only be at the invitation of the inspector who will conduct an Examination in Public of the Joint Plan, based on the matters they identify during the Examination.

All responses should be returned by 5pm on Wednesday 21st December 2016. Please note that representations cannot be received after this deadline.

Responses can be returned by email to: mwjointplan@northyorks.gov.uk or by post using the address below:

Minerals and Waste Joint Plan Team
Planning Services
North Yorkshire County Council
County Hall
Northallerton
DL7 8AH

Data Protection:
North Yorkshire County Council, the North York Moors National Park Authority and the City of York Council are registered under the Data Protection Act 1998. For the purposes of the Data Protection Act legislation, your contact details and responses will only be retained for the preparation of the Minerals and Waste Joint Plan. Representations made at Publication stage cannot remain anonymous, but details will only be used in relation to the Minerals and Waste Joint Plan. Your response will be made avalible to view on the website and as part of the examination.

For official use only:
Respondent Number Date received..... Date entered ..... Date acknowledged.....

4136

Publication stage Response form - Part B

Please use a separate Part B form for each representation

Name or Organisation :	Derek Fox Butchers

Please mark with an x as appropriate

1. To which part of the Minerals and Waste Joint Plan does this representation relate?

Paragraph No./ Site Allocation Reference No.	MSP12	Policy No.	M09	Policies Map	

2. Do you consider the Minerals and Waste Joint Plan is :

2.(1) Legally compliant	Yes	X	No	
2.(2) Sound	Yes		No	X

(2a) Which Element of soundness does your respresentation relate to? (please only mark with an x one element of soundness per response form).

Positively Prepared	Yes		X	*ed*	Yes	No	X
Effective	Yes		X	*istent with National Policy*	Yes	No	X

2 (3) Complies with the Duty to co-operate	Yes		No	

3. Please give details below of why you consider the Minerals and Waste Joint Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Please see separate sheet

4136

(continue on a separate sheet/expand box if necessary)

4. Please set out what modification(s) you consider necessary to make the Minerals and Waste Joint Plan legally compliant or sound, having regard to the Matter you have identified at 3. above where this relates to soundness. (NB Please note that any non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why this modification will make the Minerals and Waste Joint Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please ~~see separate~~ sheet

to make the MWJP sound any references regarding impact on the economy of Malton / Norton and local area and references to traffic being an adverse impact on local community by Whitewall Quarry should be withdrawn and Whitewall Quarry (MSP12) should be included in Appendix 1 of the MWJP as a allocated site.

(continue on a separate sheet/expand box if necessary)

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

5. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

☒ **No,** I do not wish to participate at the oral examination

☐ **Yes,** I wish to participate at the oral examination

6. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

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

All responses received will be considered and any information provided will be made public. My consent is hereby confirmed.

#136

Signature:	Date:
[redacted]	19/12/16

Official Use Only Reference Number

__ __ __

4136

DEREK FOX
BUTCHERS
&
GAME DEALER
25 Market Place,
Malton,
North Yorkshire,
YO17 7LP
01653 600338
www.derekfoxbutchers.co.uk

Derek Fox Butchers
25 Market Place
Malton
YO17 7LP.

19/12/16.

Dear Sir/Madam.

I am writing over concerns for Whitewall quarry, W. Clifford Watt are long standing in the community and support the local economy.

The traffic doesn't affect our business, the more Malton grows the more our small local business will.

Yours.

[redacted]

4137

Minerals and Waste Joint Plan

Publication Stage- Response Form

Part A - Contact details

Your contact details

Name:	Title: Mr	Initial(s): B
Surname: Ellison		
Brian Ellison Racing Ltd		
Address:	Spring Cottage Stables	
	Langton Rd	
	Norton	
Post Code: YO17 9PY		
Telephone:07785 747426		
Email:		

Agent contact details (if applicable)

Name:	Title:	Initial(s):
Surname:		
Organisation (if applicable):		
Address:		
Post Code:		
Telephone:		
Email:		

Please ensure that your contact details in Part A are correctly filled in. Without this information your representations cannot be recorded. Please also see the note on Data Protection at the bottom of this page before submitting your response.

At this stage in producing the Joint Plan, representations should be focussed on legal compliance, compliance with the Duty to Cooperate and whether the Plan meets the four tests of soundness. More information on these matters are provided in separate **guidance notes**. **You are strongly advised to read these notes, which have been prepared by the Planning Inspectorate, before responding.**

A separate **Part B** form **MUST** be produced for each separate representation you wish to make. After this stage, further submissions will only be at the invitation of the inspector who will conduct an Examination in Public of the Joint Plan, based on the matters they identify during the Examination.

All responses should be returned by 5pm on Wednesday 21st December 2016. Please note that representations cannot be received after this deadline.

Responses can be returned by email to: mwjointplan@northyorks.gov.uk or by post using the address below:

Minerals and Waste Joint Plan Team
Planning Services
North Yorkshire County Council
County Hall
Northallerton
DL7 8AH

Data Protection:
North Yorkshire County Council, the North York Moors National Park Authority and the City of York Council are registered under the Data Protection Act 1998. For the purposes of the Data Protection Act legislation, your contact details and responses will only be retained for the preparation of the Minerals and Waste Joint Plan. Representations made at Publication stage cannot remain anonymous, but details will only be used in relation to the Minerals and Waste Joint Plan. Your response will be made avalible to view on the website and as part of the examination.

For official use only:
Respondent Number Date received 21/12/16 Date entered ..... Date acknowledged .....

4137

Publication stage Response form - Part B

Please use a separate Part B form for each representation

Name or Organisation :	Brian Ellison Racing Ltd

Please mark with an x as appropriate

1. To which part of the Minerals and Waste Joint Plan does this representation relate?

Paragraph No./ Site Allocation Reference No.	MJP12	Policy No.	M09	Policies Map	

2. Do you consider the Minerals and Waste Joint Plan is :

2.(1) Legally compliant	Yes	x	No	
2.(2) Sound	Yes		No	x

(2a) Which Element of soundness does your respresentation relate to? (please only mark with an x one element of soundness per response form).

Positively Prepared	Yes		No	x	*Justified*	Yes		No	x
Effective	Yes		No	x	*Consistent with National Policy*	Yes		No	x

2 (3) Complies with the Duty to co-operate	Yes		No	

3. Please give details below of why you consider the Minerals and Waste Joint Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Statements within your Discounted Sites for Whitewall Quarry (MJP12) are unfounded and untrue hence unsound.

Please see my statement attached.

(continue on a separate sheet/expand box if necessary)

4. Please set out what modification(s) you consider necessary to make the Minerals and Waste Joint Plan legally compliant or sound, having regard to the Matter you have identified at 3. above where this relates to soundness. (NB Please note that any non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why this modification will make the Minerals and Waste Joint Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The point raised in my statement should be taken into account and Whitewall Quarry (MJP12) should be included in appendix 1 of the MWJP as an allocated site for the extraction of crushed rock.

(continue on a separate sheet/expand box if necessary)

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

5. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

X	**No,** I do not wish to participate at the oral examination		**Yes,** I wish to participate at the oral examination

6. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

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

All responses received will be considered and any information provided will be made public. My consent is hereby confirmed.

Signature:	[redacted]	Date:19/12/2016

Official Use Only Reference Number

4137

Brian Ellison Racing Ltd

Spring Cottage Stables

Langton Road

Norton

Malton

YO17 9PY

19 December 2016

The Minerals and Waste Joint Plan

I have owned and run Spring Cottage Stables for the last 15 years.

We have seen huge expansion in the business over the past 5-6 years and have now in excess of 120 horses in the yard.

It goes without saying that in doing so I have had to employ more people to help my business grow. It comes as a shock to learn that Whitewall Quarry has been discounted in the latest draft of the Minerals and Waste Joint Plan.

Whilst growing my business Whitewall Quarry has been my preferred supplier due to its close location to my stables, which helps with good service and competitive rates.

Reading through the reasons why the site is to be discounted, "Impact on the economy of Malton, Norton and local area, including the horse racing industry" is quoted. I can tell you that Whitewall Quarry hasn't and is not affecting my business, it's actually the contrary. Whitewall Quarry has actually aided my business, and many racing stables in the area alike.

The statement of the quote "amenity issues including: noise, dust, air quality in Norton and Malton, vibration, quality of life" is something I haven't experienced. Being a trainer in close proximity to Whitewall Quarry I have first-hand knowledge of this and would suggest this statement to be untrue.

We face no issue, with the HGV movements, and with Malton being a market town, it's a fact that market towns thrive on through put of traffic. What NYCC should concentrate on is improving the road networks of Norton and Malton by constructing new routes in and out of the area, and not trying to close long established businesses down to help their transport issues in the area.

Yours sincerely

[redacted]

4138

Minerals and Waste Joint Plan

Publication Stage- Response Form

Part A - Contact details

Your contact details

Name: MR	Title: [illegible]	Initial(s): M
Surname: HADFIELD		
Organisation (if applicable): MALCOLM HADFIELD SADDLERY		
Address:	57 COMMERCIAL STREET	
	NORTON	
	MALTON	
Post Code: YO17 9HX		
Telephone: 01653 694095		
Email:		

Agent contact details (if applicable)

Name:	Title:	Initial(s):
Surname:		
Organisation (if applicable):		
Address:		
Post Code:		
Telephone:		
Email:		

Please ensure that your contact details in Part A are correctly filled in. Without this information your representations cannot be recorded. Please also see the note on Data Protection at the bottom of this page before submitting your response.

At this stage in producing the Joint Plan, representations should be focussed on legal compliance, compliance with the Duty to Cooperate and whether the Plan meets the four tests of soundness. More information on these matters are provided in separate **guidance notes**. **You are strongly advised to read these notes, which have been prepared by the Planning Inspectorate, before responding.**

A separate **Part B** form **MUST** be produced for each separate representation you wish to make. After this stage, further submissions will only be at the invitation of the inspector who will conduct an Examination in Public of the Joint Plan, based on the matters they identify during the Examination.

All responses should be returned by 5pm on Wednesday 21st December 2016. Please note that representations cannot be received after this deadline.

Responses can be returned by email to: mwjointplan@northyorks.gov.uk or by post using the address below:

Minerals and Waste Joint Plan Team
Planning Services
North Yorkshire County Council
County Hall
Northallerton
DL7 8AH

Data Protection:
North Yorkshire County Council, the North York Moors National Park Authority and the City of York Council are registered under the Data Protection Act 1998. For the purposes of the Data Protection Act legislation, your contact details and responses will only be retained for the preparation of the Minerals and Waste Joint Plan. Representations made at Publication stage cannot remain anonymous, but details will only be used in relation to the Minerals and Waste Joint Plan. Your response will be made avalible to view on the website and as part of the examination.

For official use only:
Respondent Number ..... Date received 21/12/16 Date entered ..... Date acknowledged .....

4138

Publication stage Response form - Part B

Please use a separate Part B form for each representation

Name or Organisation :	

Please mark with an x as appropriate

1. To which part of the Minerals and Waste Joint Plan does this representation relate?

Paragraph No./ Site Allocation Reference No.	MJP12	Policy No.	M09	Policies Map	

2. Do you consider the Minerals and Waste Joint Plan is :

2.(1) Legally compliant	Yes	x	No	
2.(2) Sound	Yes		No	x

(2a) Which Element of soundness does your respresentation relate to? (please only mark with an x one element of soundness per response form).

Positively Prepared	Yes		No	x	*Justified*	Yes	No	x
Effective	Yes		No	x	*Consistent with National Policy*	Yes	No	x

2 (3) Complies with the Duty to co-operate	Yes		No	

3. Please give details below of why you consider the Minerals and Waste Joint Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

We are a local saddlery company situated on Commercial St W. Clifford Watts hgv traffic does not have a detrimental effect on our business and therefore your reasons for disccunting site MJP12 "volume of heavy traffic to travel through an extended length of built-up area in Norton-on-Derwent in order to access the major road network such that there is potential for significant adverse impact on local communities" are unsound.

(continue on a separate sheet/expand box if necessary)

4. Please set out what modification(s) you consider necessary to make the Minerals and Waste Joint Plan legally compliant or sound, having regard to the Matter you have identified at 3. above where this relates to soundness. (NB Please note that any non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why this modification will make the Minerals and Waste Joint Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Whitewall Quarry should be supported through the MWJP and included as an allocated site in the plan.

(continue on a separate sheet/expand box if necessary)

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

5. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

[x] **No,** I do not wish to participate at the oral examination

[ ] **Yes,** I wish to participate at the oral examination

6. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

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

All responses received will be considered and any information provided will be made public. My consent is hereby confirmed.

Signatur[redacted] Date:19/12/2016

Official Use Only Reference Number

4139

Minerals and Waste Joint Plan

Publication Stage- Response Form

Part A - Contact details

Your contact details

Name:	Title: [redacted]	Initial(s): [redacted]
Surname: [redacted]		
Organisation (if applicable):		
Address: [redacted]		
Post Code: [redacted]		
Telephone: [redacted]		
Email:		

Agent contact details (if applicable)

Name:	Title:	Initial(s):
Surname:		
Organisation (if applicable):		
Address:		
Post Code:		
Telephone:		
Email:		

Please ensure that your contact details in Part A are correctly filled in. Without this information your representations cannot be recorded. Please also see the note on Data Protection at the bottom of this page before submitting your response.

At this stage in producing the Joint Plan, representations should be focussed on legal compliance, compliance with the Duty to Cooperate and whether the Plan meets the four tests of soundness. More information on these matters are provided in separate **guidance notes**. **You are strongly advised to read these notes, which have been prepared by the Planning Inspectorate, before responding.**

A separate **Part B** form **MUST** be produced for each separate representation you wish to make. After this stage, further submissions will only be at the invitation of the inspector who will conduct an Examination in Public of the Joint Plan, based on the matters they identify during the Examination.

All responses should be returned by 5pm on Wednesday 21st December 2016. Please note that representations cannot be received after this deadline.

Responses can be returned by email to: mwjointplan@northyorks.gov.uk or by post using the address below:

Minerals and Waste Joint Plan Team
Planning Services
North Yorkshire County Council
County Hall
Northallerton
DL7 8AH

Data Protection:
North Yorkshire County Council, the North York Moors National Park Authority and the City of York Council are registered under the Data Protection Act 1998. For the purposes of the Data Protection Act legislation, your contact details and responses will only be retained for the preparation of the Minerals and Waste Joint Plan. Representations made at Publication stage cannot remain anonymous, but details will only be used in relation to the Minerals and Waste Joint Plan. Your response will be made avalible to view on the website and as part of the examination.

For official use only:
Respondent Number ... Date received 21/12/16 ... Date entered ..... Date acknowledged .....

4139

Publication stage Response form - Part B

Please use a separate Part B form for each representation

Name or Organisation :	[redacted]

Please mark with an x as appropriate

1. To which part of the Minerals and Waste Joint Plan does this representation relate?

Paragraph No./ Site Allocation Reference No.	MJP12	Policy No.	M09	Policies Map	

2. Do you consider the Minerals and Waste Joint Plan is :

2.(1) Legally compliant	Yes	x	No	
2.(2) Sound	Yes		No	x

(2a) Which Element of soundness does your respresentation relate to? (please only mark with an x one element of soundness per response form).

Positively Prepared	Yes		No	x	*Justified*	Yes	No	x
Effective	Yes		No	x	*Consistent with National Policy*	Yes	No	x

2 (3) Complies with the Duty to co-operate	Yes		No	

3. Please give details below of why you consider the Minerals and Waste Joint Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

I find the MWJP unsound for the following reasons:
Living in Whitewall Cottages for the last 20 years Whitewall House for many the Family home before that, I can honestly say that Whitewall Quarry or its HGV's has given no cause for concern to either of these Listed Buildings whilst I have lived in them.
More over the Quarry back in the 1960's use to be situated directly behind these properties and the Quarry access was down the side of Whitewall Cottages this caused no adverse impact on local communities, the quarrying activities are getting futher away from the residents of Whitewall.
Whilst training horses from Whitewall House, I and my Father before me never had any issues wqith Whitewall Quarry Traffic, so the statement regarding MJP12 and its impact on the economy of Malton, Norton and local area, including the horse racing industry is unfounded and untrue.
Living in one of the nearest houses to the quarry, the statement regarding MJP12 and "amenity issues, including: noise, dust, air quality in Malton and Norton, vibration, quality of life" is also unsound. Recent testing along bazley's lane by third party consultants have proven that.

(continue on a separate sheet/expand box if necessary)

4. Please set out what modification(s) you consider necessary to make the Minerals and Waste Joint Plan legally compliant or sound, having regard to the Matter you have identified at 3. above where this relates to soundness. (NB Please note that any non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why this modification will make the Minerals and Waste Joint Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Whitewall Quarry (MJP12) should be included in the MWJP appendix 1 as an allocated site for the extraction of crushed rock.

(continue on a separate sheet/expand box if necessary)

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

5. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

√	**No,** I do not wish to participate at the oral examination		**Yes,** I wish to participate at the oral examination

6. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

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

All responses received will be considered and any information provided will be made public. My consent is hereby confirmed.

Signature: [redacted]	Date:19/12/2016

Official Use Only Reference Number

4140

Received 21/12/10

Publication Stage- Response Form

Part A - Contact details

Your contact details

Name:	Title:	Initial(s):
Surname:		
Organisation (if applicable):		
Address:		
Post Code:		
Telephone:		
Email:		

Agent contact details (if applicable)

Name:	Title:	Initial(s):
Surname:		
Organisation (if applicable):		
Address:		
Post Code:		
Telephone:		
Email:		

Please ensure that your contact details in Part A are correctly filled in. Without this information your representations cannot be recorded. Please also see the note on Data Protection at the bottom of this page before submitting your response.

At this stage in producing the Joint Plan, representations should be focussed on legal compliance, compliance with the Duty to Cooperate and whether the Plan meets the four tests of soundness. More information on these

matters are provided in separate **guidance notes. You are strongly advised to read these notes, which have been prepared by the Planning Inspectorate, before responding.**

4140

A separate **Part B** form **MUST** be produced for each separate representation you wish to make. After this stage, further submissions will only be at the invitation of the inspector who will conduct an Examination in Public of the Joint Plan, based on the matters they identify during the Examination.

All responses should be returned by 5pm on Wednesday 21st December 2016. Please note that representations cannot be received after this deadline.

Responses can be returned by email to: mwjointplan@northyorks.gov.uk or by post using the address below:

Minerals and Waste Joint Plan Team
Planning Services
North Yorkshire County Council
County Hall
Northallerton
DL7 8AH

Data Protection:
North Yorkshire County Council, the North York Moors National Park Authority and the City of York Council are registered under the Data Protection Act 1998. For the purposes of the Data Protection Act legislation, your contact details and responses will only be retained for the preparation of the Minerals and Waste Joint Plan. Representations made at Publication stage cannot remain anonymous, but details will only be used in relation to the Minerals and Waste Joint Plan. Your response will be made avalible to view on the website and as part of the examination.

For official use only:
Respondent Number Date received..... Date entered ..... Date acknowledged.....

4140

Publication stage Response form - Part B

Please use a separate Part B form for each representation

Name or Organisation : [redacted]

Please mark with an x as appropriate

1. To which part of the Minerals and Waste Joint Plan does this representation relate?

Paragraph No./ Site Allocation Reference No. MSP 12 | Policy No. M09 | Policies Map

2. Do you consider the Minerals and Waste Joint Plan is :

2.(1) Legally compliant	Yes		No	
2.(2) Sound	Yes		No	X

(2a) Which Element of soundness does your respresentation relate to? (please only mark with an x one element of soundness per response form).

Positively Prepared	Yes		X	*ed*	Yes	No	X
Effective	Yes		X	*stent with National Policy*	Yes	No	X

2 (3) Complies with the Duty to co-operate	Yes		No	

3. Please give details below of why you consider the Minerals and Waste Joint Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Please see separate sheet

(continue on a separate sheet/expand box if necessary)

4. Please set out what modification(s) you consider necessary to make the Minerals and Waste Joint Plan legally compliant or sound, having regard to the Matter you have identified at 3. above where this relates to soundness. (NB Please note that any non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why this modification will make the Minerals and Waste Joint Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

To make this Plan Sound, Whitewall Quarry should be included in Appendix 1 of the Plan

(continue on a separate sheet/expand box if necessary)

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

5. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

☒ **No,** I do not wish to participate at the oral examination

☐ **Yes,** I wish to participate at the oral examination

6. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

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

All responses received will be considered and any information provided will be made public. My consent is hereby confirmed.

4140

Signature:	Date:
	17/12/16

[redacted]

Official Use Only Reference Number

_ _ _

4140

[redacted]

a/o Mineral and Waste Planning Services

To whom it may concern

After over 30 years training horses in the Norton and Malton area I am yet to have been impacted in any way by the daily workings of Whitewall as pointed out in Mineral and Waste joint plan document recently released. The quarry and its workforce has been part of the local community for many years and without affecting either my business or the welfare of my horses.

It would be a great shame to lose another local business that has been part of Malton life for so many years which, according to the document the quarry has a negative impact on the local economy. Surely we need to be supporting local business such as W C Watts that can only have a positive effect on the local economy by employing local people, use local services and local trades.

Yours sincerely

[redacted]

4141

Minerals and Waste Joint Plan

Publication Stage- Response Form

Part A - Contact details

Your contact details

Name:	Title: [redacted]	Initial(s): [redacted]
Surname: [redacted]		
Organisation (if applicable):		
Address: [redacted]		
Post Code: [redacted]		
Telephone: [redacted]		
Email:		

Agent contact details (if applicable)

Name:	Title:	Initial(s):
Surname:		
Organisation (if applicable):		
Address:		
Post Code:		
Telephone:		
Email:		

Please ensure that your contact details in Part A are correctly filled in. Without this information your representations cannot be recorded. Please also see the note on Data Protection at the bottom of this page before submitting your response.

At this stage in producing the Joint Plan, representations should be focussed on legal compliance, compliance with the Duty to Cooperate and whether the Plan meets the four tests of soundness. More information on these matters are provided in separate **guidance notes. You are strongly advised to read these notes, which have been prepared by the Planning Inspectorate, before responding.**

A separate **Part B** form **MUST** be produced for each separate representation you wish to make. After this stage, further submissions will only be at the invitation of the inspector who will conduct an Examination in Public of the Joint Plan, based on the matters they identify during the Examination.

All responses should be returned by 5pm on Wednesday 21st December 2016. Please note that representations cannot be received after this deadline.

Responses can be returned by email to: mwjointplan@northyorks.gov.uk or by post using the address below:

Minerals and Waste Joint Plan Team
Planning Services
North Yorkshire County Council
County Hall
Northallerton
DL7 8AH

Data Protection:
North Yorkshire County Council, the North York Moors National Park Authority and the City of York Council are registered under the Data Protection Act 1998. For the purposes of the Data Protection Act legislation, your contact details and responses will only be retained for the preparation of the Minerals and Waste Joint Plan. Representations made at Publication stage cannot remain anonymous, but details will only be used in relation to the Minerals and Waste Joint Plan. Your response will be made avalible to view on the website and as part of the examination.

For official use only:
Respondent Number Date received 21/12/16 Date entered ..... Date acknowledged .....

4141

Publication stage Response form - Part B

Please use a separate Part B form for each representation

Name or Organisation :	[redacted]

Please mark with an x as appropriate

1. To which part of the Minerals and Waste Joint Plan does this representation relate?

Paragraph No./ Site Allocation Reference No.	MJP12	Policy No.	M09	Policies Map	

2. Do you consider the Minerals and Waste Joint Plan is :

2.(1) Legally compliant	Yes	x	No	
2.(2) Sound	Yes		No	x

(2a) Which Element of soundness does your respresentation relate to? (please only mark with an x one element of soundness per response form).

Positively Prepared	Yes		No	x	*Justified*	Yes		No	x
Effective	Yes		No	x	*Consistent with National Policy*	Yes		No	x

2 (3) Complies with the Duty to co-operate	Yes		No	

3. Please give details below of why you consider the Minerals and Waste Joint Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

I have seen that Whitewall Quarry (Site Ref MJP12) has been discounted in Minerals and Waste Joint Plan and therefore, I believe the MWJP is not Sound. Whitewall Quarry employs a large amount of people in the area and to safeguard jobs for local people, we need to ensure it continues to operate in the future.

I live next to the Quarry and the operations at the Quarry do not affect my life. There have been independent and extensive, Noise and Vibration Surveys carried out at my house and there were no issues.

I believe that should it shut down, not only the people working at the Quarry, but also the livelihoods of all those whose wages wholly or partially depend on the servicing the Quarry will suffer.

To my knowledge, the Quarry has been operating for more than 50 years and as long as reserves can be made available, I cannot see why it should need to cease operating in the future.

(continue on a separate sheet/expand box if necessary)

4141

4. Please set out what modification(s) you consider necessary to make the Minerals and Waste Joint Plan legally compliant or sound, having regard to the Matter you have identified at 3. above where this relates to soundness. (NB Please note that any non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why this modification will make the Minerals and Waste Joint Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Whitewall Quarry (Site Ref MJP12) should be included in Appendix 1 to the Minerals and Waste Joint Plan as an allocated site for the extraction of crushed rock.

(continue on a separate sheet/expand box if necessary)

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

5. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

X	**No,** I do not wish to participate at the oral examination		**Yes,** I wish to participate at the oral examination

6. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

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

All responses received will be considered and any information provided will be made public. My consent is hereby confirmed.

Signature [redacted]	Date: 19/12/2016

Official Use Only Reference Number

MINERAL AND WASTE JOINT PLAN (PUBLICATION STAGE)

Consultation response from W E Jowitt [redacted]

Mr W E Jowitt
Councillor for Malton Ward of Ryedale District Council

[redacted]

[redacted]

2 Fitzwilliam Dr
Malton
North Yorks
YO17 7XG

Yes, we would like to attend the Oral Examination of the MWJP.

Dear sirs

Please find below my response to the above consultaion

SCOPE OF THE CONSULTATION

- Sections M16-M18 of the Minerals and Waste Plan (MWJP) has changed considerably in content since the Preferred Options consultation (the previous version put out for consultation in December 2015)
- Since the last draft of the plan, much of North Yorkshire is now covered in Petroleum Exploration and Development Licences (PEDLs), which were announced in December 2016.
- It is clear that much of the new policy has been developed in conjunction with the shale gas industry by the wording and parameters included in the MWJP.
- Much of this content is also brand new policy which has not gone through the required consultation rounds with other representative bodies or the general public.
- There is no legal requirement to limit the scope of this consultation to just legality and soundness. It is the NYCC who have made this decision.
- The Town and Country Planning (Local Planning) England Regulations (2012) do not limit the scope of consultation at the Regulation 19 ('Publication') consultation stage.
- The consultation should therefore be opened up to wider public consultation on the

content and substance of the plan.

Sections M16 to M18 of the Minerals and Waste Plan (MJWP) have changed considerably in content since the Preferred Options consultation of December 2015, Since that plan was published it would appear that there has been a considerable change of policy which would normally be expected to have gone through consultation with various public bodies. ***As a district councillor I have not been a party to, or made aware of, any part of this process. Indeed I am not aware that it has taken place.***

Further it my understanding that there is no legal requirement on the County Council to limit the scope of this enquiry to issues 'relating to legal compliance and tests of soundness'. Surely this brings into question the legal status of this current process.

CLIMATE CHANGE

- The Publication Draft of the MWJP does not conform to statutory requirements for legal compliance and tests of soundness relating to Climate Change.
- The MWJP does not conform with Section 19(1A) of The Planning and Compulsory Purchase Act (2004), which states that policies as a whole must contribute to the mitigation of, and adaptation to, climate change.
- Sections M16-18 of the MWJP does not conform with Paragraph 94 of the National Planning Policy Framework (NPPF), Paragraph 94, which states that "*Local planning authorities should adopt proactive strategies to mitigate and adapt to climate change."*.
- The Committee of Climate Change (CCC) report of March2016 concluded that the exploitation of shale gas would not be compatible with UK carbon budgets, or the legally binding commitment in the Climate Change Act to reduce emissions by at least 80% by 2050, unless three crucial tests are met. The MWJP's ability to meet these tests are not clearly defined.
- Assumptions that shale gas could lead to carbon savings are unsupported, given that test 3 of the CCC report states that "*emissions from shale exploitation will need to be offset by emissions reductions in other areas of the economy to ensure that UK carbon budgets are met*."
- It is unclear how this can be achieved, given that the government has removed support for Carbon Capture and Storage (CCS), drastically reduced subsidies for renewable energy and scrapped plans to make all new homes zero carbon by 2016.
- The MWJP is therefore unsound to claim that Policy M16 could have any positive impact on the climate budget, as this key condition of the CCC report is a long way from being met.
- Future applications for hydrocarbons production (including fracking) must be assessed using the following criteria:

- CO_2 emissions and fugitive methane leaks must be included
- CO_2 emissions resulting from both production and combustion must be included
- explanations of how emissions from shale gas production can be accommodated

within UK carbon budgets should be included and assessed by the planning authorities.
- Until Carbon Capture and Storage (CCS) is fully operational, this can not be used in planning applications as a device to mitigate future CO_2 emissions in some notional future
- any proposed plan must clearly show that it will lead to a *reduction* in climate change in order for it to be approved.

In her recent judgement in the High Court Case made against the Planning Process for the KM8 site: Mrs Justice Lang made clear it was the responsibility of the Council's planning committee (and so in other fracking areas) to reach an independent view on whether "energy requirements ought to be met by other, less environmentally damaging means than gas production and a gas-fuelled electricity generating station" [paragraph 57].

I do not believe that this case is made in the MJWP for several reasons including but not exclusive to:

- *Sections M16-18 of the MWJP does not conform with Paragraph 94 of the National Planning Policy Framework (NPPF), Paragraph 94, which states that "Local planning authorities should adopt proactive strategies to mitigate and adapt to climate change.".*
- *The Committee of Climate Change (CCC) report of March2016 concluded that the exploitation of shale gas would not be compatible with UK carbon budgets, or the legally binding commitment in the Climate Change Act to reduce emissions by at least 80% by 2050, unless three crucial tests are met. The MWJP's ability to meet these tests are not clearly defined.*

CONSIDERATION OF LOCAL IMPACTS

In consideration of the following issues it should be borne in mind the comments of *the judgement in the High Court Case made against the Planning Process for the KM8 site:*

Mrs Justice Lang reassured the local community that the terms of the planning conditions imposed by the Council should "afford a considerable degree of protection to residents" and "extend beyond mere restoration to a programme of aftercare, in accordance with Planning Practice Guidance [PPG]" [paragraph 64].

Landscape and Visual Impact

- The inclusion in Policy M16 that designated areas such as National Parks, AONBs and SSSIs are protected from fracking on their surfaces is strongly supported.
- However, the MWJP is currently unsound as it does not take into account the Ryedale Local Plan Strategy, in particular Policy SP13 (Landscapes).
- The Ryedale Plan is an adopted local plan which has statutory force and has been made in accordance with the requirements of the NPPF. It follows that the draft minerals plan would be unsound if it failed to take proper account of Policy SP13 of the Ryedale Plan.
- It is also noted that the Areas which Protect the Historic Character and Setting of York are now included as a protected area, presumably because the MWJP was seen to be in conflict with the City Plan, which was also approved by the NYCC. The same consideration must therefore be given to the Ryedale Plan.
- The Ryedale Plan aims to encourage new development to *"reinforce distinctive elements of landscape character"* in areas including the Vale of Pickering and the Yorkshire Wolds. These are areas high in landscape value, with Neolithic features that require specific consideration, and which should be protected by Policy M16 in the MWJP.
- Ryedale Policy SP13 states that developments should contribute to the protection and enhancement of distinctive elements of landscape character, including: *"Visually sensitive skylines, hill and valley sides…the ambience of the area, including nocturnal character, level and type of activity and tranquillity, sense of enclosure/exposure." (p 129 – Ryedale Plan).*
- If fracking were developed in the way described in the MWJP, this would clearly contravene the Ryedale Plan, which was approved and adopted by the NYCC.
- The landscape impact alone of so many fracking well-sites, and the supporting infrastructure such as pipelines, would clearly have a negative effect on the Vale of Pickering and the Yorkshire Wolds.
- The MWJP must be developed so that it is complementary to this Local plan, not be in conflict with it. This means that the MWJP is currently unsound.
- The Vale of Pickering and the Yorkshire Wolds should therefore be included as 'protected areas' in Policy M16.

The Ryedale Plan is an adopted local plan which has statutory force and has been made in accordance with the requirements of the NPPF. It follows that the draft minerals plan would be unsound if it failed to take proper account of Policy SP13 of the Ryedale Plan.

Ryedale Policy SP13 states that developments should contribute to the protection and enhancement of distinctive elements of landscape character, including: "Visually sensitive skylines, hill and valley sides…the ambience of the area, including nocturnal character, level and type of activity and tranquillity, sense of enclosure/exposure." (p 129 – Ryedale Plan).

While the MJWP gives designated areas such as National Parks, AONBs and SSSIs protection from fracking on their surfaces is extremely important. ***The MJWP should also include the Vale of Pickering and the Yorkshire Wolds in it's zone of protection****. The landscape impact alone of so many fracking well-sites, and the supporting infrastructure such as pipelines, would clearly have a negative visual impact on these areas.*

The PEDL license areas granted by the Government require the licensees to fully exploit these areas. The MWJP offers guidance for up to 10 well pads per 100square kilometres (a 2 acre pad every 3 miles in each direction) and the operators themselves have indicated that up to 50 wells could be drilled on each site.

The view from Castle Howard Road as it leaves Malton and leading into the AONB stretches across the Vale of Pickering to the North Yorkshire Moors. There is potential for visual impairment of, I estimate, some 20 to 30 well pads and their associated infrastructure from this location.

The visual impact from the Yorkshire Wolds would be considerably worse.

I support the amendment proposed by Ryedale District Council that: ***The MJWP should also include the Vale of Pickering and the Yorkshire Wolds in it's zone of protection****.*

Buffer Zones

- The inclusion of a 3.5km buffer zone around National Parks and AONBs is supported.
- Point 5.128 says, "*proposals for surface hydrocarbons development within a 3.5km zone around a National Park or AONB should be supported by detailed information assessing the impact of the proposed development on the designated area, including views into and out from the protected area*."
- While the restrictions in terms of how much fracking developments impact on the landscape are welcomed, there is little detail on what other information would be required by companies, and under what criteria fracking within the 3.5 km buffer zone would be supported.
- The National Parks and AONBs are protected for a number of reasons, including to conserve biodiversity, provide quiet places for people to relax, and to boost tourism in the region. In short, this should be about more than if the development 'spoils the view'.
- Any fracking activity that close to a major protected area could not fail to impact upon the protected area, either by impacting the view, causing excessive traffic around the borders of the area, causing noise and air pollution, causing light pollution at night – which would affect not only the wildlife in the protected area, but also impact on the clear night skies which are such a draw for visitors – and potential impacts on water courses the serve the protected areas.
- The NPPF indicates that great weight should be given to conserving landscape and scenic beauty in National Parks and AONBs, which have the highest status of protection.

These areas are protected to preserve their landscape and views, tranquillity, biodiversity and geodiversity and rare species and heritage.

- Any fracking within 3.5 km (2 miles) of these areas cannot fail to impact upon these qualities. So, in order to be legally compliant with the NPPF, and the relevant Local Plans, the **MWJP should therefore simply prohibit fracking in these buffer zones completely**.

Noise impacts

- Paragraph 5.107 of the MWJP states that the exploratory stage for hydraulic fracturing exploratory drilling (which is a 24-hour process) may take *"considerably longer"* than the 12-25 week timeframe required for conventional hydrocarbons.
- Drilling of each fracking well will take place 24 hours a day, taking place over a period of weeks at a time. The KM8 well took 100 days to drill, although lower estimates of 60-70 days are now put forward by the industry.
- Well-pads may have up to 40 or 50 wells on them, which would mean that a 40-well pad would take **6.5 years** in continuous drilling alone.
- Fracking itself is also a noisy activity and again is often conducted 24 hours a day, over a period of weeks.
- Unconventional gas development for shale gas cannot therefore be considered a 'short term activity' for the purposes of planning law.
- Paragraph 144 of the NPPF states that when considering new minerals development, local authorities should: *"ensure unavoidable noise, dust and particle emissions and any blasting vibrations are controlled, mitigated or removed at source, and establish appropriate noise limits for extraction in proximity to noise sensitive properties".*
- Fracking exploration is, by the MWJP's own definition, a medium term activity at best, and therefore the policy from the NPPF above must apply.
- 24 hour drilling from exploration stages will lead to night-time noise levels far higher than those allowed for other types of development (such as wind turbines).
- The noise levels in many rural parts of North Yorkshire are very low, particularly at night, and so the impact of night-time noise from drilling and fracking will be very noticeable.
- It is therefore essential that the MWJP must set clear policy to curb noise emissions for nearby residents, as part of its statutory duty to protect local public health.
- A setback distance of 750m would help to reduce the noise impact from drilling and fracking.
- Furthermore, there should therefore be no exceptions allowed for fracking within the proposed residential buffer zone, as this would contravene the guidelines in the NPPF.
- The caveat that fracking within the buffer zone would be allowed 'in exceptional circumstances' is therefore legally unsound and should be removed.
- A Health Impact Assessment should be required for all fracking operations, to establish current air quality and noise levels, and what might be acceptable depending on the distance the fracking well-site is from the nearest home.

Air quality impacts

- There is now clear evidence that the air quality impacts from fracking have been shown to pose risks to health.
- Evidence from the University of Colorado, among others, reveal a number of potentially toxic hydrocarbons in the air near fracking wells, including benzene, ethylbenzene, toluene and xylene. A number of chemicals routinely released during fracking, such as benzene, are known carcinogens.
http://www.ucdenver.edu/about/newsroom/newsreleases/Pages/health-impacts-of-fracking-emissions.aspx
- Note that these are not chemicals that are injected into the ground as part of the fracking process, but are released from the ground as a consequence of fracking (and therefore cannot be controlled by the producer, or regulated by the Environment Agency).
- Fumes from the drilling process can also cause fine diesel soot particles, which can penetrate lungs and cause severe health risks.
- Planning Practice Guidance states, *"It is important that the potential impact of new development on air quality is taken into account in planning where the national assessment indicates that relevant limits have been exceeded or are near the limit".*
- Paragraph 109 of the NPPF states that the planning system should prevent *"… both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability;"*[1]
- There is therefore a clear legal requirement for the MWJP to consider air pollution when developing planning policy.
- The proposal to include setback distances for what is termed 'sensitive receptors' is welcomed. The MWJP's definition of 'sensitive receptors' includes residential institutions, such residential care homes, children's homes, social services homes, hospitals and non-residential institutions such as schools.
- However, the setback distance of 500m appears to be rather arbitrary, and no reason is given for choosing this distance. There is no evidence that this setback distance is safe for residents, either in terms of air quality or other negative aspects of fracking production.
- Experiences of residents in the USA show that a setback distance of 500m is not sufficient, and research in Colorado has resulted in a proposal for setback distances from fracking well sites to be extended to 750m from any place where people live.
https://ballotpedia.org/Colorado_Mandatory_Setback_from_Oil_and_Gas_Development_Amendment_(2016)
- The recommendation is therefore that the setback distance from 'sensitive receptors' should be a minimum of 750m to ensure that the negative health impacts of fracking, including air quality, are reduced.
- There is a strong argument that setback distances from places which house vulnerable people, such as schools, residential homes and hospitals, should be increased to 1km.
- Note that this is still less than the setback distance recommended by Kevin Hollinrake

1

MP on his return from his 'fact-finding' mission in the USA, when he recommended a minimum setback distance of 1 mile from schools.

- Baseline Health Impact assessments should be undertaken prior to any work being carried out, to ascertain the impact of fracking on human health.

Biodiversity impacts

- Section 40 of the Natural Environment and Rural Communities Act (2006) places a duty on every public authority in England and Wales to *"…have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity".*
- The inclusion of designated wildlife sites, such as Sites of Special Scientific Interest (SSSIs), Special Protection Areas, Special Areas of Conservation and Ramsar Sites, as protected areas in which fracking is prohibited is welcomed.
- However, fracking would still be allowed just outside the boundaries of, and underneath, these areas from fracking well-sites situated on their borders.
- Unconventional gas production is not just an underground activity. The above ground aspects of fracking developments, such as clearing of local hedges, trees and vegetation, additional pipelines and access roads, noise and light pollution (particularly at night) would all have a negative impact on wildlife living nearby.
- Planning Practice Guidance supports this viewpoint, stating that: "*Particular consideration should be given to noisy development affecting designated sites*."
- Policy D07 in the MWJP currently states that mineral developments which would have an unacceptable impact on an SSSI - or a network of SSSIs - will only be permitted *"…where the benefits of the development would clearly outweigh the impact or loss"*.
- This wording appears to allow considerable impact or loss on a protected area, if the Planning Authority felt that this was still outweighed by the benefits (i.e. by the production of gas).
- Given that SSSIs are sensitive nationally protected areas, often containing rare and protected species, this is a contradictory and unsound approach. This clause should therefore be removed.
- Noise is a particular danger for resident and migrating birds, and nocturnal creatures such as bats. Not enough consideration has been given to the impact of noise from fracking well-sites situated near a designated protected area such as an SSSI.
- As many SSSIs are relatively small in area, the noise, light and air pollution from a fracking well-site close by could have a devastating impact on wildlife populations, even if they are just outside the borders of the protected area.
- The MWJP includes a 3.5 km 'buffer zone' around National Parks and AONBs, so that the impact of fracking on the boundaries of these protected areas is reduced.
- The same consideration should be extended to SSSIs, so that fracking wells are not allowed to be established near the boundaries of these highly sensitive and nationally protected areas.
- In non-designated areas, the current policy wording should be more explicit in its requirements to demonstrate that significant effects to biodiversity and habitat impacts will not result.

•Biodiversity offsetting has been shown many times to be an unsatisfactory solution to problems caused by development, and should not be offered as a solution to developers to get around the damage they will cause to protected areas. The specific features of an SSSI cannot simply be replaced by planting a new wood somewhere else. This approach is unsound and should be removed from the MWJP guidance.

Water impacts

•The impacts of fracking on water are well known, and there are multiple instances of water being contaminated by the fracking process, either from spills on the ground or under-surface contamination.
•In Pennsylvania, the Department of Water Protection has confirmed at least 279 cases of water contamination due to fracking:
http://files.dep.state.pa.us/OilGas/BOGM/BOGMPortalFiles/OilGasReports/Determination_Letters/Regional_Determination_Letters.pdf
•Fracking has also been proven to pollute groundwater in Wyoming:
https://www.scientificamerican.com/article/fracking-can-contaminate-drinking-water/
•It is therefore the Planning authorities' legal duty to ensure that water contamination will not occur in North Yorkshire.
•The EU Water Framework Directive is part of the UK's legal framework. This suggests the precautionary principle should be considered in planning, mainly through the mechanism of Environmental Impact Assessment (EIA).
•The British Geological Survey has previously highlighted the risks that fracking can contaminate water. saying, "*"Groundwater may be potentially contaminated by extraction of shale gas both from the constituents of shale gas itself, from the formulation and deep injection of water containing a cocktail of additives used for hydraulic fracturing and from flowback water which may have a high content of saline formation water."* http://nora.nerc.ac.uk/16467/
•The British Geological Survey is also not confident that current methods to monitor groundwater pollution are adequate, due to the depth that fracking takes place, the volumes of water required to frack, and the uncertainty regarding how much water returns to the surface: *"The existing frameworks and supporting risk-based tools provide a basis for regulating the industry but there is limited experience of their suitability for large scale on-shore activities that exploit the deep sub-surface. The tools for assessing risks* ***may not be adequate*** *as many have been designed to consider the risks from surface activities."*
•Paragraph 94 of the NPPF states that local planning authorities should *"adopt proactive strategies to mitigate and adapt to climate change, taking full account of….water supply".* Paragraph 99 later states that *"local plans should take account of climate change over the longer term, including factors such as flood risk, coastal change, water supply."*
•The MWJP should therefore incorporate the precautionary principle, meaning that unless it can be proved that there will be groundwater contamination from a fracking well-site, it should not apply.
•In order to be legally sound, the policy therefore needs to be reworded so that fracking companies must have to demonstrate beyond scientific doubt that there would

be no impact on the water supply.

As a former civil engineer working in the water industry I have grave concerns over the potential for contamination of the water supply in this area, both from surface and ground water contamination. In particular ground water contamination will be exceptionally difficult to deal with.

In Pennsylvania, the Department of Water Protection has confirmed at least 279 cases of water contamination due to fracking:
http://files.dep.state.pa.us/OilGas/BOGM/BOGMPortalFiles/OilGasReports/Determination_Letters/Regional_Determination_Letters.pdf
Fracking has also been proven to pollute groundwater in Wyoming:H
Https://www.scientificamerican.com/article/fracking-can-contaminate-drinking-water/

The MJWP should contain much stricter guidelines on the assessment of dangers of contamination required to be considered in the planning process and also the measures required for monitoring ongoing groundwater quality as the projects progress.

Highways and traffic impacts

- Fracking is very likely to cause a large increase in traffic movements, as trucks bring water, chemicals and sand to the well-site, and to remove contaminated waste water (often containing Naturally Occurring Radioactive Material), solid waste, and possibly gas if there is no nearby pipeline.
- It has been estimated that each individual borehole will require between 2,000 and 7,000 truck movements, and there are plans for up to 40 or 50 wells per fracking site.
- The rural road network in Yorkshire is ill-suited to deal with this exponential increase in traffic.
- Paragraph 144 of the NPPF states that local authorities should ensure that there: *"are no unacceptable adverse impacts on the natural and historic environment, human health or aviation safety, and take into account the cumulative effect of multiple impacts from individual sites".*
- There appears to be little in the MWJP to guarantee the safety of other users of the road network, including non-vehicle users (cyclists, walkers, people on horseback, etc.). This must be included in the Plan.
- The huge increase in HGV traffic will also adversely affect the air quality along the designated routes, particularly if they pass 'sensitive receptors' such as schools, hospitals and old people's homes.
- The MWJP is therefore unsound as it does not adequately include restrictions to prohibit fracking HGV traffic from impacting on the air quality on these receptors. Policy M17 therefore needs to be amended to include these concerns and if necessary, impose restrictions.
- This would ensure compliance with concerns of Public Health England, which has been raising this issue with minerals applications in other parts of the UK.

Paragraph 144 of the NPPF states that local authorities should ensure that there: *"are no unacceptable adverse impacts on the natural and historic environment, human health or aviation safety, and take into account the cumulative effect of multiple impacts from individual sites".*

Malton/Norton is the key town in Ryedale, situated at the hub of the A64 and the A169?. It is the primary crossing point on the River between the North to Pickering and the South towards Beverly and the Wolds. The town already suffers from considerable congestion at busy periods aggravated by the railway crossing which will become worse as the rail traffic is due to double in the coming year. Additionally the main crossroads in Malton is already subject to air contamination and illegal NOX levels. The cumulative increase in traffic, heavy lorries etc., associated with fracking can only further aggravate this problem.

Most of the local roads in this rural area are frequented by leisure traffic; including tourists gaining access to rural letting property which forms the basis of a large element of the rural economy. With the potential for 10 well pads per every 100square kilometers and the associated infrastructure, the massive increase in traffic in this rural area will detract from the amenity and the economy of the rural area. Further the area functions as a rural lung for the cities of the North and wider region with the roads used for cycling and walking. Population of these roads by large numbers of heavy vehicles can only detract from safety and do nothing for the environment.

Cumulative impact

- The NPPF states Planning Authorities should: *"…take into account the cumulative effects of multiple impacts from individual sites and/or a number of sites in a locality"*
- Planning practice guidance also states: *"The local planning authorities should always have regard to the possible cumulative effects arising from any existing or approved development."*
- One of the biggest concerns regarding fracking is that the industry will require thousands of wells in the next twenty years to be financially viable. Most fracking wells are unprofitable after the first year, and 84% are unprofitable after 3 years. Therefore fracking companies will need to continually drill more wells, and establish more well sites, just to survive. This endless proliferation is the aspect of fracking that raises fears of the industrialisation of the countryside in Yorkshire, and is one of residents' greatest concerns.
- The cumulative impact of fracking wells could have very damaging impacts on the road network, biodiversity, climate change, water use, water contamination, air pollution, noise and light pollution, soil contamination, human health and traditional rural

industries such as agriculture and tourism.

- The MWJP suggests that an 'acceptable' cumulative impact can be achieved by a density of 10 well-pads per 10x10 km^2 PEDL licence block. It is noted that each well-pad can contain as many as 40 or 50 individual wells, by the industry's own admission, meaning that a 10x10 km^2 PEDL licence block could contain up to 500 fracking wells.
- Bearing in mind that each well requires 60-100 hours drilling, many more hours fracking, produces millions of gallons of waste water, generates thousands of HGV truck movements, generates toxic air pollution near the site and many other impacts such as noise and light pollution, the proposed density would be condemning people who live in this area to a lifetime of noise, traffic problems, health issues and stress.
- Furthermore, there is no guidance given on the separation distance between each well-site. Kevin Hollinrake MP suggested that these should be at least six miles apart, which would be incompatible with the current plan of 10 well-pads per PEDL licence block.
- However, the lack of any separation distance in the MWJP is a significant failing in terms of soundness, and a minimum separation distance of at least 3 miles should be included in the plan. This would avoid all the allowed well-sites in one PEDL licence area to be 'bunched up' in one place, causing unacceptable impact for the local community.
- Furthermore, the MWJP says "*For PEDLs located within the Green Belt or where a relatively high concentration of other land use constraints exist, including significant access constraints, a lower density **may** be appropriate*. This should be amended to '**will** be appropriate', as otherwise operators may still be allowed to have 10 well-pads located in a much smaller surface area.
- There is also an absence of transport impacts relating to this density of well sites, particularly in terms of how this is monitored, which needs to be addressed.

The Precautionary Principle

- To abide by legal guidelines, the precautionary principle should be applied to the issue of cumulative impact. The precautionary principle is a means of restricting development where there is a lack of scientific evidence to demonstrate that significant effects would not otherwise occur.
- Planning practice guidance also refers to the precautionary principle in relation to Environmental Impact Assessment (EIA): *"the local planning authority must have regard to the amount of information available, the precautionary principle and the degree of uncertainty in relation to the environmental impact."*
- The precautionary principle is also reflected in the NPPF, saying, "*Ensuring policy is developed and implemented on the basis of strong scientific evidence, whilst taking into account scientific uncertainty (through the precautionary principle) as well as public attitudes and values."*
- In order to comply with current legislation (see above), the precautionary principle should be included in the MWJP, so that new developments are not permitted unless it can be proved that there will be no unacceptable cumulative effects.
- The MWJP should therefore amended so that an **Environmental Impact Assessment** should always be required to assess the potential cumulative effects from an additional fracking development and ensure that in determining planning applications, final decisions are based on a scientific certainty that <u>all</u> potential issues can be overcome.

The NPPF and planning guidance state that the cumulative impact of existing or approved development.

There is huge concern in this region that once the fracking industry takes hold then in order to remain profitable it will be required to roll out the process of drilling and fracking on a huge industrial scale. This will involve the formation of hundreds of pads and thousands of wells and tens of thousands of vehicular movements and yet more hours of noisy drilling.

As an absolute minimum the MJWP should contain a requirement for base line monitoring and ongoing assessment at all sites. The MJWP should also be amended so that the potential cumulative effects of from additional fracking developments is considered and used in determining planning applications.

Waste management and re-injection wells

- Paragraph 5.156 states incorrectly, with reference to re-injecting waste water from fracking, that "*A specific issue sometimes associated with this form of development is the potential for re-injected water to act as a trigger for the activation of geological fault movements, potentially leading to* ***very small scale induced seismic activity***".
- The assumption that any seismic activity resulting from re-injection of waste water from fracking operations is 'small scale' is incorrect, and drastically underestimates the damage that fracking waste water re-injection wells are causing elsewhere, particularly in the USA.
- Oklahoma, for example, is now the earthquake capital of the USA due to re-injection of waste from fracking operations. According to an article Scientific American, entitled Waste Water Injection Caused Oklahoma Quakes**,** "More than 230 earthquakes with a magnitude greater than 3.0 have shaken the state of Oklahoma already this year. Before 2008 the state averaged one such quake a year."
https://www.scientificamerican.com/article/wastewater-injection-caused-oklahoma-earthquakes/
- A recent earthquake in Oklahoma registered at 5.7 on the Richter Scale. and was felt from Texas to Illinois. This resulted in the state regulator shutting down 37 waste-water re-injection wells.
https://www.bloomberg.com/news/articles/2016-09-04/oklahoma-quake-matches-record-even-as-fracking-waste-restricted
- These earthquakes, and many others like it, are not 'very small scale induced seismic activity', as described in Paragraph 5.156. They have caused serious structural damage to roads, buildings and water supplies, and the impact on the underlying geology has not been fully assessed.
- The threat to North Yorkshire may be even more severe if fracking waste water was allowed to be re-injected at the scale required for the fracking industry to expand, due

to the much more faulted geology of the area.

- The MWJP therefore has a statutory duty to invoke the precautionary principle regarding re-injecting fracking waste fluid in North Yorkshire, and ensure that re-injection is not permitted until it can be proved beyond doubt that this process can be conducted safely.

KEY POLICY AMENDMENTS

Policy M16 pt (b) (regarding climate change requirements, precautionary approach and cumulative impacts)

…b) **[INSERT]** ***Proposals will only be considered where they can demonstrate by appropriate evidence and assessment that they can be delivered in a safe and sustainable way and that adverse impacts can be avoided – either alone or in combination with other developments. Consideration should include: -***

- ***It being demonstrated that greenhouse gases associated with fugitive and end-user emissions will not lead to unacceptable adverse environmental impacts or compromise the planning authority's duties in relation to reducing greenhouse gas emissions.***

- ***a precautionary approach to unconventional oil and gas development in requiring environmental impact assessment;***

- ***cumulative impacts for such development including issues such as (and not limited to):***

- ***water, air and soil quality; habitats and ecology; highway movements and highway safety; landscape impact; noise; and GHG emissions;***

Policy M16 pt (b) (regarding inclusion of Yorkshire Wolds and Vale of Pickering landscape areas)

(ii) Sub-surface proposals for these forms of hydrocarbon development, including lateral drilling, underneath the designations referred to in i) above, will **[INSERT] not** ~~only~~ be permitted **[INSERT] unless** ~~where~~ it can be demonstrated that ~~significant~~ **[INSERT] no** harm to the designated asset will ~~not~~ occur.

Policy M16 pt (c) (regarding inclusion of Yorkshire Wolds and Vale of Pickering landscape areas)

i) Surface proposals for these forms of hydrocarbon development will ***[INSERT] not*** ~~*only*~~ *be permitted* ~~*where*~~ ***[INSERT] unless*** *they would be outside* ***[INSERT] and respect the setting of*** *the following designated areas: National Park, AONBs, Protected Groundwater Source Areas, the Fountains Abbey/Studley Royal World Heritage Site and accompanying buffer zone, Scheduled Monuments, Registered Historic Battlefields, Grade I and ll* Registered Parks and Gardens, Areas which Protect the Historic Character and Setting of York,* ***[INSERT] The Vale of Pickering and The Yorkshire Wolds,*** *Special Protection Areas, Special Areas of Conservation, Ramsar sites and Sites of Special Scientific Interest.*

Policy M17 part 1 (regarding highways impacts)

…i) Hydrocarbon development will ***[INSERT] not*** *be permitted in locations* ~~*with*~~ ***[INSERT] without*** *suitable direct or indirect access to classified A or B roads and where it can be demonstrated*

through a Transport Assessment ***[INSERT] either singularly or cumulatively with other schemes*** *that:*

a) There is capacity within the road network for the level of traffic proposed and the nature, volume and routing of traffic generated by the development would not give rise to unacceptable impact on local communities ***[INSERT] including indirect impacts linked to air quality (re Air Quality Management Areas)****, businesses or other users of the highway or, where necessary, any such impacts can be appropriately mitigated for example by traffic controls, highway improvements and/or traffic routing arrangements* ***[INSERT] away from sensitive areas and receptors****; and ...*

M17 pt 3 (regarding the local economy)

…Hydrocarbon development will ***[INSERT] not*** *be permitted ~~in locations where~~* ***[INSERT] unless it can be demonstrated that a very*** *high standard of protection can be provided to environmental, recreational, cultural, heritage or business assets important to the local economy including, where relevant, important visitor attractions.*

M17 pt 4 (regarding amenity)

4) Specific local amenity considerations relevant to hydrocarbon development

*i) Hydrocarbon development will be permitted in locations where it would not give rise to unacceptable impact on local communities or public health. Adequate separation distances should be maintained between hydrocarbons development and residential buildings and other sensitive receptors in order to ensure a high level of protection from adverse impacts from noise, light pollution, emissions to air or ground and surface water and induced seismicity, including in line with the requirements of Policy D02. Proposals for surface hydrocarbon development, particularly those involving hydraulic fracturing, within ~~500~~****[INSERT] 750****m of residential buildings and other sensitive receptors, are unlikely to be consistent with this requirement and will ~~only~~* ***[INSERT] not*** *be permitted ~~in exceptional circumstances~~…*

…iii) Proposals involving hydraulic fracturing should be accompanied by an air quality monitoring plan and Health Impact Assessment ***[INSERT] which includes consideration of the baseline and how the development will mitigate effectively to maintain these levels enjoyed by local residents****.* ***Where it cannot be demonstrated these levels can be maintained, then development will not be supported.***

M18 pt ii (regarding waste water and re-injection wells)

Proposals for development involving re-injection of returned water via an existing borehole, or the drilling and use of a new borehole for this purpose, will ***[INSERT] not*** *~~only~~ be permitted in locations* ***unless*** *~~where~~ a high standard of protection can be be provided to ground and surface waters; they would comply with all other relevant requirements of Policy M16 and M17 and where it can be* ***proven beyond doubt*** *~~demonstrated~~ that any risk from induced seismicity can be mitigated to an acceptable level.*

Minerals and Waste Joint Plan

Publication Stage- Response Form

Part A - Contact details

Your contact details

Name: [redacted]	Title: [redacted]	Initial(s):
Surname: [redacted]		
Organisation (if applicable): n/a		
Address: [redacted]		
Post Code: [redacted]		
Telephone: [redacted]		
Email: [redacted]		

Agent contact details (if applicable)

Name:	Title:	Initial(s):
Surname:		
Organisation (if applicable):		
Address:		
Post Code:		
Telephone:		
Email:		

Please ensure that your contact details in Part A are correctly filled in. Without this information your representations cannot be recorded. Please also see the note on Data Protection at the bottom of this page before submitting your response.

At this stage in producing the Joint Plan, representations should be focussed on legal compliance, compliance with the Duty to Cooperate and whether the Plan meets the four tests of soundness. More information on these matters are provided in separate **guidance notes. You are strongly advised to read these notes, which have been prepared by the Planning Inspectorate, before responding.**

A separate **Part B** form **MUST** be produced for each separate representation you wish to make. After this stage, further submissions will only be at the invitation of the inspector who will conduct an Examination in Public of the Joint Plan, based on the matters they identify during the Examination.

All responses should be returned by 5pm on Wednesday 21st December 2016. Please note that representations cannot be received after this deadline.

Responses can be returned by email to: mwjointplan@northyorks.gov.uk or by post using the address below:

Minerals and Waste Joint Plan Team
Planning Services
North Yorkshire County Council
County Hall
Northallerton
DL7 8AH

Data Protection:
North Yorkshire County Council, the North York Moors National Park Authority and the City of York Council are registered under the Data Protection Act 1998. For the purposes of the Data Protection Act legislation, your contact details and responses will only be retained for the preparation of the Minerals and Waste Joint Plan. Representations made at Publication stage cannot remain anonymous, but details will only be used in relation to the Minerals and Waste Joint Plan. Your response will be made avalible to view on the website and as part of the examination.

For official use only:
Respondent Number Date received.....Date entered .....Date acknowledged.....

Publication stage Response form - Part B

Please use a separate Part B form for each representation

Name or Organisation :	[redacted]

Please mark with an x as appropriate

1. To which part of the Minerals and Waste Joint Plan does this representation relate?

Paragraph No./ Site Allocation Reference No.		Policy No.	M16,M17, M18	Policies Map	

2. Do you consider the Minerals and Waste Joint Plan is :

2.(1) Legally compliant	Yes		No	x
2.(2) Sound	Yes		No	x

(2a) Which Element of soundness does your respresentation relate to? (please only mark with an x one element of soundness per response form).

Positively Prepared	Yes		No	x	*Justified*	Yes		No	x
Effective	Yes		No	x	*Consistent with National Policy*	Yes		No	x

2 (3) Complies with the Duty to co-operate	Yes		No	x

3. Please give details below of why you consider the Minerals and Waste Joint Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

The Minerals and Waste Joint Plan does not comply with the statement that you will enable the delivery of sustainable development. Sustainable development is that where the development "meets the need of the present without compromising the ability of future generations to meet their own needs"
It is well documented that fracking involves the contamination of groundwater and methane pollution from leakage; this is well known to hve a dramatic effect on global warming. There is then the follow up scenario of extreme climate conditions, thus compromising the ability of future generations to meet their own needs.

(continue on a separate sheet/expand box if necessary)

4. Please set out what modification(s) you consider necessary to make the Minerals and Waste Joint Plan legally compliant or sound, having regard to the Matter you have identified at 3. above where this relates to soundness. (NB Please note that any non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why this modification will make the Minerals and Waste Joint Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

I do not believe that there is any action which could be taken with respect to this fracking proposal which would make the aforementioned plan compliant or sound.

(continue on a separate sheet/expand box if necessary)

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

5. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

x	**No,** I do not wish to participate at the oral examination		**Yes,** I wish to participate at the oral examination

6. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

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

All responses received will be considered and any information provided will be made public. My consent is hereby confirmed.

Signature: [redacted]	Date:21st December 2016

Official Use Only Reference Number

TITLE	[redacted]
INITIALS	[redacted]
SURNAME	[redacted]
ORGANISATION (if applicable)	
ADDRESS	[redacted]
POSTCODE	[redacted]
TELEPHONE	[redacted]
EMAIL	[redacted]

No, I do not want to attend the Oral Examination of the MWIP

CLIMATE CHANGE

- The Publication Draft of the MWJP does not conform to statutory requirements for legal compliance and tests of soundness relating to Climate Change.
- The MWJP does not conform with Section 19(1A) of The Planning and Compulsory Purchase Act (2004), which states that policies as a whole must contribute to the mitigation of, and adaptation to, climate change.
- Sections M16-18 of the MWJP does not conform with Paragraph 94 of the National Planning Policy Framework (NPPF), Paragraph 94, which states that "*Local planning authorities should adopt proactive strategies to mitigate and adapt to climate change."*.
- The Committee of Climate Change (CCC) report of March2016 concluded that the exploitation of shale gas would not be compatible with UK carbon budgets, or the legally binding commitment in the Climate Change Act to reduce emissions by at least 80% by 2050, unless three crucial tests are met. The MWJP's ability to meet these tests are not clearly defined.
- Assumptions that shale gas could lead to carbon savings are unsupported, given that test 3 of the CCC report states that "*emissions from shale exploitation will need to be offset by emissions reductions in other areas of the economy to ensure that UK carbon budgets are met*."
- It is unclear how this can be achieved, given that the government has removed support for Carbon Capture and Storage (CCS), drastically reduced subsidies for renewable energy and scrapped plans to make all new homes zero carbon by 2016.
- The MWJP is therefore unsound to claim that Policy M16 could have any positive impact on the climate budget, as this key condition of the CCC report is a long way from being met.
- Future applications for hydrocarbons production (including fracking) must be assessed using the following criteria:
  - CO_2 emissions and fugitive methane leaks must be included
  - CO_2 emissions resulting from both production and combustion must be included
  - explanations of how emissions from shale gas production can be accommodated within UK carbon budgets should be included and assessed by the planning authorities.
  - Until Carbon Capture and Storage (CCS) is fully operational, this can not be used in planning applications as a device to mitigate future CO_2 emissions in some notional future
  - any proposed plan must clearly show that it will lead to a *reduction* in climate change in order for it to be approved.

Landscape and Visual Impact

- The inclusion in Policy M16 that designated areas such as National Parks, AONBs and SSSIs are protected from fracking on their surfaces is strongly supported.
- However, the MWJP is currently unsound as it does not take into account the Ryedale Local Plan Strategy, in particular Policy SP13 (Landscapes).
- The Ryedale Plan is an adopted local plan which has statutory force and has been made in accordance with the requirements of the NPPF. It follows that the draft minerals plan would be unsound if it failed to take proper account of Policy SP13 of the Ryedale Plan.
- It is also noted that the Areas which Protect the Historic Character and Setting of York are now included as a protected area, presumably because the MWJP was seen to be in conflict with the City Plan, which was also approved by the NYCC. The same consideration must therefore be given to the Ryedale Plan.
- The Ryedale Plan aims to encourage new development to *"reinforce distinctive elements of landscape character"* in areas including the Vale of Pickering and the Yorkshire Wolds. These are areas high in landscape value, with Neolithic features that require specific consideration, and which should be protected by Policy M16 in the MWJP.
- Ryedale Policy SP13 states that developments should contribute to the protection and enhancement of distinctive elements of landscape character, including: *"Visually sensitive skylines, hill and valley sides…the ambience of the area, including nocturnal character, level and type of activity and tranquillity, sense of enclosure/exposure." (p 129 – Ryedale Plan).*
- If fracking were developed in the way described in the MWJP, this would clearly contravene the Ryedale Plan, which was approved and adopted by the NYCC.
- The landscape impact alone of so many fracking well-sites, and the supporting infrastructure such as pipelines, would clearly have a negative effect on the Vale of Pickering and the Yorkshire Wolds.
- The MWJP must be developed so that it is complementary to this Local plan, not be in conflict with it. This means that the MWJP is currently unsound.
- The Vale of Pickering and the Yorkshire Wolds should therefore be included as 'protected areas' in Policy M16.

Cumulative impact

- The NPPF states Planning Authorities should: *"…take into account the cumulative effects of multiple impacts from individual sites and/or a number of sites in a locality"*
- Planning practice guidance also states: *"The local planning authorities should always have regard to the possible cumulative effects arising from any existing or approved development."*
- One of the biggest concerns regarding fracking is that the industry will require thousands of wells in the next twenty years to be financially viable. Most fracking wells are unprofitable after the first year, and 84% are unprofitable after 3 years. Therefore fracking companies will need to continually drill more wells, and establish more well sites, just to survive. This endless proliferation is the aspect of fracking that raises fears of the industrialisation of the countryside in Yorkshire, and is one of residents' greatest concerns.
- The cumulative impact of fracking wells could have very damaging impacts on the road network, biodiversity, climate change, water use, water contamination, air pollution, noise and light

pollution, soil contamination, human health and traditional rural industries such as agriculture and tourism.

- The MWJP suggests that an 'acceptable' cumulative impact can be achieved by a density of 10 well-pads per 10x10 km^2 PEDL licence block. It is noted that each well-pad can contain as many as 40 or 50 individual wells, by the industry's own admission, meaning that a 10x10 km^2 PEDL licence block could contain up to 500 fracking wells.
- Bearing in mind that each well requires 60-100 hours drilling, many more hours fracking, produces millions of gallons of waste water, generates thousands of HGV truck movements, generates toxic air pollution near the site and many other impacts such as noise and light pollution, the proposed density would be condemning people who live in this area to a lifetime of noise, traffic problems, health issues and stress.
- Furthermore, there is no guidance given on the separation distance between each well-site. Kevin Hollinrake MP suggested that these should be at least six miles apart, which would be incompatible with the current plan of 10 well-pads per PEDL licence block.
- However, the lack of any separation distance in the MWJP is a significant failing in terms of soundness, and a minimum separation distance of at least 3 miles should be included in the plan. This would avoid all the allowed well-sites in one PEDL licence area to be 'bunched up' in one place, causing unacceptable impact for the local community.
- Furthermore, the MWJP says "*For PEDLs located within the Green Belt or where a relatively high concentration of other land use constraints exist, including significant access constraints, a lower density **may** be appropriate*. This should be amended to '**will** be appropriate', as otherwise operators may still be allowed to have 10 well-pads located in a much smaller surface area.
- There is also an absence of transport impacts relating to this density of well sites, particularly in terms of how this is monitored, which needs to be addressed.

The Precautionary Principle

- To abide by legal guidelines, the precautionary principle should be applied to the issue of cumulative impact. The precautionary principle is a means of restricting development where there is a lack of scientific evidence to demonstrate that significant effects would not otherwise occur.
- Planning practice guidance also refers to the precautionary principle in relation to Environmental Impact Assessment (EIA): *"the local planning authority must have regard to the amount of information available, the precautionary principle and the degree of uncertainty in relation to the environmental impact."*
- The precautionary principle is also reflected in the NPPF, saying, "*Ensuring policy is developed and implemented on the basis of strong scientific evidence, whilst taking into account scientific uncertainty (through the precautionary principle) as well as public attitudes and values."*
- In order to comply with current legislation (see above), the precautionary principle should be included in the MWJP, so that new developments are not permitted unless it can be proved that there will be no unacceptable cumulative effects.
- The MWJP should therefore amended so that an **Environmental Impact Assessment** should always be required to assess the potential cumulative effects from an additional fracking development and ensure that in determining planning applications, final decisions are based on a scientific certainty that <u>all</u> potential issues can be overcome.

Waste management and re-injection wells

- Paragraph 5.156 states incorrectly, with reference to re-injecting waste water from fracking, that "*A specific issue sometimes associated with this form of development is the potential for re-injected water to act as a trigger for the activation of geological fault movements, potentially leading to* ***very small scale induced seismic activity***".
- The assumption that any seismic activity resulting from re-injection of waste water from fracking operations is 'small scale' is incorrect, and drastically underestimates the damage that fracking waste water re-injection wells are causing elsewhere, particularly in the USA.
- Oklahoma, for example, is now the earthquake capital of the USA due to re-injection of waste from fracking operations. According to an article Scientific American, entitled Waste Water Injection Caused Oklahoma Quakes**,** "More than 230 earthquakes with a magnitude greater than 3.0 have shaken the state of Oklahoma already this year. Before 2008 the state averaged one such quake a year." https://www.scientificamerican.com/article/wastewater-injection-caused-oklahoma-earthquakes/
- A recent earthquake in Oklahoma registered at 5.7 on the Richter Scale. and was felt from Texas to Illinois. This resulted in the state regulator shutting down 37 waste-water re-injection wells. https://www.bloomberg.com/news/articles/2016-09-04/oklahoma-quake-matches-record-even-as-fracking-waste-restricted
- These earthquakes, and many others like it, are not 'very small scale induced seismic activity', as described in Paragraph 5.156. They have caused serious structural damage to roads, buildings and water supplies, and the impact on the underlying geology has not been fully assessed.
- The threat to North Yorkshire may be even more severe if fracking waste water was allowed to be re-injected at the scale required for the fracking industry to expand, due to the much more faulted geology of the area.
- The MWJP therefore has a statutory duty to invoke the precautionary principle regarding re-injecting fracking waste fluid in North Yorkshire, and ensure that re-injection is not permitted until it can be proved beyond doubt that this process can be conducted safely.

Minerals and Waste Joint Plan

Publication Stage- Response Form

Part A - Contact details

Your contact details

Name: John Clark	Title: County Councillor	Initial(s):
Surname: Clark		
Organisation (if applicable): North Yorkshire County Councillor responding on behalf of the North Yorkshire Scrutiny of Health Committee		
Address:	County Hall	
	Northallerton	
	North Yorkshire	
Post Code: DL7 8AD		
Telephone: 01751 417131		
Email: Cllr.John.Clark@northyorks.gov.uk		

Agent contact details (if applicable)

Name:	Title:	Initial(s):
Surname:		
Organisation (if applicable):		
Address:		
Post Code:		
Telephone:		
Email:		

Please ensure that your contact details in Part A are correctly filled in. Without this information your representations cannot be recorded. Please also see the note on Data Protection at the bottom of this page before submitting your response.

At this stage in producing the Joint Plan, representations should be focussed on legal compliance, compliance with the Duty to Cooperate and whether the Plan meets the four tests of soundness. More information on these matters are provided in separate **guidance notes. You are strongly advised to read these notes, which have been prepared by the Planning Inspectorate, before responding.**

A separate **Part B** form **MUST** be produced for each separate representation you wish to make. After this stage, further submissions will only be at the invitation of the inspector who will conduct an Examination in Public of the Joint Plan, based on the matters they identify during the Examination.

All responses should be returned by 5pm on Wednesday 21st December 2016. Please note that representations cannot be received after this deadline.

Responses can be returned by email to: mwjointplan@northyorks.gov.uk or by post using the address below:

Minerals and Waste Joint Plan Team
Planning Services
North Yorkshire County Council
County Hall
Northallerton
DL7 8AH

Data Protection:
North Yorkshire County Council, the North York Moors National Park Authority and the City of York Council are registered under the Data Protection Act 1998. For the purposes of the Data Protection Act legislation, your contact details and responses will only be retained for the preparation of the Minerals and Waste Joint Plan. Representations made at Publication stage cannot remain anonymous, but details will only be used in relation to the Minerals and Waste Joint Plan. Your response will be made avalible to view on the website and as part of the examination.

For official use only:
Respondent Number Date received.....Date entered .....Date acknowledged.....

Publication stage Response form - Part B

Please use a separate Part B form for each representation

Name or Organisation :	North Yorksire Scrutiny of Health Committee

Please mark with an x as appropriate

1. To which part of the Minerals and Waste Joint Plan does this representation relate?

Paragraph No./ Site Allocation Reference No.	See below	Policy No.	See below	Policies Map	

2. Do you consider the Minerals and Waste Joint Plan is :

2.(1) Legally compliant	Yes	x	No	
2.(2) Sound	Yes		No	x

(2a) Which Element of soundness does your respresentation relate to? (please only mark with an x one element of soundness per response form).

Positively Prepared	Yes	x	No		*Justified*	Yes		No	x
Effective	Yes		No	x	*Consistent with National Policy*	Yes	x	No	

2 (3) Complies with the Duty to co-operate	Yes	x	No	

3. Please give details below of why you consider the Minerals and Waste Joint Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

This response is made on behalf of the North Yorkshire Scrutiny of Health Committee.

It follows a review of the Minerals and Waste Joint Plan Publication Draft (November 2016) to ascertain whether all of the recommendations of the joint report of the Chairman of the Transport, Economy and Environment Overview and Scrutiny Committee and the Chairman of the Scrutiny of Health Committee, made to and accepted by the North Yorkshire County Executive on 14 June 2016, have been taken into account.

The areas that the North Yorkshire Scrutiny of Health Committee feels are either not included or not made explicit in the current version of the Minerals and Waste Joint Plan Publication Draft (November 2016), are as follows:

Separation distances – in Policy M17 – 4.i) the separation distances between the built environment and well sites have been specified by default as being 500m, as follows:

"Proposals for surface hydrocarbon development, particularly those involving hydraulic fracturing, within 500m of residential buildings and other sensitive receptors, are unlikely to be consistent with this requirement and will only be permitted in exceptional circumstances."

The Scrutiny of Health Committee previously noted that there was a need, in view of the infancy of the fracking industry in the UK, to monitor the impact of fracking activity upon the built environment to better understand the minimum separation distances required. This is not made explicit in the Plan.

Health-related baseline monitoring study – whilst policy M17 – 4.ii) refers to baseline monitoring ("any relevant data") as part of the evidence base considered when hydrocarbon development is considered, it is not clear what data is going to be available and how robust the data set will be:

"Proposals should refer to any relevant data from baseline monitoring and other available information to ensure that a robust assessment of potential impacts is undertaken, and that comprehensive mitigation measures are proposed where necessary."

The recommendations to Executive were as below:

"That the government, in particular the Department of Energy & Climate Change, is called upon to consider ensuring that independent environmental baseline monitoring is made on-going beyond the first few well sites, in order to build up a comprehensive picture of different geological factors between site specific areas."

"That an immediate large-scale health-related baseline monitoring study is commissioned, paid for and led by an independent body such as Public Health England to identify any anomalies arising if and when a shale gas industry develops in North Yorkshire."

The concern remains that there is not a clearly specified or robust way in which environmental and health data can be gathered, a baseline established and then the impact of fracking and any protective/mitigating actions fully understood.

Re-use of waste water – Policy M18 – 1.ii) refers to the re-use of waste water:

"Proposals for development involving re-injection of returned water via an existing borehole, or the drilling and use of a new borehole for this purpose, will only be permitted in locations where a high standard of protection can be provided to ground and surface waters."

It is not clear what regulations will be put in place through the associated 'Waste Water Management Plan' to ensure that the re-use of waste water is effectively managed.

The recommendation made to Executive on the reuse of waste water was that "No waste water is to be reused without being cleaned." This is not made explicit in the Plan.

(continue on a separate sheet/expand box if necessary)

4. Please set out what modification(s) you consider necessary to make the Minerals and Waste Joint Plan legally compliant or sound, having regard to the Matter you have identified at 3. above where this relates to soundness. (NB Please note that any non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why this modification will make the Minerals and Waste Joint Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Separation distances – in Policy M17 – 4.i) - set out a clearly specified or robust way in which environmental and health data can be gathered to enable the impact of fracking activity upon the built environment to better understood so that the minimum separation distances required can be established.

Health-related baseline monitoring study – M17 – 4.ii) – set out a clearly specified or robust way in which environmental and health data can be gathered, a baseline established and then the impact of fracking and any protective/mitigating actions fully understood.

Re-use of waste water – Policy M18 – 1.ii) – make it explicit that "No waste water is to be

reused without being cleaned to standards set by the Environment Agency for reuse of water from fracking."

(continue on a separate sheet/expand box if necessary)

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

5. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

	No, I do not wish to participate at the oral examination	X	**Yes,** I wish to participate at the oral examination

6. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Participation in the oral examination will enable there to be a full consideration of the issues, highlighted above, that were previously raised through Joitn Scrutiny and the recommendations that were accepted by Executive.

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

All responses received will be considered and any information provided will be made public. My consent is hereby confirmed.

Signature: County Councillor John Clark on behalf of the North Yorkshire Scrutiny of Health Committee	Date: 19 December 2016

MINERAL AND WASTE JOINT PLAN (PUBLICATION STAGE) Consultation response

TITLE	[redacted]
INITIALS	[redacted]
SURNAME	[redacted]
ORGANISATION (if applicable)	
ADDRESS	[redacted]
POSTCODE	[redacted]
TELEPHONE	[redacted]
EMAIL	[redacted]

No, I do not want to attend the Oral Examination of the MWJP.

CLIMATE CHANGE

It is hard to see how approval for fracking conforms in any way with the obligation on local planning authorities in the National Planning policy framework to adopt proactive strategies to mitigate and adapt to climate change and a realistic assessment taking into account all probable factors would suggest that it will have a negative impact on climate change

Landscape and Visual Impact

Living on land rising gently from the Vale of Pickering, we have distant views over a wide horizon and our views will almost certainly be impacted by several sites changing the sense of rural peace. I cannot see why the Ryedale Plan should be ignored when it resulted from a widespread discussion of the best ways to preserve the character of this beautiful and historic area for the people who live here and also for visitors who contribute to the economy of the area more than any other single source.

Noise impacts

One of the joys of living in this area is the peace and quiet at night. Apart necessary traffic and a small amount of industrial hum, it is silent here. As mentioned above, we live on rising ground and will most certainly be affected, particularly at night by any continuing processes on the lower land.

Air quality impacts

The certainty of some effect on air quality is deeply worrying since we must breathe where we live. The result may be short-term in major observable impact but air pollution has been shown to also have long-term health effects even after the apparent cause has diminished.

Biodiversity impacts

By including buffer zones round National Parks the MWJP tacitly admits that development will have a deleterious effect on the rest of the area. Since an assessment of the viability of development depends on balancing the benefits of the development against its negative effects, it throws the argument back on the accuracy of the alleged benefits. To re-iterate arguments made in other places: the benefit to the local areas is virtually non-existent and to the nation depends on gas being used to reduce climate changing emissions, which could be done in other ways. The argument that Britain will be in charge of its own energy production is spurious as it appears that it will be produced for private profit and traded on the international markets.

Water impacts

If this plan goes ahead, it will be very easy to see the effects of water pollution in the nearby Costa Beck, which is supplied by springs and its clear water is used for watercress and freshwater fish hatcheries.

At the first sign of pollution the authorities will immediately have a huge job of continuing supply to maintain the eco-system and if there is any sign of pollution in drinking water, the costs will dwarf any notional benefit.

Highways and traffic impacts

The traffic through Pickering, particularly in summer can be very slow and any increase in the E-W or N-S roads will make life very difficult as well, no doubt, as interfering with the unwelcome industrialisation of the area. A cynic might argue that because there would be fewer tourists when awareness of all the drilling activity spreads and thus less vehicle impact, life would be better, but this would not be convincing in an area that depends on tourism for its livelihood!

If, as seems likely, there is widespread and continuing hostility to fracking in this area, the continued lorry traffic will be most vulnerable to any protestors who decide to go beyond what is strictly legal. They would see it not as "terrorism" but as protecting their locality and way of life. The cost of policing this situation could be a considerable drain on local resources and would certainly hinder the viability of the development.

[redacted] 19/12/16

MINERAL AND WASTE JOINT PLAN (PUBLICATION STAGE) Consultation response

TITLE	[redacted]
INITIALS	[redacted]
SURNAME	[redacted]
ORGANISATION (if applicable)	
ADDRESS	[redacted]
POSTCODE	[redacted]
TELEPHONE	[redacted]
EMAIL	[redacted]

No, I do not want to attend the Oral Examination of the MWJP.

CONSIDERATION OF LOCAL IMPACTS

Landscape and Visual Impact

I believe the **Draft Plan to be unsound** because **paragraph 5.137** refers to a figure of 10 well pads per 100km2 PEDL area (pro-rata for PEDLs of less than 100km2), which has been sneaked in by the government and representatives from the shale gas industry since the previous iteration of the Plan.

This key policy was not included in previous versions of the Plan and therefore has not been consulted on correctly.
This is therefore not legally compliant, and is unsound on the basis that it has not been scrutinised, and does not comply with the NYCC's duty to cooperate.

Buffer Zones

The 500m setback distance of well pads from dwellings and schools mentioned in **Policy M17(4)(i)** has been taken from policies relating to wind turbines and relate to noise, not harmful pollution, and the very real risk of explosion. It is therefore appropriate that the separation distance should be very much greater in the case of fracking production sites than wind turbines (which, although noisy, carry no risk of explosion) in order to protect the public, especially children, from harm.

Our MP Kevin Hollinrake, after visiting fracking well-sites in the United States in October last year, came back saying that the setback distance should be at least one mile from homes and schools. I would reiterate most strongly that this should be the case.

mwjointplan

From: Berns Thierry (Oil and Gas Authority) <Thierry.Berns@ogauthority.co.uk>
Sent: 21 December 2016 15:48
To: [redacted]
Cc: mwjointplan
Subject: OGA Comments on Draft Waste and Minerals Joint Plan
Attachments: NYCC Draft Waste and Minerals Plan - OGA Comments 201216.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Dear [redacted]

Thank you for providing an opportunity to comment on your draft Minerals and Waste Joint Plan. We are pleased to see the Council taking a proactive stance on planning to help ensure robust regulation of onshore oil and gas developments in North Yorkshire.

In order to assist with the finalisation of the publication draft plan, the OGA would like to provide three points of clarification by means of the comments below. For ease of reference I have also attached a copy of the draft Plan with highlights to the relevant sections under 'Hydrocarbons (Oil and Gas)' (pp 75-99).

- Firstly, the draft Plan states that Petroleum Exploration and Development Licences (PEDLs) are awarded by Government and that the Department for Business, Energy and Industrial Strategy (BEIS) is responsible for granting consents, including well consents. We would note that, as of 1st April 2015, responsibility for the licensing regime was assumed by the Oil and Gas Authority (OGA). This includes, amongst other, the granting of licences, the granting of wells consents and administration of the traffic light system. As of 1st October 2016, the OGA has formally been vested as an independent Government Company and is therefore no longer considered to form part of Government. Hydraulic Fracturing Consents do, however, remain within the remit of Government, namely BEIS, as illustrated by the OGA's Hydraulic Fracturing Regulatory Process Map.

- Secondly, the draft Plan makes reference to the licensing process's objective of 'maximising exploitation'. We would wish to clarify that the licensing process's objectives. Through the holding of open, competitive licensing rounds the OGA ensures that acreage is awarded to companies most qualified to maximise the recovery of hydrocarbons insofar as economically viable. During such a round, the OGA also scrutinises operators' competency, financial viability, environmental awareness and geotechnical analysis.

- Thirdly, within the context of the 14th Round PEDLs being offered for award in December of 2015, the draft Plan notes the Government's interest in promoting the commercial exploitation of unconventional hydrocarbon resources. In addition to Shale Gas, the draft Plan also identifies other forms of unconventional hydrocarbons, such as Underground Coal Gasification (UCG) and Coal-Bed Methane (CBM). Whilst the OGA's PEDLs provide exclusivity rights in relation to Shale Gas and CBM developments, it should be noted that UCG developments cannot be undertaken under a PEDL and instead require a separate licence from the Coal Authority.

Separately, we note that the draft Plan requires licensees considering unconventional operations to provide the Council with their understanding of geological faults in the area and with an assessment of the potential for induced seismicity. We would be happy to further explain the requirements placed upon operators as part of the requirement that a Hydraulic Fracturing Plan be agreed with the OGA and other regulators, a prerequisite to our granting of well consent for hydraulic fracturing operations.

We hope you will find these comments useful and look forward to further engagement with you on the OGA's onshore regulatory functions, should you agree it would be helpful.

Kind regards,
Thierry

Oil & Gas Authority

Thierry Berns
Policy Manager – Strategy & Policy
E: thierry.berns@ogauthority.co.uk T: 0300 067 1639 M: 077 7522 8272
Follow us on Twitter.com/ OGAuthority

mwjointplan

From: [redacted]
Sent: 21 December 2016 15:59
To: mwjointplan
Subject: Minerals and Waste Joint Plan Consultation

Follow Up Flag: Follow up
Flag Status: Flagged

I have tried to respond to the above and have found your website to be excessively unhelpful. The document is 208 pages long with no helpful guidance.

My main concern is with the hydrocarbon section from page 76, especially sections from 5.110 to 5.116 on pages 80-81. I have many more concerns and will underline them all by stating that I am opposed to the industrialisation by fracking, and all of its ramifications, of this area of natural beauty. Many PEDL's have been granted and wells can go up at any great rate now that the tick-box exercise deadline is reached for the public view.

Any endeavour that has to consider mitigation before it starts is acknowledging that harm will be done.

[redacted]

mwjointplan

From: [redacted]
Sent: 21 December 2016 16:05
To: mwjointplan
Subject: Waste and Minerals Joint Plan Consultation Submission.

Follow Up Flag: Follow up
Flag Status: Flagged

How can Waste Management control and stop cancer causing nanoparticles of toxic chemicals reaching acquirers,rivers,streams,water supplies,reservoirs and molecules of the planet's vital air?
It cannot be done unless chemical manufacturing is stopped.
It is therefore vitally important to stop anymore lethal chemicals being made,in this case those used in fracking.
It is already worse than bad that toxic chemicals are sprayed on food crops.This must be ended ,only organic food and farming be produced.The lethal legacy will be borne by our descendants as well as those in cancer care wards,the National Health Services as stretched as they already are.

Climate change is happening.Indicator species are declining, amphibians,birds,bats and pollinators which are vitally Important to the planet's life-support systems.
All your council members need to read Naomi Klein's book " This changes everything."
Waste Management ,your council members really are extremely important for decisions for the future health of this country.Men and women died,were blinded,lost limbs around the time I was gifted with life on the only planet in the Universe that sustains myriad intricate lifeforms.THEY gave their today for our tomorrow....

Please do what you can to stop another Lethal legacy.We have Toxic chemicals
Climate change

Biocides, designed to kill life.
Air pollution. Chemtrails

Coral reef declines.
Species extinction.
My website : [redacted]

[redacted]

Prof Nick Cowern
on behalf of:
NC Tech Insight Ltd.
Crag Cottage,
Oswaldkirk, York.
YO62 5XT
Email: ncowern@gmail.com
Tel: 07980 298315

21 December 2016

Minerals and Waste Joint Plan Team
Planning Services
Business and Environmental Services
North Yorkshire County Council
County Hall, Northallerton
DL7 8AH
mwjointplan@northyorks.gov.uk

Dear MWJP Team,

1. I write in my capacity as Director/CEO of NC Tech Insight Ltd, a scientific consultancy with expertise in the energy and electronics industries and in atmospheric sciences, based in Ryedale, North Yorkshire. I wish to propose changes to certain provisions of the Minerals and Waste Joint Plan, particularly where they impact on the potential future industrialisation of this predominantly rural county through intensive unconventional natural gas extraction. Changes are suggested in relation to legal compliance and tests of soundness, and in one case (paragraph 12) in a case where text has been added to the most recent draft of the MWJP without consultation, and apparently as a result of industry prompting. Moreover, many of the issues raised below relate to inconsistencies with the NPPF.

2. In the areas of concern raised in this letter, many of the provisions currently formulated in the MWTP are ambiguous and/or unquantified, creating a serious risk that developments will be poorly controlled, detract from the quality of life of residents and workers, and damage key existing economic activities in the region. Suggestions for textual changes will be found below in bold type.

3. It is first worth noting an incontrovertible fact in relation to any potential future unconventional natural gas industry in the UK. The Committee on Climate Change (CCC), whose recommendations have statutory force, clearly states that the establishment of such an industry would be *inconsistent* with the UK Government's legally binding climate-change commitments (carbon targets) *unless* three key criteria are met. In particular, the CCC states that emissions of greenhouse gases (GHGs), primarily carbon dioxide (CO2) and methane (the main constituent of natural gas), must be kept within defined overall limits that strongly restrict the scope for industrial emissions and may increasingly restrict the growth potential of the industry over the next decade or two. This is particularly important because, during the time frame of the new MWJP, it is virtually inevitable that rising climate impacts will lead to a further tightening of carbon targets and thus further restrictions on the growth potential and financial viability of UK onshore natural gas. In recognition of this, it is suggested that the MWJP should contain a statement to the effect that: **No development**

should take place in North Yorkshire, which would disproportionately contribute towards an overrun on the UK's carbon targets as set out by the Committee on Climate Change.

4. Onshore natural gas exploration and production, transmission and distribution rely on uniquely extensive infrastructure that alters the nature of the landscape and environment and would strongly impact the existing rural economy in North Yorkshire. Restoration of the environment after exploitation is complete is thus a primary concern – particularly as certain aspects, for example, capping of wells and long-term monitoring of fugitive methane emissions, are highly specialised and costly. At the same time, there are significant risks of financial failure *during* exploitation, particularly if carbon budgets are tightened and/or the carbon price rises, which would place a near-impossible burden on local authorities in relation to restoration. It is therefore essential to include in the MWJP clear requirements stating that: **It is essential that every industrial project in North Yorkshire be evaluated for potential cost risks (for land restoration, post clean-up monitoring, etc.) in the event that the operating companies cease trading. Based on these cost risks, adequate financial bonds (not self-bonds) shall be deposited with an appropriate authority to assure proper restoration in the event of financial failure.**

5. The proposed onshore natural gas industry in North Yorkshire is based on the process of hydraulic fracturing. In this process, water and chemicals are injected into the rock strata of interest and subsequently allowed to return to the surface along with natural gas and additional contaminants such as heavy metals and naturally occurring radioactive material from the source rock. This raises several important issues above and beyond the current remit of the Environment Agency and other UK regulators which, I suggest, should be dealt with *much more clearly* in the MWJP in order to give proper meaning in respect of compliance and tests of soundness.

6. The returned water – known as 'flowback' water - typically emerges over a period of 1-2 weeks after hydraulic fracturing. It is both contaminated by toxic material and mixed with natural gas. In the USA the Environment Protection Agency advises the use of "green completion", in which essentially all of the gas is collected and subsequently used in energy production. Alternatives are venting to the atmosphere or flaring, both of which are harmful to the local, regional and global environments. At local and regional scales, venting exposes the human (and animal) population to elevated levels of hydrocarbons, some of which are carcinogenic and all of which affect health. Flaring releases more complex hydrocarbon vapour and soot particles which also impact locally, regionally and globally. Since the influential report by MacKay and Stone for the UK Department of Energy and Climate Change (DECC) in 2013, which stated a preference for green completion but did not make this mandatory, more recent peer-reviewed scientific journal articles from a range of institutions, notable Yale University, have shown that residents living near unconventional oil and gas wells have an elevated risk of morbidity and serious health impacts. The studies note that these impacts include early term birth complications, cancer and other diseases. It is thought likely that part of this threat to human health arises from exposure to emissions during flowback, and that they can be reduced (though not eliminated) by requiring that all hydraulic fracturing and well reworking be followed by green completion. It is therefore suggested to add the text**: All flowback liquid produced as a result of hydraulic fracturing or well reworking shall be processed using green completion; specifically, at least 95% of the natural gas accompanying the flowback to be separated and used for energy production.**

7. In addition to the abovementioned impacts, venting and flaring both have global impacts on climate (venting through the emission of methane, the second most important greenhouse gas after CO2, and flaring through the release of small soot particles, which have recently been shown to be a primary driver of rapid Arctic ice melting and atmospheric warming). Here again, green completion is essential. A Minerals and Waste Joint Plan that failed to specify this would be leaving the way open to a grossly incongruous intrusion into the environment, health and economy of North Yorkshire, as well as contributing harm to the national interest.

8. A further consequence of the hydraulic fracturing industry in North Yorkshire, as proposed by the UK oil and gas industry, is the production of a very large volume of liquid waste (typically millions of gallons per well, with a potential industrial scale of several tens of thousands of wells - thus tens of billions of gallons of contaminated liquid overall). It is currently thought that this water would be processed to remove certain (perhaps not all) contaminants, after which it would be disposed of at sea or on land. In particular, it has not been ruled out that disposal might take place by reinjection into certain rock strata within the county. This disposal method requires injection at very high pressure into deep rock strata.

9. The use of reinjection in the USA has been shown to cause significant earthquake activity. Notably in the state of Oklahoma, reinjection has led to a very large number of earthquakes, include one of magnitude 5.6 on the Richter Scale. This magnitude is sufficient to cause significant structural damage. *Induced earthquake activity did not begin immediately after the practice of reinjection began, but intensified over time as more reinjection took place*. Moreover, it was found to continue after reinjection ended, indicating that geological faults continue to move in response to earlier reinjections of liquid. Moreover, earthquake activity occurs at significant distances (kilometres) away from the locations where reinjection has occurred, indicating that faults have been unlocked by the injected liquid over substantial distances. In North Yorkshire, especially the area of Ryedale where the first hydraulic fracturing experiment is due to be conducted at Kirby Misperton, planning consent was given for the use of the Ebberston Moor site for reinjection *before* events of reinjection-induced earthquake activity began to occur in the USA. Ryedale is an area with a high density of locked faults, and thus may also be vulnerable to induced seismicity following reinjection.

10. It is therefore suggested, given the current limited understanding of the deep Ryedale geology *and* highly limited understanding of interactions between reinjected liquid and this geology, that the Minerals and Waste Joint Plan should **proscribe the use of reinjection in North Yorkshire for a five-year period, for reconsideration and possible extension should further research have sufficiently confirmed these concerns.**

11. It should also be noted that wastewater reinjection into rock strata within a heavily faulted region may ultimately lead to contamination of groundwater following long-range transport of liquid along geological faults. This cannot be ruled out using even 3-D seismic surveys, since the coupled mechanical and fluid behaviour under conditions created by reinjection has not yet been adequately researched.

12. In its current form the MWJP proposes a minimum distance of 0.5 km from residential buildings. It must be pointed out that:
    (a) this is closer than the distances at which the Yale University studies have shown

significant detrimental impacts on human health, including morbidity.

(b) the population density of North Yorkshire is higher than in areas where the US studies took place, and thus liable to larger numbers of health cases.

(c) Accidental explosions at fracking sites in the USA have caused damage and had the potential to cause fatalities, at distances up to 1 mile (about 1.5 km) away.

It is therefore strongly suggested that the following text should be adopted: **No well pad, compressor station, or processing plant shall be located such that any point within its perimeter lies within 1 km of any single residence, place of work or place of education. In the case of residential areas with more than 50 occupiers, educational establishments with more than 50 students or hospitals with more than 50 patients, the minimum distance between the closest points within the respective areas shall be 2 km.**

13. It has been announced by the industry, and added without consultation in drafting the current version of the MWJP, that well pads (with multiple wellheads) may be placed at a density of 10 well pads per 100 km^2 (e.g. 10km x 10km square). This implies a separation of at most 3 km between the majority of sites, placing *most locations* in the exploited licence blocks within a distance likely to *increase the frequency of serious health conditions identified in the peer-reviewed research studies* outlined in paragraph 5 of this letter. Moreover, each such location is exposed to emissions arising from more than one nearby site, and to additional cumulative emissions arising from the sum of more distant sites. This level of potential exposure is likely to be entirely unacceptable to the population of North Yorkshire, and to contravene fundamental principles of public health. It is therefore strongly suggested that: **The density of well pads shall be limited to an absolute maximum of four per 100 km^2 grid square. Moreover, in view of cumulative effects, no more than two well pads shall be allowed to lie within a distance of 2 km from any individual residence, place of work or place of education. In the case of a residential area with more than 50 occupiers, an educational establishment with more than 50 students, or a hospital with more than 50 patients, the minimum distance between any point within the perimeter of this area and the perimeter of each well pad shall be 3 km.**

I trust that these suggestions will be of assistance to you and to the Inspector in his evaluation of the MWJP.

With kind regards,

Professor Nick Cowern

Director/CEO, on behalf of NC Tech Insight Ltd

MINERAL AND WASTE JOINT PLAN (PUBLICATION STAGE) Consultation response

TITLE	[redacted]
INITIALS	[redacted]
SURNAME	[redacted]
ORGANISATION (if applicable)	**Concerned Resident of The Parish of Burythorpe & Parish Councillor on Burythorpe Parish Council**
ADDRESS	**Orchard Cottage, Burythorpe, Malton, North Yorkshire**
POSTCODE	[redacted]
TELEPHONE	[redacted]
EMAIL	[redacted]

Yes, I would like to attend the Oral Examination of the MWJP but to listen not to speak.

NOTE:

Burythorpe Parish Council is broadly in support of all the comments made by [redacted]. All Councillors have had the opportunity to read the Waste and Minerals Plan and to read [redacted] reply to the consultation, and no adverse comments have been made to what she has said. However, due to the short time frame given, the Parish Council has not had the chance to meet to discuss either the plan or the reply, and is unable to submit its own comments. The Parish Council is in the process of considering its position on fracking, having welcomed a talk in the village last week on concerns surrounding fracking. There are clearly many issues which must be discussed and the voices of the residents must be heard before it can decide.

SCOPE OF THE CONSULTATION

North Yorkshire County Council appeared to have made an arbitrary decision when stating that the scope of this consultation should simply be limited to its legality and soundness. The Town and Country Planning (Local Planning) England Regulations (2012), do not state that the scope of the consultation at the "Regulation 19", or consultation stage, should be limited. Therefore we, Burythorpe Parish Council feel that the consultation should be opened up - to allow for the content and substance of the plan to reach a wider audience, to allow for a deeper public consultation on the content and substance of the plan.

Following the announcement of the results of the 14th round of bidding for Petroleum Exploration and Development Licences, the majority of North Yorkshire is now within a PEDL licence area, or subject to the potential impact of a neighbouring PEDL licence. Consequently, on analysis of the wording and the parameters used in the composition of the Minerals and Waste Joint Plan (MWJP), it would appear that the Shale Gas Industry has had considerable influence in the development of the MWJP.

Due to the fact that there is so much new content contained within this draft of the MWJP compared to that previous version, released for consultation in December 2015, and that this essentially "new" policy has not gone through the required consultation rounds with other representative bodies, or the general public, this consultation is therefore neither legal nor is it sound.

The obvious influence of the Shale Gas Industry over the composition of the plan, together with the substantial rewriting of, and consequential changes to, Sections M16-M18 in particular, as compared to the previous version released for consultation last December, is another indication that this consultation demonstrates neither legal compliance nor is it sound.

CLIMATE CHANGE

There are statutory requirements with which the MWJP should reasonably be expected to comply. These include:

Section 19(1A) of The Planning and Compulsory Purchase Act (2004).
Here, the MWJP ought to indicate how the plan as a whole contributes to the minimisation of its impact on climate change. Furthermore, it should also indicate strategies for the necessary adaption to climate change. The MWJP fails on both counts.

Paragraph 94 of the National Planning Policy Framework (NPPF)
Here it states that "*Local planning authorities should adopt proactive strategies to mitigate and adapt to climate change"*. We do not believe that sections M16-18 of the MWJP conforms with this, and is therefore unsound.

The Committee of Climate Change (CCC) Report, released March 2016
Within the Climate Change Act, there is a legally biding commitment for the UK to reduce its emissions by 80% by 2050. The development of a Shale Gas Industry in the Uk would be indirect conflict with the UK's commitment to the reduction of emissions and its carbon budgets, unless three crucial tests are met. The MWJP needs to clearly define precisely how it intends to meet the

criteria for these tests, otherwise it risks bringing the UK into direct conflict with its legally biding commitments for the mitigation and adaption to climate change

Test 3 of the CCC Report
This states that "*emissions from shale exploitation will need to be offset by emissions reductions in other areas of the economy to ensure that UK carbon budgets are met*." This is neither reasonable, nor is it a sound policy to suggest that "carbon emissions from other areas of the Uk economy" have to be sacrificed in order to safe guard the unsupported assumptions that establishment of a shale gas industry in the Uk could lead to carbon savings. Ignoring as it does fugitive emissions of methane at every stage of the hydraulic fracturing process, where one molecule of methane has the same effect on climate change as 23 molecules of carbon dioxide. It also takes no account of the fact that governmental support has been removed for Carbon Capture and Storage; subsidies for renewable energy projects has been removed and plans to make all new homes carbon zero by 2016, have been shelved.

The MWJP fails to adequately address the issues surrounding climate change. Remaining within the UK's climate budget is a key condition of Test 3 of the Committee of Climate Change Report, and for the MWJP to claim that Policy M16 could have a positive effect on climate change, is therefore unsound.

This is a serious fail, and in not conforming to these statutory requirements, this plan fails in legal compliance and tests of soundness, in relation to climate change.

Future applications for hydrocarbons production (including fracking)
It should be policy that all Future applications for hydrocarbons production (including fracking) must be assessed **thoroughly and robustly** using the following criteria:

- All CO_2 emissions and fugitive methane leaks must be included

- All CO_2 emissions resulting from both production and combustion must be included

- Explanations of how emissions from shale gas production can be accommodated within UK carbon budgets should be included and assessed by the planning authorities.

- Until Carbon Capture and Storage (CCS) is fully operational and compulsory, this can not be used in planning applications, particularly in the context of the Shale Gas Industry as a device to mitigate future CO_2 emissions in some notional future is unsound.

- Explanations of how emissions from shale gas production can be accommodated within UK carbon budgets should be included and assessed by the planning authorities. Any proposed plan must clearly show that it will lead to a *reduction* in climate change in order for it to be approved.

CONSIDERATION OF LOCAL IMPACTS

Landscape and Visual Impact

The inclusion in Policy M16 that designated areas such as National Parks, AONBs and SSSIs are protected from fracking on their surfaces is strongly supported. However, the MWJP is currently unsound as it does not take into account the Ryedale Local Plan Strategy, in particular Policy SP13 (Landscapes).

The Ryedale Plan is an adopted local plan which has statutory force and has been made in accordance with the requirements of the NPPF. It follows that the draft minerals plan would be unsound if it failed to take proper account of Policy SP13 of the Ryedale Plan. It is also noted that the Areas which Protect the Historic Character and Setting of York are now included as a protected area, presumably because the MWJP was seen to be in conflict with the City Plan, which was also approved by the NYCC. The same consideration must therefore be given to the Ryedale Plan.

The Ryedale Plan aims to encourage new development to *"reinforce distinctive elements of landscape character"* in areas including the Vale of Pickering and the Yorkshire Wolds. These are areas high in landscape value, with Neolithic features that require specific consideration, and which ***should be*** protected by Policy M16 in the MWJP.

Ryedale Policy SP13 states that developments should contribute to the protection and enhancement of distinctive elements of landscape character, including: "Visually sensitive skylines, hill and valley sides…the ambience of the area, including nocturnal character, level and type of activity and tranquillity, sense of enclosure/exposure." (p 129 – Ryedale Plan).

If fracking were developed in the way described in the MWJP, this would clearly contravene the Ryedale Plan, which was approved and adopted by the NYCC. The landscape impact alone of so many fracking well-sites, and the supporting infrastructure such as pipelines, compressor stations and dehydrating plants, would clearly have a negative effect on the Vale of Pickering and the Yorkshire Wolds. Therefore the MWJP must be developed so that it is complementary to this Local plan, not be in conflict with it. The Vale of Pickering and the Yorkshire Wolds should both therefore, be included as 'protected areas' in Policy M16.

This means that the MWJP is currently unsound.

The village of Burythorpe is an ancient one, with origins dating back to the Neolithic Period. An excavation was carried out in 1996, where the Whitegrounds Barrow was discovered, dated circa 3000BC. Both Iron Age and Roman artefacts were discovered at the time of this excavation. Within the village of Burythorpe, we have several listed buildings, including All Saints Church, and approximately 700m north-west of the church, in the vicinity of the Burythorpe Sand Quarry, the outline of a Roman Villa can be seen from the air.

The Church itself, is situated on high ground elevated above the village and commands spectacular views of the surrounding landscape for many miles. Its setting is unique, and vastly contributes to its attraction for visitors to the area, and there is evidence that there has been a Christian settlement there since before Norman times. Excavations at this site discovered an important Roman site in 1996 but also identified pre-Christian remains from the late Iron Age (1st to 2nd Century BC). The Village Design Statement states - "This building and the hill upon which it sits are

mwjointplan

From: [redacted]
Sent: 21 December 2016 17:00
To: mwjointplan
Subject: Waste and Minerals Joint Plan Consultation Submission

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Sir,

I would like to support submission placed by the Frack Free Harrogate (see below).

There are plenty of renewable energy alternatives at our disposal to drive the Yorkshire economy, so hydraulic fracturing is an unnecessary environmental intrusion.

[redacted]

[redacted]

[redacted]

[redacted]

North Yorkshire Waste and Minerals Joint Plan Consultation December 2016

Part B

In response to the final draft of this policy and the (very complex) guidance notes on the scope of the consultation I wish to make the following points on behalf of Frack Free Harrogate District, a voluntary campaigning group.

1 Scope of consultation

The restrictive character of the consultation (Legal Compliance and Soundness) is unacceptable. Policies M16, 17 and 18, which relate to unconventional oil and gas extraction, and the volume of supporting policy justification, are radically different from the statements in the draft policy (late 2015). This means that the substance of these policies has not been open to due scrutiny. The Council has chosen narrowest interpretation of its duty to consult (under the Town and Country Planning Regulations of 2012).

2 Legal Compliance and Soundness

The policy, as in M16, 17 and 18, fails to meet these criteria (from the National Planning Policy Framework) in the following ways:

Climate Change: Legally the council is bound to ensure that policies must as a whole mitigate, and adapt to, climate change (Section 19 1a of 2004 Planning Act). The Plan overall fails to meet this requirement. Specifically, in Policy M16, the impacts of extracting and burning fossil fuels, and the consequences of inevitable methane leakage, have been overlooked.

Local Environments and health: The impacts of unconventional gas exploration (which were well rehearsed in the 2015 draft consultation) are not addressed effectively here. There is no justification for this shortcoming. Sufficient reputable, peer-reviewed scientific and case study evidence exists across the world now to

demonstrate the risks of Fracking. These include water supply, quality and disposal; drilling accidents and damage to aquifers; public and personal health/wellbeing; visual and landscape degradation; hgv traffic volumes and air quality; light and noise pollution; wildlife; seismic events. Reference is made to these but no overall statement about robust protection – and no framework for action – on behalf of communities exists. The Council has legal duties to stand its ground on such protections and will be found wanting when the inevitable consequences of Fracking start to emerge.

The Precautionary Principle: The Council has duty to avoid undue risks to its communities and environments. It is required in particular to take a precautionary approach to the cumulative effects of its policies. Fracking can only prosper as an industry on a large scale. The Council's policies here appear, generally, to take a singular and short-term approach to the industry. At what point, for instance, will water extraction for Fracking grow to affect domestic and service supplies? At what point, on current evidence, does a major and irretrievable event affecting water quality, agriculture, or tourism seem inevitable? At what point will multiple well heads generate intolerable levels of traffic, local pollution, and environmental degradation? Without the guarantee that every application will be subject to a rigorous **Environmental Impact Assessment** and a firm commitment to act on the basis of scientific certainties about such protections, the Council's plans remain unsound.

3 Specific Policy Objections (relating to policies M16, 17, 18)

- There is no plan here to ensure that the Council's legally binding commitments to reduce greenhouse emissions can be fulfilled during the extraction, transmission and use of fossil fuels produced by Fracking

- The areas singled out for landscape protection seriously under value the many precious environments that exist across the County. These may be small scale woodlands, access land with paths, tranquil open land adjacent to towns and villages. Many residents lack private transport. For them modest landscapes may be more important than the majestic AONBs, National Parks and SSIs. The Council needs to extend protection to all such environments.

- The proposed Buffer Zone (policy M17) between residences and well heads is set at 500 metres, and even that will allow exceptions. Evidence from the USA points to the need for a minimum of 750m. The Buffer Zone here should be at least as great as that offered when wind turbines are approved. No exceptions should be allowed.

- The policies lack a mechanism to obtain a systematic long term assessment by Yorkshire Water of the implications of abstraction for domestic water supply.

- The policies do not address the crucial issue about plans for the treatment and disposal of the toxic fluids generated from Fracking. This may fall outside the Council's remit but it is reckless to rely on non-specific and untested assurances from the industry. No proven process for the safe treatments of waste fluids currently exists. Reinjection is now a proven cause of seismic episodes as well as a long term threat to groundwater and aquifers

- The policies do not guarantee baseline assessment of water and air quality, pollution, public health profiles, traffic volumes, seismic records, methane levels etc. These are essential if the Council is serious about monitoring the impact of Fracking. Evidence supplied solely by the industry will not be sufficient.

4 Proposed Policy Revisions

M16 (b) climate change, precautionary principle, cumulative impacts.

- The emphasis of the policy should be strengthened so that ***applications will not be considered*** unless they demonstrate that they can be implemented safely and sustainably without adverse impacts

- The applicant must provide convincing evidence that methane emissions and transmission of gas will not compromise the council's climate change objectives
- Every application should be appraised by the precautionary principle and be subject to a rigorous Environmental Impact Assessment

- Applicants must explain the likely scale and extent of the longer term operations before they are allowed to start drilling a single well site.

- Cumulative impact assessments, covering the full range of issues above, should be commissioned by the applicant and the Council, including extent of long term operations

M17 (1) Highways

- Again the principle needs to be stated that Fracking ***will not be permitted*** unless a full Transport Assessment, incorporating the cumulative and economic impact of other local plans and projects, has been carried out. Nor will it be permitted where safety, pollution, congestion and impact on communities are compromised.

M17 (Local Economy)

- ***Fracking will not be permitted*** where agriculture, business, tourism and cultural assets are jeopardised. Applicants must provide absolute guarantees and plans to protect these

M17 (Local amenity)

- ***Fracking will not be permitted*** where the impact on local communities and services will be adverse from air pollution, noise, light, methane emissions and degraded surface water. A buffer zone of at least 750 metres (more in many locations) is required to protect residences, schools, hospitals, clinics, other social services, livestock farms, horticulture nurseries, sensitive wildlife sites etc. With no exceptions.

In summary the Plan as it stands, while identifying many of the safeguards needed, fails to make enough binding conditions upon applicants and to assert the precautionary principle. The weakness of this policy stance will encourage the Fracking industry to take risks. It will prevent us achieving our legally binding Climate Change obligations. It will expose our communities to the devastation that Fracking has brought elsewhere. And that will inflict severe reputational damage on the Council.

The people of North Yorkshire deserve and need better.

Minerals and Waste Joint Plan

Publication Stage- Response Form

Part A - Contact details

Your contact details

Name: [redacted]	Title: [redacted]	Initial(s): [redacted]
Surname: [redacted]		
Organisation (if applicable): [redacted]		
Address: [redacted]		
Post Code: [redacted]		
Telephone:		
Email: [redacted]		

Agent contact details (if applicable)

Name:	Title:	Initial(s):
Surname:		
Organisation (if applicable):		
Address:		
Post Code:		
Telephone:		
Email:		

Please ensure that your contact details in Part A are correctly filled in. Without this information your representations cannot be recorded. Please also see the note on Data Protection at the bottom of this page before submitting your response.

At this stage in producing the Joint Plan, representations should be focussed on legal compliance, compliance with the Duty to Cooperate and whether the Plan meets the four tests of soundness. More information on these matters are provided in separate **guidance notes. You are strongly advised to read these notes, which have been prepared by the Planning Inspectorate, before responding.**

A separate **Part B** form **MUST** be produced for each separate representation you wish to make. After this stage, further submissions will only be at the invitation of the inspector who will conduct an Examination in Public of the Joint Plan, based on the matters they identify during the Examination.

All responses should be returned by 5pm on Wednesday 21st December 2016. Please note that representations cannot be received after this deadline.

Responses can be returned by email to: mwjointplan@northyorks.gov.uk or by post using the address below:

Minerals and Waste Joint Plan Team
Planning Services
North Yorkshire County Council
County Hall
Northallerton
DL7 8AH

Data Protection:
North Yorkshire County Council, the North York Moors National Park Authority and the City of York Council are registered under the Data Protection Act 1998. For the purposes of the Data Protection Act legislation, your contact details and responses will only be retained for the preparation of the Minerals and Waste Joint Plan. Representations made at Publication stage cannot remain anonymous, but details will only be used in relation to the Minerals and Waste Joint Plan. Your response will be made avalible to view on the website and as part of the examination.

For official use only:
Respondent Number Date received.....Date entered .....Date acknowledged.....

[redacted]

The MWJP is the policy that protects our environment, our health and our existing industries and livelihoods from inappropriate development of quarries, waste handling facilities etc. The emerging plan for the next 15 years will be the policy that must protect us in future from any harmful effects of fracking, from Skipton to Richmond to Staithes to Ryedale. To be effective, the policy must be comprehensive and unambiguous. The continued success of our tourism business relies heavily on this.

Ryedale District Council (RDC) has a policy for a 5 year moratorium on fracking unless it can be shown to be safe. To achieve this policy requires robust conditions and baseline monitoring and of air, water, public health, cumulative impacts, site allocations, climate change target compliance, fugitive emissions, waste water handling, financial guarantees and reinstatement.

In the Judicial Review of NYCC's KM8 decision, Mrs Justice Lang stated that the terms of conditions imposed by planning authorities should "***afford a considerable degree of protection to residents***" *and* "***extend beyond mere restoration to a programme of aftercare, in accordance with Planning Practice Guidance [PPGs].***"

We have to trust that all officers, councillors and consultees will actively supporting ALL efforts to achieve the necessary protection for our county, its inhabitants, our existing industries and our climate.

Specifically: Policy Vision ii Efficient use.
In terms of climate change, fugitive emissions and green completions, the MWJP must comply with the 3 conditions laid out by the Committe on Climate Change and NPPF para 94.

Policy M16 b ii
'Lack of harm' in not positive planning. Positive planning is a requirement of the NPPF

Policy M17 1 i) a
Access to sites should not be allowed over a certain distance from classified A or B roads. All roads must be made good and maintained in a suitable condition at the cost of the fracking companies. Monitoring of compliance with traffic plans should be mandatory by condition, with collection of data regarding accidents and spills.

Policy M17 2 i ii para 5.149
As no data exists regarding the uk fracking industry, the must be robust assessment of environmental and health data, with ongoing monitoring, to establish any benefits or impacts from the industry.

Policy: Chapter 6. Para 6.6 6.7 6.15 6.29 6.39
There is no uk fracking industry data regarding wastewater quantities. Treatment capacity must be provided in line with planning approvals and approvals delayed if capacity drops behind.

Policy M18 2 iii
The Mineral Planning Authority must require the provision of a bond, guaranteed by 3rd party to cover harm at any time.

mwjointplan

From: [redacted]
Sent: 21 December 2016 17:51
To: mwjointplan
Subject: Waste and Minerals Joint Plan Consultation Submission.

Follow Up Flag: Follow up
Flag Status: Flagged

Good Afternoon

I write this on behalf of my aged in laws who reside at Butterwick in North Yorkshire.

My in-laws have lived in Butterwick for many years, [redacted].

I think that it is important that the county council understand that some residents of the county do not understand all the risks associated with unconventional gas extraction, indeed the industry by its own admission does not fully understand, as they cannot give a definitive answer to what happens to the waste water.

As you may be aware the village of Butterwick is downstream from Kirby Misperton, with KM8 close by. With this in mind the residents of Ryedale and indeed the greater North Yorkshire have already been put at an unquantifiable risk. With this in mind and the very fact that there will be many residents of the county in the same position as my in-laws, and not able to fully understand the risks or how to act should a dangerous event happen they it is my belief that a "precautionary principle should be applied to unconventional oil and gas development due to unknown environmental effects, the risk to water quality means the precautionary principle should be applied under the EU Water Framework Directive.

One of the Core Planning Principles in Paragraph 17 of the NPPF is to support the transition to a low carbon future, Paragraph 94 of the NPPF calls for "proactive strategies to mitigate and adapt to climate change, unconventional gas does not do this".

It is incomprehensible and I would argue unlawful to exploit new fossil fuel reserves that may lead to us breaching our legally binding commitments under the climate change act.

In closing, the county council has a responsibility for the health and the security of all its residents, to allow risk to be placed upon your residents as a matter of policy is unacceptable and unlawful.

[redacted]

mwjointplan

From: mwjointplan@york.gov.uk
Sent: 03 January 2017 11:29
To: mwjointplan
Subject: FW: Fracking

Hi,

I'm not sure whether this response was sent to NY email as well. If not, please add to responses.

Thank you,
[redacted]

[redacted]

[redacted]

-----Original Message-----
From: [redacted]
Sent: 17 November 2016 20:36
To: mwjointplan@york.gov.uk
Subject: Fracking

I strongly support the restriction of fracking. I would like to see it abolished altogether, but in the meantime, it should certainly not threaten areas around homes, areas of outstanding natural beauty, ancient monuments and/or the historic setting of York.

[redacted]

City of York Council respects your privacy. For more information on how we use your personal data, please visit http://www.york.gov.uk/privacy

Minerals and Waste Joint Plan

Publication Stage- Response Form

Part A - Contact details

Your contact details

Name:	Title: MR	Initial(s): C.H.
Surname: STRATTON		
Organisation (if applicable): South Hambleton Shale Gas Advisory Group, Also representing Coxwold ,Crayke and Husthwaite Parish Councils , Oulston Parish Meeting & Helmsley Town Council		
Address:	Bank Farm	
	Oulston	
	York	
Post Code: YO61 3 RA		
Telephone: 01347 868854		
Email: chstratton50@gmail.com		

Agent contact details (if applicable)

Name:	Title:	Initial(s):
Surname:		
Organisation (if applicable):		
Address:		
Post Code:		
Telephone:		
Email:		

Please ensure that your contact details in Part A are correctly filled in. Without this information your representations cannot be recorded. Please also see the note on Data Protection at the bottom of this page before submitting your response.

At this stage in producing the Joint Plan, representations should be focussed on legal compliance, compliance with the Duty to Cooperate and whether the Plan meets the four tests of soundness. More information on these matters are provided in separate **guidance notes. You are strongly advised to read these notes, which have been prepared by the Planning Inspectorate, before responding.**

A separate **Part B** form **MUST** be produced for each separate representation you wish to make. After this stage, further submissions will only be at the invitation of the inspector who will conduct an Examination in Public of the Joint Plan, based on the matters they identify during the Examination.

All responses should be returned by 5pm on Wednesday 21st December 2016. Please note that representations cannot be received after this deadline.

Responses can be returned by email to: mwjointplan@northyorks.gov.uk or by post using the address below:

Minerals and Waste Joint Plan Team
Planning Services
North Yorkshire County Council
County Hall
Northallerton
DL7 8AH

For official use only:
Respondent Number Date received..... Date entered ..... Date acknowledged.....

Publication stage Response form - Part B

Please use a separate Part B form for each representation

Name or Organisation :	SHSGAG. With Coxwold,Crayke,and Husthwaite PCs,Oulston Parish Meeting & Helmsley Town Council

Please mark with an x as appropriate

1. To which part of the Minerals and Waste Joint Plan does this representation relate?

Paragraph No./ Site Allocation Reference No. [ ] Policy No. [D06] Policies Map [ ]

2. Do you consider the Minerals and Waste Joint Plan is :

2.(1) Legally compliant Yes [ ] No [x]

2.(2) Sound Yes [ ] No [x]

(2a) Which Element of soundness does your respresentation relate to? (please only mark with an x one element of soundness per response form).

Positively Prepared Yes [ ] No [ ] *Justified* Yes [ ] No [ ]

Effective Yes [ ] No [x] *Consistent with National Policy* Yes [ ] No [ ]

2 (3) Complies with the Duty to co-operate Yes [x] No [ ]

3. Please give details below of why you consider the Minerals and Waste Joint Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Please refer to attached Critique
Paragraph 3 (b) & (d)

(b) It is obviously desirable, indeed essential, to eliminate small inconsistencies and ambiguities.

(d) Words such as "inappropriate" and "unacceptable" are imprecise and subjective. They are therefore capable of ambiguous interpretation and application. As may be seen in the next paragraph, far preferable and objective are "effective" and "adverse".

(continue on a separate sheet/expand box if necessary)

4. Please set out what modification(s) you consider necessary to make the Minerals and Waste Joint Plan legally compliant or sound, having regard to the Matter you have identified at 3. above where this relates to soundness. (NB Please note that any non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why this modification will make the Minerals and Waste Joint Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please refer to attached Critique
Paragraph 4 Proposed Amendment 15

15. Page 170 Policy D06 1) line 3, 2) line 4 and 3) line 3: for "unacceptable" substitute "adverse".

(continue on a separate sheet/expand box if necessary)

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

5. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

	No, I do not wish to participate at the oral examination	x	**Yes,** I wish to participate at the oral examination

6. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

To amplify the above

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

Official Use Only Reference Number

All responses received will be considered and any information provided will be made public. My consent is hereby confirmed.

Signature: [redacted]	Date:17th December 2016

Publication stage Response form - Part B

Please use a separate Part B form for each representation

Name or Organisation :	SHSGAG. With Coxwold,Crayke,and Husthwaite PCs, Oulston Parish Meeting & Helmsley Town Council

Please mark with an x as appropriate

1. To which part of the Minerals and Waste Joint Plan does this representation relate?

Paragraph No./ Site Allocation Reference No.		Policy No.	M16	Policies Map	

2. Do you consider the Minerals and Waste Joint Plan is :

2.(1) Legally compliant	Yes		No	x
2.(2) Sound	Yes		No	x

(2a) Which Element of soundness does your respresentation relate to? (please only mark with an x one element of soundness per response form).

Positively Prepared	Yes		No		*Justified*	Yes	No
Effective	Yes		No		*Consistent with National Policy*	Yes	No x

2 (3) Complies with the Duty to co-operate	Yes x		No	

3. Please give details below of why you consider the Minerals and Waste Joint Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Please refer to the attached Critique Para 3 (a) & (c)

(a) In line with the NPPFs presumption in favour of development it is appreciated why so many of the draft policies begin "will be permitted" but then reservations need invariably to follow the word "unless" or "only".

(c) ***Buffer zones.*** *We welcome the inclusion of buffer zones to safeguard National Parks and AONBs and strongly support the proposed distance of 3.5km. However a significant discrepancy presently exists between Policy M16 b) (i) and d) (i). As drafted, in b) (i) an absolute prohibition is proposed against all surface development involving hydraulic fracturing in National Parks, AONBs……Fountains Abbey/Studley Royal World Heritage Site and accompanying buffer zone etc. ; yet in d) (i) all kinds of surface development is anticipated within a National Park or an AONB or associated 3.5km buffer zone with the requirement only of a detailed assessment supporting any application, and permission forthcoming where acceptable harm arises. We*

strongly advocate the absolute prohibition in b) (i) for a National Park or AONB together with a 3.5km buffer zone. There seems little if any difference between the justification for a buffer zone for the World Heritage Site and the needs of a National Park or AONB. The National Trust/English Heritage submission (February 2012) relied upon visual setting, integrity and views and vistas. The Harrogate District Local Plan (May 2013) added the need to increase certainty in managing change. These criteria apply with equal force to our National Park and AONB.

But if, and only if that is unacceptable to Government we submit, as a fall-back position, for the same reasons which justify the World Heritage Site which is in neither a National Park nor AONB there should be at least some absolute prohibition of surface development which involves hydraulic fracturing within a National Park, AONBs with a lesser buffer zone of, say, 1.5km, with the other provisions contained in d) (i) applying to a wider zone of 3.5km, and a strengthening of its wording by substituting 'significant" for "unacceptable" harm.

As currently drafted we do not consider that M16(d) (i) to be compliant with the absolute prohibition of surface unconventional shale gas development in National Parks and AONBs provided for by section 50 the Infrastructure Act 2015. Therefore we do not regard the Mineral and Waste Joint plan as being legally compliant.

(continue on a separate sheet/expand box if necessary)

4. Please set out what modification(s) you consider necessary to make the Minerals and Waste Joint Plan legally compliant or sound, having regard to the Matter you have identified at 3. above where this relates to soundness. (NB Please note that any non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why this modification will make the Minerals and Waste Joint Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please refer to the attached Critique

Paragraphs 4 Proposed Amendments 1, 2 &3

1. *Page 84 Policy M16, b) (i), lines 4 and 5: for "and accompanying zone" substitute "(each with accompanying zones of 3.5km)."*

2. *Page 84 Policy M16 d): delete para (i) entirely but retain para (ii) but without its number.*

3. *Page 87, para 5.125, line 1:* for "appropriate" substitute "effective".

(continue on a separate sheet/expand box if necessary)

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

5. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

	No, I do not wish to participate at the oral examination	x	**Yes,** I wish to participate at the oral examination

6. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

To amplify the above with individual examples including maps and photographs

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

All responses received will be considered and any information provided will be made public. My consent is hereby confirmed.

Signature: [redacted]	Date: December 17 2016

Official Use Only Reference Number

Publication stage Response form - Part B

Please use a separate Part B form for each representation

Name or Organisation :	SHSGAG. With Coxwold,Crayke,and Husthwaite PCs, Oulston Parish Meeting & Helmsley Town Council

Please mark with an x as appropriate

1. To which part of the Minerals and Waste Joint Plan does this representation relate?

Paragraph No./ Site Allocation Reference No.		Policy No.	M17	Policies Map	

2. Do you consider the Minerals and Waste Joint Plan is :

2.(1) Legally compliant	Yes		No	x
2.(2) Sound	Yes		No	x

(2a) Which Element of soundness does your respresentation relate to? (please only mark with an x one element of soundness per response form).

Positively Prepared	Yes		No	x	*Justified*	Yes	No
Effective	Yes		No		*Consistent with National Policy*	Yes	No

2 (3) Complies with the Duty to co-operate	Yes	x	No	

3. Please give details below of why you consider the Minerals and Waste Joint Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Please refer to attached Critique
Paragraph 3 (d),(e), and (f)

(d) Words such as "inappropriate" and "unacceptable" are imprecise and subjective. They are therefore capable of ambiguous interpretation and application. As may be seen in the next paragraph, far preferable and objective are "effective" and "adverse".

*(e) **Vehicular access.** While "direct" access to a well pad from a classified A or B road is clearly understood, "indirect access" is capable of a variety of meanings including the use of classified C or even unclassified roads, the use of which by a large number of tankers and other plant and machinery would be highly undesirable. If there must be indirect access we suggest it should be contained within 1km of any A or B road. In addition we strongly support the requirement for a Traffic Management Plan to be included in any planning application*

*(f) **Separation from habitation.** A general distance rule of 500m ignores the different heights from which development or activity may be seen, and while a 2 ha well pad of 10 drilling masts, properly screened,*

may be acceptable to the occupier of an isolated farmhouse on whose land the activity occurs, it would not be so to the inhabitants of a village of 300 people whose homes enjoy extensive views from a height of 100m or more above the same activity, such as those with distant views over the Vales of York and Mowbray from settlements on the South and West flanks of the Howardian and Hambleton Hills respectively. We suggest that 500m should be stated as a minimum, the effective distance then being assessed in each case by the Local Planning Authority so that topographical variation can be taken into account.

(continue on a separate sheet/expand box if necessary)

4. Please set out what modification(s) you consider necessary to make the Minerals and Waste Joint Plan legally compliant or sound, having regard to the Matter you have identified at 3. above where this relates to soundness. (NB Please note that any non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why this modification will make the Minerals and Waste Joint Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please refer to the attached Critique Paragraph 4
Proposed amendments 4,5,6,7,& 8 9,10 &11

4. *Page 88 Policy M17 1) i) line 2: delete "or indirect" and for "and" substitute "and only".*

5. *Page 89 Policy M17 2) i) line 2: for "unacceptable" substitute "an adverse".*

6. *Page 90 Policy M17 4) i) line 2: for "unacceptable" substitute "an adverse".*

7. *Page 90 Policy M17 4) i) line 3: for "Adequate separation distances should" substitute " Adequate separation distances, including those specified below, must".*

8. *Page 90 Policy M17 4) i) lines 8 – 12: delete the last sentence beginning "Proposals for surface hydrocarbon ….." and substitute " Proposals for*

surface hydrocarbon development, particularly those involving hydraulic fracturing, will not be permitted between within 500m of one or two isolated residential buildings and other sensitive receptors or 1.5km of any residential settlement of 3 or more dwellings at the same or similar height above sea level or 3km where such settlement overlooks such activity from a height of 50m or more, the effective distance then being assessed in each case by the Local Planning Authority to take into account topographical variation".

9. *Page 91 para 5.131 line 15: for "and businesses" substitute "businesses or the environment."*

10. *Page 92 para 5.136 line 9: Add "Landscape Character Assessments and Capacity Studies will be of positive help in this respect, when the extent of the resource is better known, to determine the capacity of any given area to accommodate further drilling sites. The MPA will produce Supplementary Planning Guidance to this effect."*

11. *Page 94 para 5.146 line 19: between "reasonable" and "distance" insert "minimum" and (line 23) between "perceived impact." and "For the purpose" insert "While the 'protected building' principle is applicable in this context the nature and extent of activity together with the particular nature of the county's terrain and the dispersed nature of its settlements demand a discrete approach. Thus nearby activity may be acceptable in some isolated or relatively isolated situations on the same or similar level where effective screening is possible, but the same may not be acceptable when viewed from a greater distance and from a greater height. Accordingly a sliding scale of separation distance is needed commensurate with elevation."*

(continue on a separate sheet/expand box if necessary)

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

5. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

	No, I do not wish to participate at the oral examination	x	**Yes,** I wish to participate at the oral examination

6. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

To amplify the above with evidential material including maps and photographs

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

All responses received will be considered and any information provided will be made public. My consent is hereby confirmed.

Signature: [redacted]	Date: 17th December 2016

Official Use Only Reference Number

Publication stage Response form - Part B

Please use a separate Part B form for each representation

Name or Organisation :	SHSGAG. With Coxwold,Crayke,and Husthwaite PCs, Oulston Parish Meeting & Helmsley Town Council

Please mark with an x as appropriate

1. To which part of the Minerals and Waste Joint Plan does this representation relate?

Paragraph No./ Site Allocation Reference No.		Policy No.	M18	Policies Map	

2. Do you consider the Minerals and Waste Joint Plan is :

2.(1) Legally compliant	Yes		No	x
2.(2) Sound	Yes		No	x

(2a) Which Element of soundness does your respresentation relate to? (please only mark with an x one element of soundness per response form).

Positively Prepared	Yes		No		*Justified*	Yes	No
Effective	Yes	x	No		*Consistent with National Policy*	Yes	No

2 (3) Complies with the Duty to co-operate	Yes	x	No	

3. Please give details below of why you consider the Minerals and Waste Joint Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Please refer to attached Critique
Paragraph 3 (g)

(g) ***Financial Security.*** *To ensure the satisfactory restoration of any drilling or extraction site to its previous state requires a much greater degree of financial security than that which a commercial energy company, or group of companies could provide by simple guarantee. Either a bond lodged with the MPA, commensurate with each permitted activity or a 3rd party guarantee by a UK registered bank or insurer of equal standing is needed.*

(continue on a separate sheet/expand box if necessary)

4. Please set out what modification(s) you consider necessary to make the Minerals and Waste Joint Plan legally compliant or sound, having regard to the Matter you have identified at 3. above where this relates to soundness. (NB Please note that any non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why this modification will make the Minerals and Waste Joint Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please refer to attached Critique
Paragraph 4
Proposed Amendments 12&13

12. *Page 95 and 96 Policy M18 1)Waste Management and reinjection wells i) line 1 and 2) Decommissioning and restoration line 2: after "permitted" insert "only".*

13. *Page 96 Policy M18 2) iii) line 2: for "may" substitute "will" and after "guarantee" insert "including that of a 3rd party approved by the MPA such as a UK registered bank or insurer of similar standing."*

(continue on a separate sheet/expand box if necessary)

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

5. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

	No, I do not wish to participate at the oral examination	x	**Yes,** I wish to participate at the oral examination

Official Use Only Reference Number

6. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

To amplify the above

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

All responses received will be considered and any information provided will be made public. My consent is hereby confirmed.

Signature: [redacted]	Date: 17th December 2016

Publication stage Response form - Part B

Please use a separate Part B form for each representation

Name or Organisation :	SHSGAG. With Coxwold,Crayke,and Husthwaite PCs,Oulston Parish Meeting & Helmsley Town Council

Please mark with an x as appropriate

1. To which part of the Minerals and Waste Joint Plan does this representation relate?

Paragraph No./ Site Allocation Reference No.		Policy No.	M19	Policies Map	

2. Do you consider the Minerals and Waste Joint Plan is :

2.(1) Legally compliant	Yes		No	x
2.(2) Sound	Yes		No	x

(2a) Which Element of soundness does your respresentation relate to? (please only mark with an x one element of soundness per response form).

Positively Prepared	Yes		No		*Justified*	Yes		No	
Effective	Yes		No	x	*Consistent with National Policy*	Yes		No	

2 (3) Complies with the Duty to co-operate	Yes	x	No	

3. Please give details below of why you consider the Minerals and Waste Joint Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Please refer to attched Critique
Paragraph 3(b) and (d)

3(b) It is obviously desirable, indeed essential, to eliminate small inconsistencies and ambiguities.

3(d) Words such as "inappropriate" and "unacceptable" are imprecise and subjective. They are therefore capable of ambiguous interpretation and application. As may be seen in the next paragraph, far preferable and objective are "effective" and "adverse".

(continue on a separate sheet/expand box if necessary)

4. Please set out what modification(s) you consider necessary to make the Minerals and Waste Joint Plan legally compliant or sound, having regard to the Matter you have identified at 3. above where this relates to soundness. (NB Please note that any non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why this modification will make the Minerals and Waste Joint Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please refer to attached Critique
Paragraph 4
Proposed amendment 14

14. *Page 98 Policy M19 ii):* for "unacceptable" substitute "adverse".

(continue on a separate sheet/expand box if necessary)

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

5. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

	No, I do not wish to participate at the oral examination	x	**Yes,** I wish to participate at the oral examination

6. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

To amplify the above

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

Official Use Only Reference Number

All responses received will be considered and any information provided will be made public. My consent is hereby confirmed.

Signature: [redacted]	Date: 17th December 2016

CRITIQUE OF NORTH YORKSHIRE COUNTY COUNCIL'S MINERALS AND WASTE JOINT PLAN (OCTOBER 2016) BY SOUTH HAMBLETON SHALE GAS ADVISORY GROUP

1.Introduction

The South Hambleton Shale Gas Advisory Group comprises technical and professional disciplines. It is non-partisan, and over the past 12 months and more has sought to inform ourselves, the public and local parish councils on shale gas exploration and extraction. We offer this critique by way of constructive criticism, confining ourselves to the legal and procedural compliance or soundness of the final draft plan, including its conformity and the duty to cooperate. We are keen to ensure the final plan will be sufficiently robust and of such clarity as to withstand the scrutiny and challenges it will face at the Examination in Public and subsequent planning appeals. This paper is drafted by a professional planner and a lawyer, each with long and extensive experience in our respective fields, having advised and acted for and against Government and planning authorities over many years.

2. General Comment

It must be said at the outset that since the initial consultative draft Minerals and Waste Joint Plan was published a great deal of thought and detailed work have gone into the preparation of the draft plan now in final consultation. The overall strategy of general principles covering all aspects of minerals and waste in North Yorkshire, leading to their specific application, is a matter for congratulation. Although this critique is concerned solely with shale gas we must observe that such an integrated approach serves only to strengthen the particular aspects upon which it then focuses. We fully endorse the great body of principle and criteria, following both those principles set out in the National Planning Policy Framework document and the fundamental needs of the county. En passant, it is both gratifying and encouraging to note the extent to which the consultee responses to the original document have been recognized and imported into the joint plan now under consideration. Save therefore for a very few substantive matters of detail, this paper seeks to clarify and thereby strengthen some of the language employed in the Joint Plan. We would add, however, that as hinted at

in the present draft Joint Plan (e.g. para. 5.136) Supplementary Planning Guidance will probably be needed to deal with, for example, Landscape Character Assessments when the extent of the shale gas resource is better known. That would determine the capacity of each given area to accommodate further drilling sites. We note that Hambleton District Council have recently produced (May 2016) an LCA which would be an excellent basis for such a capacity study. Likewise it may be both prudent and beneficial to the community at large, as well of advantage to energy companies, for such further Guidance to include Preferred Sites, as the Joint Plan presently provides with regard to other resources such as gravel.

3. General Points

This paragraph contains the argument for and justification of the changes to the draft Joint Plan which we propose. To avoid repetition we discuss the different points with which we take issue or make suggestion, and where they recur in the Joint Plan deal with them compendiously. In the following paragraph we list with page, Policy, paragraph and line reference the specific amendments which then arise.

(a) In line with the NPPF's presumption in favour of development it is appreciated why so many of the draft Policies begin "will be permitted" but then reservations need invariably to follow the word "unless" or "only".

(b) It is obviously desirable, indeed essential, to eliminate small inconsistencies and ambiguities.

(c) **Buffer zones.** We welcome the inclusion of buffer zones to safeguard National Parks and AONBs and strongly support the proposed distance of 3.5km. However a significant discrepancy presently exists between Policy M16 b) (i) and d) (i). As drafted, in b) (i) an absolute prohibition is proposed against all surface development involving hydraulic fracturing in National Parks, AONBs.....Fountains Abbey/Studley Royal World Heritage Site and accompanying buffer zone etc. ; yet in d) (i) all kinds of surface development is anticipated within a National Park or an AONB or associated 3.5km buffer zone with the requirement only of a detailed assessment supporting any application, and

permission forthcoming where acceptable harm arises. We strongly advocate the absolute prohibition in b) (i) for a National Park or AONB together with a 3.5km buffer zone. There seems little if any difference between the justification for a buffer zone for the World Heritage Site and the needs of a National Park or AONB. The National Trust/English Heritage submission (February 2012) relied upon visual setting, integrity and views and vistas. The Harrogate District Local Plan (May 2013) added the need to increase certainty in managing change. These criteria apply with equal force to our National Park and AONB.

But if, and only if that is unacceptable to Government we submit, as a fall-back position, for the same reasons which justify the World Heritage Site which is in neither a National Park nor AONB there should be at least some absolute prohibition of surface development which involves hydraulic fracturing within a National Park, AONBs with a lesser buffer zone of, say, 1.5km, with the other provisions contained in d) (i) applying to a wider zone of 3.5km, and a strengthening of its wording by substituting 'significant" for "unacceptable" harm.

As currently drafted we do not consider that M16(d) (i) to be compliant with the absolute prohibition of surface unconventional shale gas development in National Parks and AONBs provided for by section 50 of the Infrastructure Act 2015. Therefore we do not regard the Mineral and Waste Joint plan as being legally compliant.

(d) Words such as "inappropriate" and "unacceptable" are imprecise and subjective. They are therefore capable of ambiguous interpretation and application. As may be seen in the next paragraph, far preferable and objective are "effective" and "adverse".

(e) **Vehicular access.** While "direct" access to a well pad from a classified A or B road is clearly understood, "indirect access" is capable of a variety of meanings including the use of classified C or even unclassified roads, the use of which by a large number of tankers and other plant and machinery would be highly undesirable. If there must be indirect access we suggest it should be contained within 1km of any A or B road. In addition we strongly support the requirement for a Traffic Management

Plan to be included in any planning application.

(f) **Separation from habitation.** A general distance rule of 500m ignores the different heights from which development or activity may be seen, and while a 2 ha well pad of 10 drilling masts, properly screened, may be acceptable to the occupier of an isolated farmhouse on whose land the activity occurs, it would not be so to the inhabitants of a village of 300 people whose homes enjoy extensive views from a height of 100m or more above the same activity, such as those with distant views over the Vales of York and Mowbray from settlements on the South and West flanks of the Howardian and Hambleton Hills respectively. We suggest that 500m should be stated as a minimum, the effective distance then being assessed in each case by the Local Planning Authority so that topographical variation can be taken into account.

(g) **Financial Security.** To ensure the satisfactory restoration of any drilling or extraction site to its previous state requires a much greater degree of financial security than that which a commercial energy company, or group of companies could provide by simple guarantee. Either a bond lodged with the MPA, commensurate with each permitted activity or a 3rd party guarantee by a UK registered bank or insurer of equal standing is needed.

4. Proposed Amendments

1. *Page 84 Policy M16, b) (i), lines 4 and 5:* for "and accompanying zone" substitute "(each with accompanying zones of 3.5km)."

2. *Page 84 Policy M16 d):* delete para (i) entirely but retain para (ii) but without its number.

3. *Page 87, para 5.125, line 1:* for "appropriate" substitute "effective".

4. *Page 88 Policy M17 1) i) line 2:* delete "or indirect" and for "and" substitute "and only".

5. *Page 89 Policy M17 2) i) line 2:* for "unacceptable" substitute "an adverse".

6. *Page 90 Policy M17 4) i) line 2:* for "unacceptable" substitute "an adverse".

7. *Page 90 Policy M17 4) i) line 3:* for "Adequate separation distances should" substitute " Adequate separation distances, including
those specified below, must".

8. *Page 90 Policy M17 4) i) lines 8 – 12:* delete the last sentence beginning "Proposals for surface hydrocarbon ....." and substitute " Proposals for surface hydrocarbon development, particularly those involving hydraulic fracturing, will not be permitted between within 500m of one or two isolated residential buildings and other sensitive receptors or 1.5km of any residential settlement of 3 or more dwellings at the same or similar height above sea level or 3km where such settlement overlooks such activity from a height of 50m or more, the effective distance then being assessed in each case by the Local Planning Authority to take into account topographical variation".

9. *Page 91 para 5.131 line 15:* for "and businesses" substitute "businesses or the environment."

10. *Page 92 para 5.136 line 9:* Add "Landscape Character Assessments and Capacity Studies will be of positive help in this respect, when the extent of the resource is better known, to determine the capacity of any given area to accommodate further drilling sites. The MPA will produce Supplementary Planning Guidance to this effect."

11. *Page 94 para 5.146 line 19:* between "reasonable" and "distance" insert "minimum" and *(line 23)* between "perceived impact." and "For the purpose" insert
"While the 'protected building' principle is applicable in this context the nature and extent of activity together with the particular nature of the county's terrain and the dispersed nature of its settlements demand a

discrete approach. Thus nearby activity may be acceptable in some isolated or relatively isolated situations on the same or similar level where effective screening is possible, but the same may not be acceptable when viewed from a greater distance and from a greater height. Accordingly a sliding scale of separation distance is needed commensurate with elevation."

12. *Page 95 and 96 Policy M18 1)Waste Management and reinjection wells i) line 1 and 2) Decommissioning and restoration line 2:* after "permitted" insert "only".

13. *Page 96 Policy M18 2) iii) line 2:* for "may" substitute "will" and after "guarantee" insert "including that of a 3rd party approved by the MPA such as a UK registered bank or insurer of similar standing."

14. *Page 98 Policy M19 ii):* for "unacceptable" substitute "adverse".

15. *Page 170 Policy D06 1) line 3, 2) line 4 and 3) line 3:* for "unacceptable" substitute "adverse".

5. Conclusion

The precise wording of these proposals are by way only of suggestion but we hope that the sense and purpose of each is clear. Should they find favour with the Authorities the Group which we represent would give full hearted support at the Examination in Public.

Christopher Stratton OBE, DipLA, FLI, MRTPI

Peter Fox QC, LLD

For and on behalf of the SHSGAG,
also endorsed and adopted by the following Local Councils:

Coxwold
Crayke
Husthwaite
Oulston Parish Meeting
Helmsley Town Council

December 2016

mwjointplan

From:	Chris Stratton <chstratton50@gmail.com>
Sent:	21 December 2016 10:23
To:	mwjointplan
Subject:	NYCC Mineral and Waste Joint Plan _response by South Hambleton Shale Gas Advisory Group FAO James Whitleley
Attachments:	Letter NYCC .pdf; Response Form Part A .pdf; Response Form Part B D06.pdf; Response Form Part B M16. dock.pdf; Response Form Part B M17.pdf; Response Form Part B M18.pdf; Response Form Part B M19.pdf; CRITIQUE OF NORTH YORKSHIRE COUNTY COUNCIL'S.pdf

Dear Sirs,
I refer to the hard copies of our response which I handed to James Whiteley at County Hall yesterday afternoon As agreed I now attach pdf digital copies of all the documents, namely:
The covering letter
Form A
Forms B (5no)
Our Critique

There is one important difference to note between the hard copies I deposited with you yesterday and the digital submission today.
Last night we learnt that Helmsley Town Council had endorsed and adopted this submission, so we have added their name to all the forms A&B and the critique.
There are no other changes.

If you have any queries that it would be helpful to discuss as you process the documentation for the EIP please contact me.

I would be grateful if you could acknowledge receipt of this email.

Yours faithfully

Christopher Stratton

Chairman
South Hambleton Shale Gas Advisory Group

BANK FARM
OULSTON
NORTH YORKSHIRE
YO61 3RA

TEL: 01347 868854
E mail: chstratton50@gmail.com

Dec 21st 2016

Dear Sirs,
North Yorkshire Minerals and Waste Joint Plan 2016 - Publication Stage Response

I attach the response in digitised format that has been prepared by the South Hambleton Shale Gas Advisory Group on behalf of Husthwaite, Crayke, Coxwold parish councils, Oulston Parish Meeting and Helmsley Town Council.

Please note that since I submitted hard copies of Forms A&B to County Hall yesterday, Helmsley Town Council have discussed and adopted the SHSGAG response so are added to the list above.

In order to comply as far as possible with your request that we use your forms A & B. we have completed Five B forms which deal, with those specific points of policy that we wish to bring to the EIP.

Other points of amendment which arise from the justification and explanatory paras of the plan are also contained in a Critique which is attached. This document also explains who we are, and deals with general points. It also sets out our qualified support for the Oct 2016 version of the plan.

We hope that you will find merit in our suggestions and indicate your support prior to the EIP for we would like to be able to attend the hearing and lend our support to an amended Joint Mineral and Waste Plan.
Yours faithfully

Christopher Stratton
Chairman
South Hambleton Shale Gas Advisory Group

Mineral Planning Team
North Yorkshire County Council
County Hall
Northallerton